

MINUTES
CHATHAM COUNTY1fc BOARD OF COMMISSIONERS
REGULAR MEETING, NOVEMBER 16, 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 November 16, 1998.

Present: Chair, Margaret Bryant 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; Finance Officer,
Vicki McConnell; and Clerk to the Board, Sandra B. Lee

The meeting was called to order by the Chairman at 7:01 PM.

Commissioners Dunlap and Grimes entered the meeting at 7:04 PM and 7:05 PM, respectively.

AGENDA

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

Commissioner Holland moved, seconded by Commissioner Wilson, to approve the Agenda. The motion carried three (3) to zero (0).

CONSENT AGENDA

- The Chairman directed the Clerk to the Board to read the Consent Agenda. Commissioner Holland, 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 meeting held November 2, 1998

The motion carried three (3) 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 three (3) to zero (0).

3. **Bryan Family Funds Acceptance for the Health Department:** Consideration of a request for approval to accept additional Bryan Family Funds in the amount of \$3,000 awarded to the Health Department’s HIV/AIDS Case Management Program

The motion carried three (3) to zero (0).

4. **Mary Reynolds Babcock Opportunity Funds Acceptance for the Health Department:** Consideration of a request for approval to accept Mary Reynolds Babcock Opportunity Funds

in the amount of \$7,000 awarded to the Chatham County Health Department

The motion carried three (3) to zero (0).

5. **WINGS Resolution:** Consideration of a request for approval of a **Resolution Changing the Name of the Chatham County Council for Women to WINGS of Chatham County and Redefining its Focus**, attached hereto and by reference made a part hereof.

The motion carried three (3) to zero (0).

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Larry Hicks, 128 Persimmon Hill, Pittsboro, NC, stated that he wanted to personally thank those who were transitioning off the Board; that he knew that being a commissioner was not done for the salary; that the job probably takes up about 90% of the member's time; that the service must come from the love of the County and the desire to do well on behalf of the citizens. He stated that it had been a pleasure working with Commissioner Grimes on various issues, with Commissioner Wilson on the Strategic Plan Committee, and that Commissioner Dunlap has been the history of Chatham County for a long time. He again thanked the Board, individually, for their service to Chatham County.

Howard Stier, 985 Hollands Chapel Road, Apex, NC, stated that he wanted to take a last opportunity to address the current Board; that approximately four years ago, the Board was approached by a group of citizens regarding the appointment of a committee to develop a strategic plan; that in turn, a budget was prepared and authority was given to hire staff; that as the group grew in their efforts and improved their communications with the Board, understanding was increased, supported, and vastly improved; that the Board pledged their support by adopting a "Resolution in Support of a Chatham County Strategic Plan" on April 7, 1997; that this plan supported the plan that described the future of Chatham County; that the first meeting of the Strategic Plan Steering Team takes place on November 17, 1998 which will have official responsibility for coordinating the development of future actions and policies. He expressed his appreciation for the faith that the Board had in the Strategic Planning Committee's efforts, thanked them for keeping that faith during times of uncertainty, and for their overall efforts for the citizens of Chatham County.

John Ward, 1313 Charlie Cooper Road, Staley, NC, expressed his gratitude for the job that the Commissioners have been doing. He thanked Commissioner Dunlap for his many years of service to the County, and Commissioners Wilson and Grimes for their service to the County.

Chairman Pollard thanked the citizens for their timely input.

PLANNING AND ZONING

Public Hearings

Amendment to the Chatham County Subdivision Regulations (Private Drives): Public hearing to receive public comments on 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

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

Amendment to the Chatham County Subdivision Regulations (Historical Society): Public hearing to receive public comments on 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

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

Amendment to the Chatham County Zoning Ordinance: Public hearing to receive public comments on 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

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

Amendment to the Chatham County Zoning Ordinance: Public hearing to receive public comments on 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

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

PLANNING AND ZONING

Preliminary Design Approval

Preliminary Design Approval of The Settlement: Consideration of a request by Van R. Finch for Kim Henry, Builders Marketing Group, Inc. for preliminary design approval of “**The Settlement**” consisting of 44 lots on approximately 70.22 acres off SR #1537 (Tobacco Road) in Baldwin Township

Commissioner Wilson moved, seconded by Commissioner Holland, to accept the Planning Department and Planning Board recommendation and grant preliminary approval of the plat as submitted and approve the road names, **Jamestown Road** and **Plymouth Circle** with the following condition:

1. Public water is to be provided by the developer to and within the development with Chatham County absorbing any cost beyond the \$10,000.00 estimate for crossing Wilkinson Creek and the developer is to be charged only 25% of the connection cost for each lot in the subdivision, excluding the 3.75 acre reserved tract.

