

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
SEPTEMBER 18, 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 September 18, 2000.

Present: Chairman Rick Givens; Vice Chair, Uva Holland; Commissioners Margaret Pollard, Carl Outz, and Gary Phillips; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Lee

The meeting was called to order by the Chairman at 7:03 PM.

AGENDA

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

The County Manager asked that an appointment to the Adult Care Home Committee be added to the Agenda as Item #22A and that a Closed Session for the purpose of discussing contract negotiations be added to the end of the Agenda.

Commissioner Outz 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 asked if there were additions, deletions, or corrections to the Consent Agenda.

Commissioner Outz asked that Item #4, Tax Releases, be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

Commissioner Phillips moved, seconded by Commissioner Holland, to approve the Consent Agenda with the noted request.

1. **Minutes:** Consideration of approval of Board minutes for meeting held September 05, 2000 and work session held September 05, 2000

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

2. **Charging Off Property Taxes:** Consideration of a request for approval to charge off 1990 property taxes, attached hereto and by reference made a part hereof.

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

3. **Tax Collectors Annual Settlement:** Consideration of a request to approve Tax Collectors

Annual Settlement, attached hereto and by reference made a part hereof.

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

4. ~~**Tax Releases:** Consideration of a request for approval of tax releases, attached hereto and by reference made a part hereof.~~

This item was removed from the Consent Agenda.

5. **Regular Tax Bills Paid in Error:** 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).

6. **Late Application for Property Tax Exemption:** Consideration of a request for approval of late application for property tax exemption for North Carolina District Council of the Assemblies of God, Inc., attached hereto and by reference made a part hereof.

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

7. **Resolution in Support of Community College Bond Issue:** Consideration of a request to approve **Resolution #2000-32 in Support of Community College and University Bonds**, attached hereto and by reference made a part hereof.

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

8. **Preliminary Plat Approval of "Jones Ferry Landing":** Consideration of a request by Cynthia Sax Perry, Attorney, on behalf of Kathleen and James Sequeira for subdivision preliminary approval for **"Jones Ferry Landing"**, consisting of 20 lots, on 44.5 acres, off SR #1539 [Jones Ferry Road], in Baldwin Township

As per the Planning Department and Planning Board recommendation, preliminary approval of the plat was granted with the following conditions:

1. A 60 foot wide public right-of-way be dedicated to the adjoining property shown on the map as Lot 5, Plat Book A, Page 328. A sign shall be placed on the right-of-way stating it is the location of a possible future road.
2. The restrictive covenants for the development shall have language stating that the underlying fee owners of Lot 24B must agree to the development of the right-of-way at any time in the future. A copy of the restrictive covenants shall be submitted to staff prior to final plat review.
3. Restrictive covenants shall have language concerning use of common area, lot 24B, as off-site septic areas for lots 5, 6, & 7.
4. All common areas shall be labeled as such on final plat.

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

9. **Preliminary and Final Plat Approval of "Governors Village Office Tract One, Lots 1 and**

3”: Consideration of a request by CLH Design, PA for subdivision preliminary and final approval for Governors Club Limited Partnership, for **“Governors Village Office Tract One, Lots 1 and 3”**, consisting of lot 1 of 0.72 acres and lot 3 of 1.21 acres, off SR #1008 [Mt. Carmel Church Road], in Williams Township

As per the Planning Department and Planning Board recommendation, preliminary and final approval of the plat were granted as submitted 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).

10. **Final Plat Approval of “Olde Thompson Creek Subdivision, Phase Two”**: Consideration of a request by Chatham Development Corporation, for subdivision final approval for **“Olde Thompson Creek Subdivision, Phase Two”**, consisting of 12 lots, on 57.9 acres, off SR #1741 [Thompson Road], in New Hope Township

As per the Planning Department and Planning Board recommendation, final approval of the plat was granted as submitted.

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Michael Burke, 751 Windsor Road, Chapel Hill, NC, stated that he had a letter from the Perry Harrison PTA endorsing the Chatham United for Science Education (ChUSE) initiative as presented to the Chatham County School Board at their regular meeting on August 14, 2000. He stated that ChUSE, as outlined in the project narrative, will enhance all aspects of science education for Kindergarten through eighth grades in Chatham County Schools; that this enterprise will change the way the sciences are taught in the schools by encouraging inquiry-based learning, providing professional development for teachers and staff, and adding science resource personnel at each elementary and middle school; that they believe the ChUSE initiative will greatly benefit all the children of the Chatham County School System, not just those students at the Perry Harrison; and that the members of the Perry Harrison School PTA give their full support to this initiative.

