

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING, SEPTEMBER 21, 1998**

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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 September 21, 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 Chair at 7:01 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 five (5) to zero (0).

- The Chairman directed the Clerk to the Board to read the Consent Agenda. Commissioner Wilson moved, 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 work session held August 12, 1998 and special meeting held September 8, 1998
2. **Tax Releases:** Consideration of a request for approval of Tax Releases, attached hereto and by reference made a part hereof.
3. **Refunds for Solid Waste Disposal Fees and Regular Tax Bills Paid in Error:** Consideration of a request for approval of refunds for Solid Waste Disposal Fees and regular tax bills paid in error, attached hereto and by reference made a part hereof.
4. **Annual Settlement and 1998 Tax Charge (Order of Collection):** Consideration of approval of Annual Settlement and 1998 Tax Charge (Order of Collection), attached hereto and by reference made a part hereof.
5. **Acceptance of Grant Funds for Latino Kindergarten Preparedness Program:** Consideration of approval to accept grant funds in the amount of \$20,770 from Smart Start to be used by the Chatham County Cooperative Extension Service to continue the Latino Kindergarten Preparedness Program through June 30, 1999
6. **Child/Adult Protective Services Contract:** Consideration of a request for approval of

contract for legal representation for Child and/or Adult Protective Services, attached hereto and by reference made a part hereof.

7. **Chatham Transit Network Contract Addendum:** Consideration of a request for approval of addendum to the Chatham Transit Network Contract, attached hereto and by reference made a part hereof.
8. **Sketch Design Approval of Deep River Bluffs:** Consideration of a request by Curtis T. Pope for sketch design approval of “**Deep River Bluffs**”, consisting of 8 subdivision lots on 70.97 acres, off SR #1956 (East Gargus Road), in Oakland Township
9. **Preliminary Approval of Fearington, Bush Creek, Section VIII, Phase 6:** Consideration of a request for subdivision preliminary approval of “**Fearington, Bush Creek, Section VIII, Phase 6**”, consisting of 27 lots on 22.36 acres in Williams Township
10. **Preliminary Approval of Fearington, Bush Creek, Section VIII, Phase 7:** Consideration of a request for subdivision preliminary approval of “**Fearington, Bush Creek, Section VIII, Phase 7**”, consisting of 62 lots on 26.02 acres in Williams Township

**END OF CONSENT AGENDA**

### **PUBLIC INPUT SESSION**

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

### **PLANNING AND ZONING**

#### ***Public Hearings***

**Chatham County Mobile Home Ordinance:** Public hearing to receive public comments on a request for an amendment to the **Chatham County Mobile Home Ordinance** to prohibit additional or relocation of mobile homes constructed on or before June 15, 1976

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

**Chatham County Subdivision Regulations:** Public hearing to receive public comments on a request for an amendment to the **Chatham County Subdivision Regulations** to require developers to extend existing County water lines when it is economically comparable to individual well installation

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

**Chatham County Zoning Ordinance:** Public hearing to receive public comments on a request for an amendment to the **Chatham County Zoning Ordinance** to classify substandard lots created by government acquisition as non-conforming situations

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

#### ***Zoning and Ordinance Amendments***

**Conditional Use Heavy Industrial District with Conditional Use Permit Request by C. Y. and Faye Davis:** Consideration of a request by C. Y. and Faye Davis for a Conditional Use Heavy Industrial District with a Conditional Use Permit for the operation of a land clearing and inert debris landfill with office/shop and retail/wholesale production and sale of mulching materials and screened topsoil, on 36.9 acres, off Old US #1, in Cape Fear Township

**Cindy Bland**, attorney for C. Y. Davis, stated that they recognize that this is a difficult, political issue; that the original recommendation from the Planning Board was to approve the project; that it shouldn't be called a "landfill"; that the original purpose of the land was to receive stumps and building materials; and that what happened was the adjoining property owners became upset about the proposal. She urged the Board to consider the request carefully.

**Frank Bolton**, as spokesperson for the adjoining landowners of the proposed landfill and members of the community, asked that the Board deny the request. He stated that a large turnout of the community was in attendance at the last Planning Board meeting at which the request was denied; that this is where the growth of Chatham County is going to be happening in the very near future; that they welcome the growth as everyone is going to be benefiting from it, but that a landfill is not the growth that is needed and will not be inviting for new industry or housing.

