

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
OCTOBER 16, 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 October 16, 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; Assistant County Manager, Paul Spruill; Finance Officer, Vicki McConnell; 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 a Closed Session for the purpose of discussing contracts and personnel be added to the end of the Agenda.

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

1. **Minutes:** Consideration of approval of Board Minutes for meeting held October 2, 2000

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. **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).

4. **Naming of Private Roads:** Consideration of a request from citizens for the naming of private

roads in Chatham County as follows:

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| <p>A. Aviation Drive</p> <p>B. Boggs-Thrift Trail</p> <p>C. Full Circle Lane</p> <p>D. Lichen Trail</p> | <p>E. Long Acre Road</p> <p>F. Walkabout Way</p> <p>G. Wymgrown Lane</p> |
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The motion carried five (5) to zero (0).

5. **Funds Acceptance for Health Department:** Consideration of a request to accept additional funds in the amount of \$8,525 awarded to the Chatham County Health Department from the Department of Health and Human Services

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

6. **Bad Debt Write-Off for Health Department** Consideration of a request to approve a bad debt write-off in the amount of \$8,186.18 for the Chatham County Health Department, a list attached hereto and by reference made a part hereof.

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

7. **Grant Funds Acceptance for Health Department:** Consideration of a request to accept grant funds in the amount of \$1,600 awarded to the Chatham County Health Department from the Department of Health and Human Services to be used to: 1) Promote skin cancer education and prevention, and 2) Plant tree seedlings as a way to bring media and public attention to the importance of shade as a form of skin cancer prevention

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

8. **Grant Funds Acceptance by the Health Department:** Consideration of a request to accept grant funds in the amount of \$38,759.41 awarded to the Chatham County Health Department from the Duke Endowment through Chatham Hospital for continued support of Healthy Chatham

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

9. **Preliminary and Final Plat Approval of "The Preserve at Jordan Lake – Phase One":** Consideration of a request by Patrick E. Bradshaw on behalf of E. M. Harris, Jr. Family Land Trust, for subdivision preliminary and final approval for **"The Preserve at Jordan Lake – Phase One"**, consisting of 356 lots, being a portion of 598 acres, off SR #1716 [Big Woods Road], in Williams Township

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

1. Land disturbing activities may proceed only in such a manner that the areas addressed in the USACOE permitting are not adversely impacted.
2. The final plat may not be recorded until the conditions of the USACOE are met with confirmation by the Planning Director.

3. If condition two above is not met within 120 days of approval the final approval is null and void and the plat shall be submitted again to the Planning Board for consideration and the Board of County Commissioners for action.
4. The final plat may not be recorded until the county attorney has approved the financial guarantee along with engineering and cost estimates supporting the amount.

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

10. **Resolution: Accounting and Tolling Order for Time Warner Cable:** Consideration of a request to approve **Resolution #2000-39: Accounting and Tolling Order Extending the Review Period Deadline to January 31, 2001**, attached hereto and by reference made a part hereof.

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Tommy Glosson, 738 Mt. Olive Church Road, Pittsboro, NC, stated that he had attended most of the Land Use Plan meetings and expressed concern that he did not see many land owners that held property west of Pittsboro. He stated that he had heard that someone had previously spoken to the Board of Commissioners stating that he was in favor of the Land Use Plan, that he was at the meetings, and that he tried to represent agriculture. Mr. Glosson further stated that he has a lot of problems with the plan, beginning with the name which states "land use and conservation plan"; that by allowing five acre minimum lot size, farm land is not being conserved; that in a five acre minimum lot size, no timber will ever be harvested; that he calls it "zoning" which takes away property rights. He thanked the Board for the opportunity to speak and urged the Board not to adopt the Land Use Plan as written.

Steve Dorsett, 72 Two Mule Road, Pittsboro, NC, spoke on the Land Use Plan stating that Luck Stone Company, which withdrew their application for a massive granite quarry, will be allowed to resubmit their application at some unspecified time in the future for their mining process; that their local community, Harland's Creek area, has banded together to investigate the impact that the mining operation will have on the landfill; that the experts with whom they have spoken have agreed that placing the operation next to the landfill is asking for serious environmental problems; that the proposed quarry will consist of a 450' deep pit when it is complete, a concrete plant, and an asphalt plant, all within the courses of Harland's and Betty's Creek which flow eventually into the Deep and Rocky Rivers; that they think it is inevitable that siltation of these surface streams will occur, but that the greater danger is that the operation will further compromise the landfill and the amount of toxic content to speed their way into the ground water of Chatham County; that once this happens, wells miles away from the landfill will be potentially impacted and condemned; that they have been told that there is enough stone in the area to keep the rock pressures running for decades; that therefore, many future generations will have to monitor this problem; that the residents of the Harland's Creek and Alston's Chapel area are actively pursuing permanent blockage of this permit through the State regulatory agencies and hope that they will recognize the folly of allowing the operation; that, as he understands it, Chatham County has no zoning authority and no way to locally enforce or block the operation; that the Land Use Plan would not unconditionally block all development of this or any other property but would provide some degree of local control over the types of uses. He urged the Board to work with the Harland's Creek and Alston's Chapel residents to permanently protect the landfill from this and any other threats.

HEALTH DEPARTMENT

Public Hearing:

Revision to the “Regulations Governing Construction and Abandonment of Wells in Chatham County” as an Ordinance: Public hearing to receive public comments on a revision to the “Regulations Governing Construction and Abandonment of Wells in Chatham County” as an Ordinance

Wayne Sherman, Chatham County Health Director, explained the specifics of the revisions to the Chatham County Well Ordinance and introduced the members of the Board of Health in attendance.

