

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
MARCH 13, 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 March 13, 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 7:14 PM.

AGENDA

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

The County Manager asked that Item #7, **Sketch Design Approval of “Harris Tract/Bluegreen” (Astoria)** and Item #8, **Sketch Design Approval of “Seminole Point”**, respectively, be removed from the Consent Agenda and placed on the Regular Agenda as Items #13A and 13B, respectively.

Commissioner Phillips asked that Item #11, **Final Plat Approval of “Henley’s Mill Subdivision, Phase I”**, be removed from the Consent Agenda and placed on the Regular Agenda as Item #13C.

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

COMMISSIONERS’ REPORTS

Erosion Control Officer:

Commissioner Pollard stated that an Erosion Control Officer for the County had been mentioned several years earlier; that in thinking of the brick company, the 3M Company, and all of the road construction and development within the County, that an Erosion Control Officer is an issue that the Board may wish to bring up for future discussion; that she remembered that the State participates in the cost at a rate of approximately 40% of the cost of the person or program; that in developing a plan for retaining the quality of water quality for the County, that she would like for the issue to come up for discussion in the budget preparation.

Hispanic Leaders at Camp Royall:

Commissioner Pollard praised the efforts of the 350 Hispanic leaders gathered at Camp Royall over

the weekend for a two-day forum to address issues of concern to the region's growing number of Hispanic residents. She stated that Commissioner Phillips and she attended the meeting, and that many positive things were going on in terms of improving education techniques for American and minority children.

Old Sanford Highway #15-501 Speed Limit:

Commissioner Outz voiced concern with regard to the speed limit on the Old Sanford Highway #15-501 and stated that he supported the lowering of the speed limit on that portion of the road.

Commissioner Outz moved, seconded by Commissioner Phillips, to write a letter to the Department of Transportation requesting that the speed limit be lowered on the Old Sanford Highway #15-501. The motion carried five (5) to zero (0).

Agricultural Advisory Board:

Commissioner Outz asked that appointments to the Agricultural Advisory Board be made as soon as possible.

Packing and Dangerous Dogs:

Commissioner Phillips voiced concern with regard to the packing and dangerous dogs in Chatham County. He stated that there have been several incidences where the dogs have attacked a young lady, her children, and her dogs; that he had an attack on his own farm where dogs killed most of his fifteen-year-old sheep over the Christmas holidays; that he has been hearing complaints from all over the County, both for uncontained dogs attacking livestock and vicious dogs attacking dogs and people in small communities; that apparently the County does not have an ordinance sufficient to allow for the removal or destruction of dangerous animals once they have attacked someone; that he understands that the Animal Control Officer is working diligently on this matter, but that he wants to endorse his efforts to make a plan that is sufficient for the safety of the County's citizens and to make sure that people are responsible for their animals.

Commissioner Phillips moved, seconded by Chairman Givens, to direct and support the Health Department and the Animal Control Officer to review the County ordinances specifically in order to have control over dangerous dogs and dogs that have demonstrated that they are dangerous to citizens, livestock, and property of Chatham County. The motion carried five (5) to zero (0).

Intended Land Acquisition:

Chairman Givens, announced the intention of the Board of Commissioners to hold a public hearing on March 27, 2000 at 10:00 AM in the Courtroom, City Hall, Siler City, NC, for the purpose of receiving public input regarding the intended acquisition of approximately 457 acres of land, located South of US Highway #64 and East of US Highway #421 in Matthews Township, Chatham County, North Carolina to be used for an industrial park.

Public Hearing on Land Acquisition:

Chairman Givens moved, seconded by Commissioner Holland, to approve **A Resolution #2000-07 of Intent to Acquire Real Property for Economic Development**, attached hereto and by reference made a part hereof. 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 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 Legislative Delegation Meeting held February 16, 2000 and Regular Meeting held February 21, 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 thereof.

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 thereof.

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

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

A. Sears Place Drive

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

5. **Set Date for Local Law Enforcement Block Grant Public Hearing:** Consideration of a request for approval to set April 3, 2000 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).

6. **Funds Acceptance for Fire Marshal's Office:** Consideration of a request for approval to accept a donation in the amount of \$250.00 for the "Get Alarmed Safety Program" from Blast, Inc.

