

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
MAY 15, 2000

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 PM on May 15, 2000.

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 7:04 PM.

AGENDA

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

The County Manager asked that the Chatham County Workforce Development Board Appointment be deferred until a later date.

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

CONSENT AGENDA

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

The Chairman asked that sketch design approval of “Saplin Hills”, preliminary approval of “Old Thompson Creek Subdivision, Phase One”, and final approval of “Norwood Crossing, Phase Two B”, be removed from the Consent Agenda and placed on the Regular Agenda after the Public Input Session.

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

1. **Minutes:** Consideration of approval of Board minutes for meeting held May 01, 2000

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

2. **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).

3. **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).

4. **Private Roads:** Consideration of a request for approval from citizens for the naming of private roads in Chatham County:

- A. **Buckeye Ridge Road**
- B. **Green Ridge Lane**
- C. **Elvie Snipes Scurlock**
- D. **Oak Bluffs**
- E. **One Oak Lane**
- F. **Wannie & Wade Road**

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

5. **Funds Acceptance for Health Department:** Consideration of a request for approval to accept additional funds in the amount of \$87.50 for the Health Department from Moses Cone Health System

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

6. **Funds Acceptance for Health Department:** Consideration of a request for approval to accept additional funds in the amount of \$1,500.00 for the Health Department from the Department of Health & Human Services

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

- ~~7. **Sketch Design Approval of "Saplin Hills":** Consideration of a request by Harold Howard, H & A Properties, Inc. for subdivision sketch design approval for "Saplin Hills", consisting of 15 lots, on 30.97 acres, off SR #1506 (White Smith Road), in Hadley Township~~

This item was removed from the Consent Agenda.

8. **Preliminary Approval of "Haley Meadows":** Consideration of a request by Brandon Poythress, Etux., for subdivision preliminary approval for "Haley Meadows" consisting of 9 lots on 82.9 acres, off SR #1971 (Johnson Road), in Haw River Township

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

- ~~9. **Preliminary Approval of "Olde Thompson Creek Subdivision, Phase One":** Consideration of a request by Chatham Development Corporation for subdivision preliminary approval for "Olde Thompson Creek Subdivision, Phase One", consisting of 17 lots on 70 acres, off SR #1741 (Thompson Road), in New Hope Township~~

This item was removed from the Consent Agenda.

10. **Sketch, Preliminary, and Final Approval of "Ray Wayne Stout and Wife Lisa Hart**

Stout”: Consideration of a request by Ray Wayne Stout for subdivision sketch, preliminary, and final approval for **“Ray Wayne Stout and Wife Lisa Hart Stout”**, consisting of one non-residential lot and one subdivision lot, on 10.357 acres, off SR #1362 (Piney Grove Church Road), in Albright Township

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

11. **Preliminary and Final Approval of “Governors Village Office Building”**: Consideration of a request by Mark Ashness, CE Group, Inc., for CLH Design for subdivision preliminary and final approval for **“Governors Village Office Building”** consisting of one (1) non residential lot, on 5.7 acres, off SR #1811 (Governors Drive), in Williams Township

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

12. **Governors Club Limited Partnership**: Consideration of a request by Patrick E. Bradshaw, for Governors Club Limited Partnership, for **“Revision and Subdivision of Moring Right-of-Way in Governors Village for Governors Club Limited Partnership”**, off SR #1008 (Mt. Carmel Church Road) in Williams Township

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

13. ~~**Final Approval of “Norwood Crossing, Phase Two B”**: Consideration of a request by Chuck Lewis, Mac Development, LLC for subdivision final approval of **“Norwood Crossing, Phase Two B”**, consisting of 6 lots on 8.5 acres, off SR #1536 (Lamont Norwood Road), in Baldwin Township~~

This item was removed from the Consent Agenda.

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Dorothy Hammett, 649 Meadow Branch Road, Pittsboro, NC, representative of the PTA Thrift Shops, stated that the PTA Thrift Shop is a non-profit organization that gives all of its profits to the Chatham County Public Schools; that since the year 1984, the amount has totaled over two million dollars; that they are currently donating over two hundred thousand dollars to the schools per year; that local residents donate all of the merchandise sold in their stores; that a considerable portion of the donations received are not quality items; that they pay for trash pick-up in each store; that discarded clothing is sold to a reclaimer; that this is profit that is made on items that would definitely be solid waste; that recent sales to the reclaimer have resulted in nearly seven tons of waste being kept out of the landfill in the past months; and that their total is over thirty tons for an average year.