Craig DeBussey, PO Box 21, Pittsboro, NC, addressed the Land Use Plan stating that he worked as a volunteer for almost a year with the group that was writing the plan; that his interest in the plan was to see the county write a land use plan that would promote a diversified and healthy tax base for Chatham; that questions have been raised if the plan was representative of all parts of the County and what might be done to get the plan back on track; that he feels that these are both good points, but that he thinks it would be a mistake to consider starting the entire process over or to make drastic changes in the plan at this point; that he believes that the Board recognized the need to have input from all parts of the County in writing the plan recognized by the fact that there were representatives on the committee from Siler City, Goldston, Silk Hope and Pittsboro. He urged the Board to “stay the course and get the job done”.

PLANNING AND ZONING

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Public Hearings:

- **Proposed Revision to Chatham County Water Supply Watershed Protection Map:** Public hearing to receive public comments on a proposed revision to the Chatham County Water Supply Watershed Protection map to correct the boundary of the WSIV critical area along the western side of Jordan Lake north of Farrington Point to be 2,500 feet from the normal pool level of 216 feet mean sea level

Keith Megginson, Planning Director, explained that the revision of the Chatham County Water Supply protection map was to correct an error in the map in the boundary of the WSIV critical area along the western side of Jordan Lake, north of Farrington Point received from the State.

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

Watershed Ordinance Amendment: Public hearing to receive public comments on a request by Garry and Connie Wilkie for a Watershed Ordinance Amendment for the addition of boat, camper, and recreational vehicle storage as a permitted use to Schedule A, Page 33 of the Chatham County Watershed Protection Ordinance

The oath was administered to those in attendance who wished to make public comments on all issues requiring sworn testimony.

Cindy Perry, PO Box 147, Pittsboro, NC, asked to speak to both the Watershed Ordinance Amendment and the Business Conditional Use District for recreational vehicle storage her clients had requested.

Business Conditional Use District for Recreational Vehicle Storage: Public hearing to receive public comments on a request by Garry and Connie Wilkie for a B-1 Business Conditional Use District with a Conditional Use Permit for boat, camper, and recreational vehicle storage, on 6.74 acres, off SR #1745 [John Horton Road], in New Hope Township

Cindy Perry, PO Box 147, Pittsboro, NC, attorney for the applicants, stated that several allowable uses in the watershed ordinance include day care centers, kennels, and bed and breakfasts; that other applicants have returned to the Board for consideration of inclusion of other uses and that the Wilkies are requesting recreational vehicle storage be added to the list of allowable uses. She further stated that this is a low-intensity, family-business; that there would be no visual impact; that most of the neighbors have already signed consent forms; that no additional utilities would be required on the site; and that the Appearance Commission had reviewed the project and suggested security lighting which the Wilkies have agreed to install. She stated that many families in Chatham County have lost land due to the Army Corps of Engineers/Jordan Lake in the 1970s and are hoping to make-up for some of these losses.

John Delafield, 336 John Horton Road, Apex, NC, stated that although he bode the Wilkies no ill will, that there were difficulties presented in the details; that this is an incorrect use for the land on John Horton Road; and that he was concerned with the need for security lighting in a residential area.

Heavy Industrial Conditional Use District for a Recycling Plant: Public hearing to receive public comments on a request by McGill Environmental Systems of North Carolina, Inc. for a Heavy Industrial Conditional Use District with a Conditional Use Permit for a recycling plant with limited retail sales of product, on 48.5 acres, off SR #1912 [Christian Chapel Road], in Cape Fear Township

Cindy Perry, PO Box 147, Pittsboro, NC, stated that she represented McGill Environmental Systems of North Carolina. She said that this is a proposed recycling plant that will take what companies and people throw out and make mulch and compost products in an indoor facility without noise, odor, or pollution; that this helps local industries dispose of waste and opens a market for home gardeners; that McGill Systems would employ up to twenty people with an average salary of greater than \$30,000; and that this proposal completely matches the land development plan.

Steve Cockman 217 Hillsboro Street, Pittsboro, NC, stated that raw materials, markets, and transportation are all critical needs in industry today; that the Moncure area is already home to wood industries that provide byproducts needed for the mulching process; that his company has developed a cost effective way to manage byproducts; that the site's topography and elevation allow for minimal clearing; that there is adequate buffering; that the nearest neighbor is 1,000 feet away; that the traffic will enter and exit without passing a single residence; and that although some real property will be tax exempt, there will be approximately 42 acres that are taxed at the industrial rate.

Noel Lyons, PO Box 61, Harrells, NC, stated that he is the manager of the project; that the plant composting would occur in an enclosed facility; that they will choose from a wide variety of materials for composting based upon moisture content and a number of other environmental factors; that noise levels would be low; that there will be a number of possible products that may be used in the process; and that the mulch in its pure state would be used for lawns, soil incorporation, and specialty mixes. He stated that they do not plan to do any grinding and hope to install packaging plant for materials at a later date; and that the overall plan is to invest three million dollars and hire sixteen to twenty employees which are semi or highly skilled.