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

- ~~7. **Sketch Design Approval of "Harris Tract/Bluegreen":** Consideration of a request by Mark Ashness, CE Group, Inc., for sketch design approval of "Harris Tract/Bluegreen" (Astoria), for proposed roadway changes, consisting of 516 lots on approximately 598 acres, off SR #1716 [Big Woods Road], in Williams Township~~

This item was removed from the Consent Agenda and placed on the Regular Agenda as Item #13A.

- ~~8. **Sketch Design Approval of "Seminole Point":** Consideration of a request by Ricky Spoon, developer, for sketch design approval of "Seminole Point", consisting of 20 lots on 50.8 acres, off SR #1506 [Pleasant Hill Church Road], in Hickory Mountain Township~~

This item was removed from the Consent Agenda and placed on the Regular Agenda as Item #13B.

9. **Sketch Design Approval of “Haley Meadows”:** Consideration of a request by Brandon Poythress, Etux., for sketch design approval of “**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).

10. **Sketch and Preliminary Design Approval of “Siler Farms”:** Consideration of a request by Jeff C. Brewer and David R. Ritter for subdivision sketch and preliminary approval for “**Siler Farms**”, consisting of 9 lots, on 69.5 acres, off SR #1362 [Piney Grove Church Road], in Albright Township

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

- ~~11. **Final Plat Approval of “Henley’s Mill Subdivision, Phase I”:** Consideration of a request by Van Finch on behalf of River Ridge of NC, LLC for final plat approval of “**Henley’s Mill Subdivision, Phase I**”, consisting of 16 lots on 80 acres, off SR #2157 [Pete Roberson Road], in Oakland Township~~

This item was removed from the Consent Agenda and placed on the Regular Agenda as Item #13C

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 Communication Tower Plan: Public hearing to receive public comments on the 2000-2001 Communication Tower Plan for Chatham County (The plan shows the location of proposed ½ mile search area for a communication tower along US #421 in Gulf Township.)

Tom Stedt, 3324 Dangerfield Drive, Raleigh, NC, with Sprint SBA, explained the specifics of the proposed search ring along Highway #421 near the community of Gulf, NC and Lee County, NC.

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

Office and Conditional Use District with a Conditional Use Permit for Dental Clinic: Public hearing to receive public comments on a request by J. Lowell Williams for an Office and Institutional Conditional Use District with a Conditional Use Permit for a medical (dental) clinic, on 3.24 acres, off US #15-501 North, in Baldwin Township

The Chairman administered the oath/affirmation for those in attendance who wished to make public

comments.

Nick Robinson, PO Box 607, Pittsboro, NC, speaking on behalf of Dr. J. Lowell Williams, owner and applicant, explained that Dr. Williams is applying to Chatham County for approval of a conditional use district and a conditional use permit for use of his property as a dental office and clinic; that the property is currently zoned RA-40; that although not listed as a conditional use within the RA-40 Residential-Agricultural zoning district, medical clinics for in-patient and out-patient care are permitted uses within the Office and Institutional District; that Dr. Williams requests that an Office and Institutional Conditional Use District be created and that a Conditional Use Permit authorizing the use of the property as a dental clinic be granted; that the request is made pursuant to Sections 5 and 15 of the Chatham County Zoning Ordinance; that as is set forth in detail in this application, the proposal is consistent with the provisions of the zoning ordinance and the County Land Use Plan.

He further stated that the proposed dental clinic and office will be located just off US Highway #15-501 North on approximately 3.24 acres of land, a portion of approximately one hundred acre parcel owned by Dr. Williams; that it will consist of a clinic approximately 3,136 square feet in size with on-site parking and landscaping consistent with the requirements of the zoning ordinance; that the requested use, if approved, will make a positive contribution to the health of the citizens of Chatham County in the form of accessible dental care and will do so with minimum impact on neighboring properties. Attached hereto and by reference made a part hereof is a Statement of Support presented to the Clerk to the Board which he asked be made a part of the official record.