Ms. Hammett also stated that the primary source of their donations is drop boxes located at schools and parking lots in the County; that they cannot control the items left at the drop boxes; that they do receive large items at the boxes that should have been taken by the resident to the County collection center; that they are currently required to take the items to the transfer station in Siler City; that they limit the number of paid staff at the stores to maximize the profits for the schools; that they often cannot spare staff for the trip to the transfer station and rely on volunteers for this task; that storage of these items at the stores is a nuisance and a potential health hazard.

She stated that permission to take these items to the County collection centers would solve the problem for them; that they do not receive more than two items a week for most of the year; that staff would be able to handle most of the items since it is a short trip from the stores; that it would also be possible to recruit a volunteer more readily for the short trip; and that if there was ever a case where it was apparent that a drop box was used to dump a large quantity of commercial items, that they would take those items to the transfer station. She asked that the Board consider their circumstances and give the PTA Thrift Shops permission to take the large, discarded items to the Chatham County Collection Centers.

Terry L. Moore, 83 Sara Lynn Road, Pittsboro, NC, stated that he wanted to call attention to and see changes in the noise ordinance. He presented an unsigned copy of the petition to the Clerk to the Board and stated that he was placing the petitions around town to collect signatures.

PLANNING AND ZONING

Sketch Design Approval of “Saplin Hills”: Consideration of a request by Harold Howard, H & A Properties, Inc. for subdivision sketch design approval for **“Saplin Hills”**, consisting of 15 lots, on 30.97 acres, off SR #1506 (White-Smith Road), in Hadley Township

The County Attorney explained that if this matter was tabled, it would be approved by default.

Commissioner Phillips moved, seconded by Commissioner Pollard, to return to the Planning Board with a request for more information. The motion carried five (5) to zero (0).

Preliminary Approval of “Olde Thompson Creek Subdivision, Phase One”: Consideration of a request by Chatham Development Corporation for subdivision preliminary approval for **“Olde Thompson Creek Subdivision, Phase One”**, consisting of 17 lots on 70 acres, off SR #1741 (Thompson Road), in New Hope Township

Commissioner Phillips moved, seconded by Commissioner Outz, to accept the Planning Department and Planning Board recommendation and grant preliminary plat approval as submitted and to send a letter to the North Carolina Department of Transportation stating that the County supports realignment of Thompson Road to the west away from the Kanoy residence. The motion carried five (5) to zero (0). A copy of the letter is attached hereto and by reference made a part hereof.

Final Approval of “Norwood Crossing, Phase Two B”: Consideration of a request by Chuck Lewis, Mac Development, LLC for subdivision final approval of **“Norwood Crossing, Phase Two B”**, consisting of 6 lots on 8.5 acres, off SR #1536 (Lamont-Norwood Road), in Baldwin Township

Commissioner Phillips moved, seconded by Commissioner Holland, to accept the Planning department and Planning Board recommendation and grant final approval of the plat as submitted with the following condition:

1. Common drive be shown on final plat to serve lots 28 and 29.

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

PLANNING AND ZONING

Public Hearings:

Request by SBA, Inc. for Lattice Communication Tower: Public hearing to receive public

comments on a request by SBA, Inc. for Norma Hart, for a 300 ft. lattice communication tower, on 47 acres, off SR #2146 [McKeithan Road], in Gulf Township

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

Business Conditional Use District with a Conditional Use Permit: Public hearing to receive public comments on a request by Center Suites, LLC, for Mayme B. Cole Estate, for a B-1 Business Conditional Use District with a Conditional Use Permit for several businesses and a Light Industrial Conditional Use District with a Conditional Use Permit for mini-warehouse storage facility, on 22.3 acres, located on the southeast corner of US #15-501 north and intersection of SR #1724 [Old Lystra Road], in Williams Township

The oath was administered to those in attendance who wished to make public comments.