Sketch Design Review:

Sketch Approval of "The Preserve at Jordan Lake, Phase 2": Consideration to approve a request by CE Group, Inc. on behalf of Bluegreen Corporation for subdivision sketch design approval for **"The Preserve at Jordan Lake, Phase 2"** consisting of 160 lots on 76 acres, off SR #1716 [Big Woods Road], in Williams Township

Commissioner Outz moved, seconded by Commissioner Holland, to approve the Planning Department and Planning Board recommendation and grant sketch design approval as submitted with the following conditions:

1. The preliminary and final plats shall show pedestrian pathways along the main road in Phase 2 connecting to Phase 1 and extending to Big Woods Road (SR #1716).
2. Prior to preliminary plat review for Phase 2, the issue of whether funds shall be paid by the developer in lieu of placement of a water tank within the development shall be determined by the Chatham County Public Works Department, the Chatham County Planning Department and the developer.
3. Storm water management plans shall be reviewed and approved prior to land disturbing activities and/or preliminary approval whichever occurs sooner.

The motion carried four (4) to one (1), with Commissioner Phillips opposing.

SMALL BUSINESS CENTER

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Small Business Center Presentation: Presentation on the Small Business Center by Mr. Leon Tongret

Leon Tongret, Small Business Center Director, stated that the Small Business Center (SBC) comprised of fifty-eight Small Business Centers throughout North Carolina, supports the development of new businesses and the growth of existing businesses by being a community-based provider of training, counseling, and resource information; that most of the services are at low-cost or no-cost to the small business owner; and that an extensive network is used to provide these services; that they had recently made an agreement to provide more assistance to small business owners, and are looking to expand their services such as small business incubators that help with start-up costs; that there are efforts concentrating in both Pittsboro and Siler City; and that programs are in the works for a mentoring program and additional courses for small business owners.

Dr. Marvin Joyner, President of Central Carolina Community College (CCCC), stated that this County is growing at an enormous rate; that the industrial and commercial growth must increase as well; that CCCC is committed to helping achieve that goal; that the proposed bond acts for Chatham County means an additional \$1,065,512, with a match requirement of \$527,916 by the year 2006; and that the proposed projects include a complete renovation and modernization of Henry Siler School and the expansion of the original building in Pittsboro for a larger auto shop and allied health lab.

PLANNING BOARD

Update on Land Use Development Efforts: Update on Land Use Development efforts by Gary Anderson, Planning Board Chairman

Garry Anderson, Chatham County Planning Board Chairman, stated that there were and are a lot of good people from the North Chatham area that have worked hard on the Chatham County Land Use Development Plan and many who live in that area that are not in favor of the plan; that a slight majority of the Planning Board had been involved in the development of this plan for a little over two years; that the philosophical differences in the County about growth were represented in the Planning Board; that he had received a good response from representatives of both Siler City and Pittsboro; and that perhaps the best way to get input from all groups was to let each Planning Board appoint two of its own members to a County-wide committee to discuss issues from all areas; and that the goal of all of these groups would be to produce the best possible land use development plan for the citizens of Chatham County.

Discussion ensued between the Board of Commissioners and the Planning Board regarding the basic structure and framework of the plan and the best mode of carrying forth recommendations and implementation of same.

TAX DEPARTMENT

2001 Revaluation Schedules of Values: Consideration of a request to adopt the uniform Schedules of Values, Standards, and Rules to be used in appraising real property for the Chatham County 2001 revaluation

Chairman Givens moved, seconded by Commissioner Outz , to adopt the uniform schedules of Values, Standards, and Rules to be used in appraising real property for the 2001 revaluation. The motion carried five (5) to zero (0).]

Tax Releases: Consideration of a request for approval of tax releases

Commissioner Phillips moved, seconded by Commissioner Outz, to approve the tax releases, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

FINANCE DEPARTMENT

Surplus County Property: Consideration of a request to adopt Resolution Declaring Property Surplus and Authorizing the Sale of Said Property

Commissioner Phillips moved, seconded by Commissioner Outz, to approve **Resolution #2000-33 Declaring Property Surplus and Authorizing the Sale of Said Property**. The motion carried five (5) to zero (0).

The Finance Officer also stated that she had been contacted by Hugh Montgomery, Pittsboro Town Manager, about collaborating on the auction. In addition, she stated that there were several items, including a telephone system, computer equipment, a roll-off truck and a bobcat that, due to the nature of the equipment, the County will attempt to sell to private vendors as salvage.

PUBLIC WORKS

Law Enforcement Center HVAC Replacement: Consideration of a request to award bid for Law Enforcement Center HVAC replacement

Commissioner Phillips moved, seconded by Commissioner Pollard, to award the bid to Acorn Industries in the amount of \$299,000.00 for the Law Enforcement Center HVAC replacement. The motion carried five (5) to zero (0).