The agreement to pay potential over run cost for a small part of this project (creek crossing) is due to the change in County policy which occurred during the pendency of the application for approval of “The Settlement” and is not to be considered as a precedent.

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

Preliminary Design Approval of Norwood Crossing, Phase Two: Consideration of a request by Chuck Lewis, developer, for MAC Development, LLC for subdivision preliminary approval of **Norwood Crossing, Phase Two** consisting of 11 lots on 16.1 acres off SR #1536 (Lamont Norwood Road) in Baldwin Township

Commissioner Wilson moved, seconded by Commissioner Holland, to accept the Planning Department and Planning Board recommendation and grant preliminary approval of the plat along with the road name Rockwood Lane with the following condition:

1. The common driveway for lots 20-24 be improved to Chatham County private road standards for a distance of 100 feet. The balance of the driveway shall be improved such that the travelway has a minimum clearance of 12 feet wide and 14 feet high and an all weather travel surface. Such improvements shall be made prior to the plat being recorded.

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

Final Approval of Bobcat Point Subdivision – Phase 1: Consideration of a request by Ricky Spoon Builders for final approval of “**Bobcat Point Subdivision – Phase 1, Lots 17, 18, 19, 20, and 21**” consisting of 5 lots on 13.094 acres off SR #1558 (Henderson Tanyard Road) in Hadley Township

Commissioner Holland moved, seconded by Commissioner Wilson, to accept the Planning Department and Planning Board recommendation and grant final approval of Bobcat Point Subdivision – Phase 1, Lots #17, #18, #19, #20, and #21 with the following condition:

1. The plat not be recorded until the county attorney has approved the financial guarantee.

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

Proposed Amendment to the Chatham County Mobile Home Ordinance: Consideration of a proposed amendment to the Chatham County Mobile Home Ordinance to prohibit additional or relocation of pre-1973 mobile homes

Commissioner Dunlap moved, seconded by Commissioner Holland, to accept the Planning Department and the Planning Board recommendation and not amend the regulations as proposed. The motion carried five (5) to zero (0).

PUBLIC WORKS

Merry Oaks Water Line Construction Contract: Consideration of a request for approval of the Merry Oaks Water Line Construction Contract

Commissioner Holland moved, seconded by Commissioner Wilson, to award Merry Oaks Line Construction contract to J. R. Wilkerson in the amount of \$185,370.02, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Grease Trap Policy: Consideration of a request for approval of a Grease Trap Policy

Commissioner Wilson moved, seconded by Commissioner Holland, to amend the Rules and Regulations for Water and Sewer Service to include a grease trap policy, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

TAX ADMINISTRATION

Property Tax Exemption for First United Methodist Church: Consideration of a request

for approval of a late application for property tax exemption for First United Methodist Church

Commissioner Grimes moved, seconded by Commissioner Wilson, to approve the property tax exemption for the First United Methodist Church for 1998. The motion carried five (5) to zero (0).

Property Tax Exemption for Joy Baptist Church: Consideration of a request for approval of a late application for property tax exemption for Joy Baptist Church

Commissioner Grimes moved, seconded by Commissioner Holland, to approve the property tax exemption for the Joy Baptist Church for 1998. The motion carried five (5) to zero (0).

Appeal of Motor Vehicle Valuation: Consideration of a request for approval of an appeal of a motor vehicle valuation by Mr. Gregory Wilson

Commissioner Dunlap moved, seconded by Commissioner Wilson, to deny the request by Mr. Gregory Wilson to change the tax value of the 1998 Subaru vehicle. The motion carried five (5) to zero (0).

Taxes Owed on Wrecked Vehicle: Consideration of a request to release remaining taxes owed on wrecked vehicle by Mr. and Mrs. Don Cockerman

Commissioner Wilson moved, seconded by Commissioner Holland, to deny the request for the release of taxes owed on the 1991 GMC van and uphold the decision imposed by General Statute 105-330.6(c). The motion carried five (5) to zero (0).