David B. Zoffer, 150 Meadow Run Drive, Chapel Hill, NC, member of the Board of Directors of the Arbor Lea Landowners Association, stated that the Arbor Lea Landowners Association notes that Mr. Isenhour has conditioned his application upon incorporated restricted covenants and further invites Chatham County to place conditions on the zoning of the property that would in turn limit the development uses; that most importantly, any B-1 use not specifically requested would be prohibited; that such covenants and appropriate conditions are consistent with Mr. Isenhour's assurance that his proposal will not be a strip shopping center; that they are the basis of the Arbor Lea Landowners Association's agreement with the first part of the application and recommendation for its approval; that they applaud the developer's intention to preserve substantial green spaces, use bermed and landscaped buffers, use of low rise buildings with uniform architectural design intended to preserve the rural character of the area and restriction of illumination to low-impact shoebox lighting; and that they note his intention to continue this dialogue as his plans progress.

Greg Isenhour, 214 Stone Wall Road, Pittsboro, NC, applicant for the developer, stated that the 22 acres was to be divided into a commercial subdivision of a maximum of seven lots; that the land was targeted in 1989 in the Master Land Use Plan that land would be a good site for commercial development; that the properties surrounding the property are already existing B-1 or light industrial properties exclusive of one particular property on the back side; and that approval of the request would increase the County tax base without having an impact on the school system.

Martin Spritzer, 595 E. Farrington Post, Pittsboro, NC, asked that the Planning Board and the Board of Commissioners look very carefully at the proposed businesses and particularly scrutinize the light industrial use; and make sure that the light industrial uses are appropriate for the area.

Amendments to Chatham County Subdivision Regulations: Public hearings to receive public comments for the proposed amendments to the Chatham County Subdivision Regulations:

A. **Revise the submittal deadline from 16 days to 23 days prior to the Planning Board meeting.**

Larry Hicks, 128 Persimmon Hill, Pittsboro, NC, stated that he would like to see longer deadlines and added that in so doing, longer time needs to be given to surrounding property owners.

B. **Change the lot size requirement for lots fronting on the rivers of the County. The revision will require river front lots to be a minimum of five acres in size with a minimum of three acres outside the 100 year flood plain and the water hazard setback area.**

Bob Knight, 406 Chimney Rock Lane, Sanford, NC, stated that he and his family own land along the

river front; that he would like to see the lot size requirements left as they are as long as they meet the requirements of the setback areas.

C. Clarify who can certify financial estimates for completion of improvements for final subdivision approval.

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

D. Clarify the number of copies of documents to be submitted to the Planning Department for review:

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

Proposed Revision to the Chatham County Watershed Ordinance: Consideration of a request by Jim Spangler of Spangler Environmental, Inc., on behalf of Pinnacle Properties, for a proposed revision to the Chatham County Watershed Ordinance, Section 302 E. to allow a special intensity allocation in WS-IV protected areas

Zack James, President of Pinnacle Properties Group, LTD, respectfully requested that the proposed revision to the setback be returned to the Planning Board for reconsideration.

Commissioner Givens moved, seconded by Commissioner Phillips, to accept the Planning Board recommendation and deny the proposed text amendment to the Chatham County Watershed Ordinance, Section 302E to allow a special intensity allocation in WS-IV protected areas. The motion carried five (5) to zero (0).

NORTH CAROLINA RURAL COMMUNITIES ACTION

Public Hearing:

Community Development Block Grant Infrastructure Program Application for Stockyard Road Project: Second public hearing to receive public comments on Chatham County's Community Development Block Grant Infrastructure Program application for the Stockyard Road project

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

Resolution for Local Commitment of Funds for the CDBG Infrastructure Application: Consideration of a request to approve Resolution in Support of the Local Commitment of Funds as a Part of the Submission of a Community Development Block Grant for Infrastructure

Commissioner Pollard moved, seconded by Commissioner Holland, to approve **Resolution #2000-16 in Support of the Local Commitment of Funds as a Part of the Submission of a Community Development Block Grant for Infrastructure**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Authorizing Resolution to Submit Application to the CDBG Program Infrastructure Program: Consideration of a request to approve authorizing Resolution in Support of the Submission of a Community Development Block Grant for Infrastructure

Commissioner Pollard moved, seconded by Commissioner Holland, to approve **Resolution #2000-17**

in Support of the Submission of a Community Development Block Grant for Infrastructure, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