There was no one in attendance who wished to make public comments.

PLANNING AND ZONING

Proposed Revision to the Chatham County Water Supply Watershed Protection Map: Consideration of a request for approval of 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

Commissioner Phillips moved, seconded by Commissioner Pollard, to accept the recommendation of the Planning Department and Planning Board and grant approval of the revised map as shown, a copy of which is attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Request for Heavy Industrial Conditional Use District with Conditional Use Permit for Recycling Plant: Consideration of a request by McGill Environmental Systems of NC, 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

Commissioner Pollard moved, seconded by Commissioner Outz, to accept the recommendation of the Planning Department and Planning Board and grant approval of the request as submitted with the following conditions:

1. Lights shall be shielded on the top and sides to prevent spillage onto adjacent properties and into the night sky.
2. Noise levels at the property line shall not exceed acceptable levels as required in the Chatham County Noise Ordinance.
3. A stormwater retention system shall be designed and installed to retain the first ½ inch of runoff from impervious surfaces. Said system shall be reviewed by the Chatham County Planning Director prior to installation and be completed prior to issuance of a certificate of occupancy.
4. A minimum 100 foot wide undisturbed vegetative buffer shall be maintained along the state right-of-way except for driveway entrance(s).
5. There shall be no landfilling of waste on the property but outside storage may include non-animal products and finished mulch products.

6. A commercial driveway permit shall be obtained from NCDOT and submitted prior to the issuance of the building permit.
7. An erosion control permit shall be obtained from the NCDEHNR and submitted prior to the issuance of the building permit.
8. Building permits shall be obtained within 12 months of approval and remain valid or the Conditional Use Permit shall become null and void.

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

Request for a Watershed Ordinance Amendment: Consideration of 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

Commissioner Outz moved, seconded by Commissioner Holland, to accept the recommendation of the Planning Board and approve the text request as submitted with no locational criteria. The motion carried four (4) to one (1) with Commissioner Pollard dissenting.

Request for B-1 Business Conditional Use District with Conditional Use Permit for Boat, Camper, and Recreational Vehicle Storage: Consideration of 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

Commissioner Holland moved, seconded by Commissioner Outz, to accept the Planning Board recommendation and approve the request as submitted with the following conditions:

1. A stormwater retention structure be designed and installed prior to issuance of the building permit to manage with first ½ inch of stormwater on site.
2. If applicant chooses to use security lights, they shall be placed either on the exterior or interior of the building(s) and shall be shielded on the top and sides to prevent spillage onto adjacent properties.
3. There shall be no storage of flammable substances on the property other than the normal use associated with individual recreational vehicles and boats.
4. Applicant shall provide an erosion control permit or a letter stating no permit is required from the North Carolina Department of Environment, Health, and Natural Resources prior to obtaining a building permit.
5. Building permits shall be obtained within 12 months of approval and remain valid or the Conditional Use Permit shall become null and void.

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

SHERIFF'S OFFICE

E911 Positron Dispatch Positions Upgrade and Purchase of Components: Consideration of a

request for approval for purchase of equipment to upgrade the three present E911 positron dispatch positions and purchase of components for a fourth position

Commissioner Holland moved, seconded by Commissioner Outz, to approve the purchase of equipment to upgrade three present E911 positron dispatch positions in the amount of \$32,146.03 and the purchase of components for a fourth position in the amount of \$10,507.88 from Sprint/Carolina Telephone. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Chatham County Local Emergency Planning Committee: Consideration of a request to appoint members to the Chatham County Local Emergency Planning Committee

Commissioner Pollard moved, seconded by Commissioner Holland, to approve the proposed membership list selected for the Chatham County Local Emergency Planning Committee. The list and bylaws are attached hereto and by reference made a part hereof. 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

This item was deferred until a later date.

MANAGER'S REPORTS

There were no Manager's Reports.

COMMISSIONERS' REPORTS

Taste of Chatham:

Commissioner Phillips praised the efforts of the dedicated Council on Aging volunteers, Governors Club, and the community for making the "Taste of Chatham" highly successful.

Noise Ordinance:

Commissioner Holland asked that the Chatham County Noise Ordinance be reviewed for possible amendment.

Recreation Board Appointment:

Commissioner Outz appointed Terrell Ellington, 411 W 5th Street, Siler City, NC to the Chatham County Recreation Board.

Ag Advisory Board Appointment:

Commissioner Outz appointed Russell Johnson, 1787 Silk Hope-Liberty Road, Siler City, NC, to the Ag Advisory Board.

Council on Aging Walking Trail:

Commissioner Pollard praised the collaborative efforts of Central Carolina Community College, the

Council on Aging, the Chatham County Recreation Department, and those who worked on the walking trail that begins at the Council on Aging and wraps around Central Carolina Community College.

Taste of Chatham:

Chairman Givens stated that he tasted and gave his approval of everything that was prepared for the Taste of Chatham.

CLOSED SESSION

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

Council on Aging Director Appointment:

Commissioner Holland moved, seconded by Commissioner Outz, to accept the recommendation of the Council on Aging Board and approve the hiring of Lonnie E. West as Director of the Council on Aging. The motion carried five (5) to zero (0).

ADJOURNMENT

- Commissioner Outz moved, that there being no further business to come before the Board, the meeting be adjourned. Commissioner Holland seconded the motion. The motion carried five (5) to zero, and the meeting was adjourned at 7:56 PM.

Rick Givens, Chairman

ATTEST:

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