EMERGENCY OPERATIONS

Date to Schedule Public Hearing to Name New State Maintained Roads: Consideration of a request to set a date on which to hold a public hearing on the naming of fourteen new state maintained roads in Chatham County

Commissioner Holland moved, seconded by Commissioner Wilson, to set December 14, 1998 as the date on which to hold a public hearing for the naming of 14 new state maintained roads in Chatham County. The motion carried five (5) to zero (0).

SHERIFF'S DEPARTMENT

Local Law Enforcement Block Grant: Consideration of a request to set a date on which to hold a public hearing on the Local Law Enforcement Block Grants Program

Commissioner Wilson moved, seconded by Commissioner Holland, to set December 14, 1998 as the date on which to hold a public hearing on the Local Law Enforcement Block Grants Program. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Strategic Plan Steering Team: Consideration of approval of appointments to the Strategic Plan Steering Team

Commissioner Holland appointed Myrtie Powell, 91 Powell Hatley Drive, Apex, NC 27502 to the Strategic Plan Steering Team. Commissioner Grimes seconded the motion. The motion carried

five (5) to zero (0).

Solid Waste Advisory Committee Appointments: Consideration of a request to appoint and reappoint members to the Solid Waste Advisory Committee

Commissioner Wilson moved, seconded by Commissioner Holland, to reappoint Fleming Pfann, 2106 Mt. Vernon-Hickory Mountain Road, Siler City, NC, to the Solid Waste Advisory Committee, term to begin February, 1998 and commence February, 2001. The motion carried five (5) to zero (0).

Commissioner Wilson moved, seconded by Commissioner Holland, to appoint Jim Nitsch, 650 Abeyance, Moncure, NC, to the Solid Waste Advisory Committee, term to commence November, 1998 and expire November, 2001. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

Charter Communications Franchise Transfer: Consideration of a request for approval of the transfer of Charter Communications franchise to entity controlled by Paul G. Allen

Commissioner Wilson moved, seconded by Commissioner Holland, to approve the transfer of the Charter Communications franchise to the entity controlled by Paul G. Allen, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

The County Manager reported on the following:

1. Water Conservation Policy Change: The Town of Siler City is close to requiring mandatory conservation measures with their water system. The County has water customers that use Siler City water. The County conservation plan is vague. Enforcement should be exercised by the County's water customers in that area. The Public Works Director asked that an amendment be considered in that regard to the water policy.

Commissioner Holland moved, seconded by Commissioner Wilson, to approve the amendment to the Chatham County Water Policy with regard to water conservation, subject to approval by the County Attorney. The motion carried five (5) to zero (0).

COMMISSIONERS' REPORTS

Commissioner Grimes stated that he had really enjoyed serving the County during the past four years; that he is looking forward to an early retirement; that he has not regretted any votes that he has cast; that each vote was done in a non-partisan way...in a way that he considered to be in the best interest of the County; that he did everything he could to keep partisan politics out of his decisions; that he still believes that Astoria is a good development; and that if someone else comes along with another comparable plan that meets environmental requirements and Astoria is not going to be pursued, that it should proceed accordingly.

Commissioner Holland stated that she had had some inquiries with regard to a traffic light at the intersections of Highways #64 and Mount Gilead Church Road and North Pea Ridge Road; that it is complicated for traffic to cross; and that when Highway #64 is four-laned, the difficulty will only

increase. She asked that the Board send a letter to the Department of Transportation asking that a study be done on this matter.

She also stated that she will miss each of the Commissioners who will be leaving the Board.

Commissioner Holland moved, seconded by Commissioner Wilson, to send a letter to the Department of Transportation asking that they conduct a traffic study for a traffic light where Mount Gilead Church Road (north side) and North Pea Ridge Road (south side) intersect with US Highway #64. The motion carried five (5) to zero (0). A copy of the letter is attached hereto and by reference made a part hereof.

Commissioner Wilson expressed her pleasure in working with and personally getting to know each Board member. She stated that the Board has worked well together as a Board; that she cherishes the experience; that she thought there was a good new Board taking office and that she plans to work with them in a different capacity.

She also expressed appreciation to the staff and stated that they had been wonderful. She thanked the Finance Officer, Vicki McConnell for her patience with her and help with the budget, the Clerk to the Board, Sandra Lee for her nurturing and emotional support, and stated that she was glad that the County Manager, Charlie Horne had come on board during her term of office.