APPEARANCE COMMISSION

Appearance Commission Report: Presentation of the annual Appearance Commission Report

Martin Spritzer, Chairman of the Chatham County Appearance Commission, reviewed the accomplishments of the Chatham County Appearance Commission including the successful completion of the Chatham County Flag in May and its dedication in October, the ordering of eight Chatham County entrance signs, notification of zoning officer of any noticeable billboard violations which need correcting, and reviewing of specific locations that are unsightly and in violation of junkyard ordinance or a nuisance under other County ordinances. He stated that one of their main accomplishments is the Design Guidelines in which they make recommendations to the Planning Board on specific commercial development applications; and that they were adopted on August 3, 1999 by the Planning Board which apply only to conditional uses. He asked that the Board review this deficiency.

The Board expressed their appreciation to Mr. Spritzer for the Appearance Commission's efforts.

SHERIFF'S DEPARTMENT

Intensive Spanish Course: Consideration of a request to approve Intensive Spanish Course at Instituto Cultrual Oaoxca in Mexico

Chairman Givens moved, seconded by Commissioner Holland, to approve the travel and training for Detective T. C. Yarborough in Mexico, not to exceed funds in the amount of \$2,000.00. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Chatham County Workforce Development Board Appointment: Consideration of a request to appoint a member, one private sector vacancy, to the Chatham County Workforce Development Board

This item was removed from the Agenda and deferred until a later date.

Human Relations Committee Appointments: Consideration of a request to appoint members to the Human Relations Committee

The County Manager reminded the Board that they had approved the bylaws of the Human Relations Committee to include twelve members. He stated that the next step is to appoint members to the committee; that the bylaws discussed a board composite based on the reflection of the community, i.e. income, race, sex, etc.. He stated that with the diversity and population of the County, it is a large task, and proposed that the committee be advertised and appointments filled through a volunteer application process. He stated that, in his view, this was a ground breaking for Chatham County; that it is timely; that the need is obviously there; and the Board is to be commended for this undertaking. He further stated that this is an opportunity and an adventure and a way to, done properly, bring the community together.

The Chairman stated that he had spoken with Pablo Batancourt of Family Peace who is interested in serving on the committee and that he intends to ask Gloria Maldonado if she would also like to serve.

By consensus, the Board decided to proceed as planned and by the next meeting have a list from

which to choose members for this committee.

Establishment of Agricultural Advisory Board Guidelines and Board Appointments:

Consideration of a request for establishment of Agricultural Advisory Board guidelines and appointments to same

Chairman Givens moved, seconded by Commissioner Pollard, to make a list from which to make appointments to the Agricultural Advisory Board and to send a letter to the Chatham County Agribusiness Council asking for appointee suggestions. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

The County Manager had no reports.

COMMISSIONERS' REPORTS

Courthouse Clock Installation:

Commissioner Outz asked about the plaque for the courthouse clock donation.

The County Manager stated that the donor was to place a plaque on the courthouse grounds.

Planning Board Appointment:

Commissioner Outz stated that he had an appointment to the Planning Board in July which he will try to make next month.

Increase in Jordan Lake Reimbursement:

Commissioner Outz stated that he thought that a meeting was to be set up with the Corps of Engineers with regard to an increase in the Jordan Lake appropriation. He stated that 90% of the lake users are from out of the County; and that the County needs more money for the increase in service related matters which cost the tax payers money.

New Positions in County Budget:

Commissioner Outz stated that he had noticed that there were 10.6 new positions requested in the new budget and that he hoped that the Board will carefully consider the need before they are approved.

Praises of First Health and EMT:

Commissioner Phillips stated that his fourteen year old had collapsed at school; that three First Health EMT's from Silk Hope, the fire chief, and a deputy arrived at the school before he reached the school from a distance of only six miles away; that the relationship between all personnel was as cordial and as professional as possible. He praised the efforts of all involved and stated that he was very thankful to have people in Chatham County who are dedicated to this line of work.

ADJOURNMENT

Commissioner Outz moved, that there being no further business to come before the Board, the

meeting be adjourned. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0), and the meeting was adjourned at 8:10 PM.

Rick Givens, Chairman

ATTEST:

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