DEPARTMENT OF SOCIAL SERVICES

Work First Electing Status: Consideration to seek designation of Chatham County as either Standard or Electing status for the Work First Plan 2001-2003

Commissioner Pollard moved, seconded by Commissioner Phillips, to seek designation of Chatham County as Electing County status for Work First Plan 2001-2003. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Work First Planning Committee Appointments: Consideration of a request to appoint members to the Work First Planning Committee

Commissioner Phillips moved, seconded by Commissioner Pollard, to appoint the following members to the Work First Planning Committee:

Betty Wilson, Department of Social Services Board
Greta James, Chatham County School System
Bill Lail, Chatham County Health Department
Elaine Doby, Employment Security Commission
Alma Taylor, Vocational Rehabilitation Service
Connie McAdams, Child Care Networks
Luther Lott, Central Carolina Community College
Tom Velivil, OPC Mental Health

Darien Russell, Family Violence and Rape Crisis
Sandy Coletta, Department of Social Services
Cindy Snipes, Department of Social Services
Myra Adams, CASA
Margie Ellison, Department of Social Services (Children's Services)
Faye Hall, JOCCA
Helen Stovall, Chatham Transit Network
Faye Johnson, Department of Social Services (Child Support)

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

Adult Care Home Committee: Consideration of a request to appoint a member to the Adult Care Home Committee

Commissioner Phillips moved, seconded by Commissioner Pollard, to appoint Karen Sellars, LPN, 905 Second Avenue, Siler City, NC, to the Adult Care Home Committee. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

- **Agreement for Canoe Access:** Consideration of a request for approval of agreement with the Department of Transportation (DOT) for Hwy. #15-501 Haw River Canoe Access

Commissioner Phillips moved, seconded by Commissioner Pollard, to approve the Reimbursement Agreement for Project R-942A, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

Qualified Zone Academy Bonds:

The County Manager informed the Board of the Qualified Zone Academy Bonds designed to assist eligible local education agencies and schools to establish qualified zone academies in partnership with local businesses. He stated that the Secretary of Education, Richard Riley extols the bonds as a valuable additional resource for education in North Carolina to allow schools to focus resources more effectively on achieving high standards that will equip students in high-poverty schools for the challenging demands of the 21st century workplace.

Commissioner Pollard moved, seconded by Commissioner Phillips, to support the Certification of Interest with Regard to Authority to Issue Qualified Zone Academy Bonds, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Boards and Committees:

The County Manager distributed an update on the Ag Advisory Committee and the Human Relations Commission and the remaining appointments.

COMMISSIONERS' REPORTS

Ag Advisory Board Appointment:

Chairman Givens appointed Tommy Emerson, 186 John Emerson Road, Siler Road, to the Ag Advisory Board.

Governor's Forum on Race Relations:

Chairman Givens stated that he had attended the Governor's forum on race relations; that the Governor was explicit on schools and how race issues should be addressed, including school boards and faculties. He stated that he spoke about Head Start, First Start, and race discrimination.

Flatwoods Festival:

Commissioner Pollard sung the praises of the Flatwoods Festival, its attendance, and the special events throughout the festival including the tractor-pull.

Ag Advisory Board:

Commissioner Outz stated that he feels that the appointments to the Ag Advisory Committee need to be completed so that efforts can begin.

Silk Hope Ruritan Club:

Commissioner Phillips stated that the Silk Hope Ruritan Club has closed on the land around Trinity, purchasing thirty-eight acres in the center of downtown Silk Hope; that it is to be used for a community facility for everyone and to preserve rural character of Silk Hope; that they have created a land development committee; that there is to be a meeting on Monday night at which the Chatham County Recreation Director has been invited; that this will help provide recreation and a lot of services to the community in a way that will not be expensive to the County.

Silk Hope Old Time Farm Days:

Commissioner Phillips stated that the gross receipts for the Silk Hope Old Time Farmers Day totaled close to \$100,000.

CLOSED SESSION

Chairman Givens moved, seconded by Commissioner Outz, to go out of Regular Session and convene in Closed Session for the purpose of discussing contract negotiations. The motion carried five (5) to zero (0).

REGULAR SESSION

Chairman Givens moved, seconded by Commissioner Pollard, to go out of Closed Session and reconvene in Regular Session. The motion carried five (5) to zero (0).

ADJOURNMENT

Commissioner Phillips moved, that there being no further business to come before the Board, the meeting be adjourned. Commissioner Outz seconded the motion. The motion carried five (5) to zero (0), and the meeting was adjourned at 9:49 PM.

Rick Givens, Chairman

ATTEST:

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

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