She stated that she would like to make one last motion before she left the Board. She continued by stating that it had bothered her for four years that one of the County's buildings is named after a grocery store; that she thought that the building deserved a real name; that Chatham County has a commissioner which has served one of the longest terms of any commissioner in North Carolina and that he deserved the honor of the building bearing his name.

Renaming of the Health and Administration Building

Commissioner Wilson moved, seconded by Commissioner Grimes, to rename the Health and Administration Building (known as the Byrd's Building), at 80 East Street, Pittsboro the Henry H. Dunlap, Jr. Building. The motion carried five (5) to zero (0).

Commissioner Dunlap expressed his deepest appreciation for the renaming of the Byrd's building in his honor. He stated that he had several points he would like to discuss before he left his position on certain issues as follows:

Jordan Lake Water Study: Commissioner Dunlap stated that at the September 21, 1998 Board meeting, a gentleman from OWASA approached the Board regarding his idea that a water study be done; that his views had very little to do with the Chatham County Water Policy; that after some commendable remarks about the County's proposed direction, he advocated for a water runoff and water quality study to be paid for by those areas now allotted water in the current phase; that based on a payment of \$5,000 per million gallons per day; that the surrounding counties and jurisdictions would pay varying amounts based on their usage; that there was a consensus of the Board for this representative to bring back more concrete information; that at the meeting on October 1, 1998 in Chapel Hill, the Board was told that Region J has already unanimously endorsed it and the Town of Chapel Hill has endorsed the specifics of the plan; that he had a grant that was never mentioned to the Board; that it would take a lot of money; that this type of thing was very misleading; and that he was sick and tired of Orange County doing the County's planning.

Recreation: Commissioner Dunlap stated that he would like to extend his congratulations to Mr. Paul G. Braxton, son of the legendary Paul Braxton, for whom the gym and recreation center in Siler City are named, for helping foster the idea of a truly multi-purpose center in Chatham County; that this center would help develop the widespread interest in recreational activity, from recreational activities to cultural arts to community meetings; that many people can be credited for keeping this vision alive in the Siler City area, including Mayor Earl Fitts, Town Manager Joel Brower, Town Recreation Director Ken McPherson, and the Siler City Town Board; that there were too many people to thank who have contributed to the development of a county-wide recreation program that will help jump-start programs in the smaller communities as well; that one day he could see the swapping of funds from one area to another to help pay for all of the County's recreational needs.

Courthouse Clock: Commissioner Dunlap stated that he would like to go on record in favor of the placement of the proposed clock in the cupola of the Chatham County Courthouse; that the original plan which called for the clock was not completed, but that the Board now had the opportunity to complete it and should do so.

Other: Commissioner Dunlap stated that he felt he had accomplished many beneficial things during his long tenure, including the establishment of County health, recreation library, emergency services, development of a new solid waste management and recycling program, establishment of the positions of County Manager and Finance Officer, and the construction of many new school and government facilities, including the Courthouse Annex building, the Law Enforcement Center, the Social Services Building, and the Health and Administrative Office Building.

He also stated that he was sure he had made his share of mistakes, however, he had always tried to make the best decisions for the County during his twenty-four years on the Board, including eight as chairman. He stated that he was thankful for the opportunity to serve his native county...the great County of Chatham...with its beauty, its heritage, its people. He asked that the new Board be given a chance to succeed, adding that only thirty percent of the registered voters participated in the primary election.

MT. SINAI AME CHURCH RESOLUTION

Commissioner Wilson moved, seconded by Commissioner Holland, to adopt **Resolution #98-41 Commemorating the Founding of Mt. Sinai AME Church**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

RESOLUTION HONORING THE SERVICE OF COMMISSIONER DUNLAP

- Commissioner Grimes moved, seconded by Commissioner Holland, to adopt **Resolution #98-42 Honoring the Service of Commissioner Henry H. Dunlap**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

RESOLUTION HONORING THE SERVICE OF COMMISSIONER GRIMES

- Commissioner Wilson moved, seconded by Commissioner Holland, to adopt **Resolution #98-43 Honoring the Service of Commissioner John F. Grimes**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

RESOLUTION HONORING THE SERVICE OF COMMISSIONER WILSON

Commissioner Grimes moved, seconded by Commissioner Holland, to adopt **Resolution #98-44 Honoring the Service of Commissioner Betty F. Wilson**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

ADJOURNMENT

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Commissioner Grimes moved seconded by Commissioner Holland, 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 8:08 PM.

Rick Givens, Chairman

ATTEST:

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