Commissioner Wilson moved, seconded by Commissioner Holland, to accept the Planning Board and Planning Department recommendation that the five findings not be made and the request be denied. The motion carried five (5) to zero (0).

### ***Preliminary Plat Review***

**Preliminary Approval of Monterrane:** Consideration of a request by C. A. Keisler for preliminary approval of **Monterrane** consisting of 17 lots on 91.5 acres, off SR #1700 (Mt. Gilead Church Road), in New Hope Township

Commissioner Wilson moved, seconded by Commissioner Dunlap, to accept the Planning Board and the Planning Department recommendation and grant preliminary approval with the following condition:

1. The easement shall be improved such that the travel-way 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 occupancy of any dwelling on said subdivision lot With addition of changes
2. The final plat shall have a 20' permanent utility easement with a 5' (on both sides) temporary construction and repair easement between lots 15 and 16 and along all public road rights-of- way.

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

### **PUBLIC WORKS**

**Waste Management Fee Ordinance:** Consideration of a request to approve modifications to the Waste Management Fee Ordinance and approval of Waste Management Fees Exemption Policy

Commissioner Wilson moved, seconded by Commissioner Grimes, to approve modifications

to the Waste Management Fee Ordinance, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Commissioner Wilson moved, seconded by Commissioner Grimes, to approve the Waste Management Fee Exemption Policy, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**Disposal Service Agreement with American Refuse Systems, Inc.:** Consideration of approval of exercising option to extend disposal service agreement between Chatham County and American Refuse Systems, Inc.

Commissioner Wilson moved, seconded by Commissioner Holland, to exercise the option to extend the contract with American Refuse Systems, Inc, pursuant to Article XIV, Section 14.01, for an additional five years, and that the Manager is directed to give notice of this action to American Refuse Systems, Inc. The motion carried five (5) to zero (0).

**Silk Hope School Water Line Engineering Contract:** Consideration of a request to approve Silk Hope School Water Line Engineering contract

Commissioner Holland moved, seconded by Commissioner Wilson, to award Silk Hope School Water Line Engineering contract to Hazen and Sawyer, pending contract review and approval by the County Attorney and Staff, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

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### **BOARDS AND COMMITTEES**

**Complete Count Committee:** Consideration of approval of appointments to the Complete Count Committee

Commissioner Pollard asked that staff contact major employers who are leaders in the community for recommendations of persons who would be assets to the County in serving on the Complete Committee.

**Strategic Plan Steering Team Appointments:** Consideration of a request to appoint members to the Strategic Plan Steering Team

Commissioner Pollard appointed Gary Cox, PO Box 241, Goldston, NC 27252; Grace Johnson McLaughlin, 6871 Silk Hope-Liberty Road, Siler City, NC 27344; and Rachel Stevens, Route 9, Box 553, Chapel Hill, NC 27514 to the Strategic Plan Steering Committee.

**Judicial Building Steering Committee Appointments:** Consideration of appointments to the Judicial Building Steering Committee

This item is to be placed on the Agenda for the October 5, 1998 Board of Commissioners' meeting.

### **BOARD OF COMMISSIONERS' MATTERS**

**County Records Retention:** Discussion of County records retention

**John Ward**, 1313 Charlie Cooper Road, Staley, NC, stated that the group was present to express concern regarding the County records recently salvaged from the Paul Braxton School in Siler City; that numerous volunteers have come forward to help clean and catalog these records for preservation purposes. He also stated that staff from the Department of Cultural Resources State Archives Division would assist in determining which books are suitable for microfilming by the State Archives at no cost to the County. He added that any records the County deems as significant could also be microfilmed at the State Archives at no cost to the County. Mr. Ward concluded by saying that the Chatham County Schools are also considering space to house these records, and that there are many people interested in preserving the history of the County.

**Catherine Porteous-Sutton**, PO Box 412, Pittsboro, NC, stated that she was first contacted regarding the records when it was discovered that they might be disposed of; that these books are very fragile and need to be handled with care; that these records contain valuable information for genealogists and the poorer families of Chatham County. She stated that she was in the process of getting a partition signed by those who are concerned about saving the records.

Commissioner Wilson stated that she was interested in seeing the County have some kind of policy regarding what is done with old County records.

**Joyce Tilley Nash**, 2467 Farrington Point Road, Chapel Hill, NC, representing the Chatham County Historical Association, stated that their group would be more than willing to volunteer to help clean and catalog the old records.

**Addie Laws**, 1711 Wildcat Lane, Chapel Hill, NC, stated that as a retired teacher from the Chatham County School system after thirty-two years, she knew a "little bit about putting things in order" and would like to volunteer her services to work on the old records.

**Dennis Brooks**, 2533 S. Second Ave. Ext., Siler City, NC, representing the Second Camp of the Sons of Confederate Veterans, stated that they had done a lot of genealogy research for people across the United States; and that if the County records are not preserved, it will be a grave disservice to present, past, and future Chatham County residents.

Commissioner Dunlap applauded Mr. Brooks' for his efforts regarding remembrances of the Civil War battle performance reenactments, his interest in genealogy, and cemeteries, and his dedication of many hours to this cause.

**Margo Ward**, 1313 Charlie Cooper Road, Staley, NC, asked what the next step would be to protect and preserve the old records. She also asked that the Commissioners consider on a future agenda, a mechanism to ensure that all County records are scrutinized prior to disposal.

**Chatham County Business Assistance Policy:** Consideration of a Chatham County Business Assistance Policy

Commissioner Grimes moved, seconded by Commissioner Wilson, to activate the Chatham County Business Assistance Policy for industrial recruitment. The motion carried five (5) to zero (0).

**Second Reading of Swine Ordinance:** Consideration of approval of a second reading of the

## Swine Ordinance

The County Manager explained that there needed to be another vote on the Chatham County Ordinance regulating swine farms.

Commissioner Dunlap moved, seconded by Commissioner Wilson, to adopt the Chatham County Ordinance Regulating Swine Farms, attached hereto and by reference made a part hereof. The motion carried four (4) to one (1) with Commissioner Grimes opposing.

## MANAGER' S REPORTS

The County Manager informed the Commissioners of the following:

1. **Pittsboro Town Board and Board of Commissioners Meeting:** The Town of Pittsboro Council Members have requested a meeting between the two boards to discuss water issues. Dates offered were October 8<sup>th</sup> and 15<sup>th</sup>.

By consensus, the Board decided to meet on October 8, 1998, 7:00 PM, at the Pittsboro Town facility.

2. **OWASA Meeting:** The OWASA Board of Directors and the Board of Commissioners will meet on October 1, 1998, 7:00 PM in the New Health Services Building in Orange County.
3. **Board Retreat:** The Board retreat will be held sometime in November after the general election so that new, incoming board members will be able to attend.

## COMMISSIONERS' REPORTS

A beaming, Commissioner Grimes reported the addition of a grandson to the Grimes Family as follows:

Jonathan Hedrick Grimes  
 Born: September 19, 1998  
 Weight: 8 pounds  
 Length: 22 inches

It was reported that the parents, big sister, and both sets of grandparents are doing fine.

Commissioner Pollard asked that the Water Policy be placed on the next work session agenda. She asked that the Board meeting on the afternoon of the October 5, 1998 and at 4:00 PM on the afternoon of the October 19, 1998 prior to the evening Board meeting for a work session.

## CLOSED SESSION

Commissioner Grimes moved, seconded by Commissioner Holland, to go out of Regular Session and into Closed Session for the purpose of discussing personnel and contracts. 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).

### **TIME EXTENSION FOR WATER TAPS**

Commissioner Wilson moved, seconded by Commissioner Dunlap, to deny the request of Mr. R. B. Fitch for an extension of time beyond June 30, 1997. The motion carried five (5) to zero (0).

### **TAX ADMINISTRATOR**

- Commissioner Holland moved, seconded by Commissioner Wilson to appoint Kim Horton as Chatham County Tax Administrator. The motion carried five (5) to zero (0).

### **TAX ASSESSOR**

- Commissioner Dunlap moved, seconded by Commissioner Holland, to appoint Kim Horton as Tax Assessor for a period of two years. The motion carried five (5) to zero (0).

### **REVIEW OFFICER**

- Commissioner Dunlap moved, seconded by Commissioner Wilson, to appoint Kim Horton as Review Officer and approve **Resolution #98-32 Appointing Review Officer**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

### **ADJOURNMENT**

Commissioner Dunlap 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 9:32 PM.

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Margaret Bryant Pollard, Chair

ATTEST:

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