Sketch Design Approval of "Harris Tract/Bluegreen": Consideration of a request by Mark Ashness, CE Group, Inc., for sketch design approval of **"Harris Tract/Bluegreen" (Astoria)**, for proposed roadway changes, consisting of 516 lots on approximately 598 acres, off SR #1716 [Big Woods Road], in Williams Township

Commissioner Outz moved, seconded by Commissioner Holland, to accept the Planning Department and Planning Board recommendation and approve the request for a revision to the sketch design approval to allow some private roads be approved with the following conditions: 1) That the private roads are constructed to the NCDOT standards for hilly terrain. 2) That all lots have access to all roads. 3) That there is an adequate road maintenance agreement with a mechanism for subsequent dedication of all private roads to the NCDOT. 4) That the County has access to County utilities. 5) That adjacent land owners have access to the road system as approved. 6) That there be a reserved public right-of-way location to the Lingerfeldt property from the main entrance road as shown on the revised map and that a public road be constructed on said right-of-way and dedicated to the NC Department of Transportation.

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

Sketch Design Approval of "Seminole Point": Consideration of a request by Ricky Spoon, developer, for sketch design approval of **"Seminole Point"**, consisting of 20 lots on 50.8 acres, off SR #1506 [Pleasant Hill Church Road], in Hickory Mountain Township

Commissioner Outz moved, seconded by Commissioner Holland, to accept the Planning Department and Planning Board recommendation and grant sketch design approval of the plat as submitted with the following conditions: 1) That lots three (3) and four (4) be accessed from Seminole Point Lane and not have direct access to SR #1506 [Pleasant Hill Church Road] 2) That lots one (1) and two (2) share a common driveway easement to SR #1506; 3) That the 50-foot stream buffer be continued on each side of the stream as it exists on the ground across lots 8, 7, and 5, beyond the location shown on the US Geological survey maps.

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

Final Plat Approval of “Henley’s Mill Subdivision, Phase I”: Consideration of a request by Van Finch on behalf of River Ridge of NC, LLC for final plat approval of “**Henley’s Mill Subdivision, Phase I**”, consisting of 16 lots on 80 acres, off SR #2157 [Pete Roberson Road], in Oakland Township

Commissioner Pollard moved, seconded by Commissioner Holland, to accept the Planning Department and Planning Board recommendation and grant final approval of Phase 1 with the following condition: 1) The plat not be recorded until a copy of the road maintenance agreement has been received and approved by staff. The motion carried four (4) to one (1), with Commissioner Phillips dissenting.

Zoning and Ordinance Amendments:

Chatham County Zoning Ordinance Amendment: Consideration of a request by Andy Carlson for an amendment to the Chatham County Zoning Ordinance, Section 10.5 (A) (B-1 Business District, Permitted Uses), to allow open air sales and service of accessory buildings and gazeboes and like free-standing structures

Commissioner Pollard moved, seconded by Commissioner Phillips , to approve the amendment to the Chatham County Zoning Ordinance, Section 10.5(A) (B-1 Business District, Permitted Uses) to allow open air sales and service of accessory buildings and gazeboes and like free-standing structures. The motion carried five (5) to zero (0).

Revision to Existing Conditional Use Business District for Auto and Truck Accessory Sales: Consideration of a request by Andy Carlson, owner, for a revision to his existing B-1 Conditional Use Business District with a Conditional Use Permit for auto and truck accessory sales and installation and graphic detailing of vehicles and boats to include “**open air sales and service of accessory buildings and gazeboes and like free-standing structures**” on 1.9 acres off Hwy. 64 East, New Hope Township

Commissioner Outz moved, seconded by Commissioner Pollard, to approve the revision to the existing B-1 Business conditional use district with conditional use permit with the following conditions:

1. That the recommendations made by the Chatham County Appearance Commission for additional landscaping as outlined in attachment #3 and as shown on the landscape plan, attachment #4, be completed within 12 months from the date of approval.
2. That there be no outdoor storage of scrap metal, camper parts or other junk materials.
3. That existing signage on Hwy #64 be replaced by signage not to exceed 4 x 8 square feet as shown on the landscape plan.
4. Any additional lighting on the property shall be shielded to prevent up-lighting and spillage onto adjacent properties.
5. That conditions 1 & 2 of the existing permit continue to be met.

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

STRATEGIC PLAN STEERING COMMITTEE

Strategic Plan Steering Committee Recommendation to Improve Communications:

Consideration of a request for initial recommendations from the Strategic Plan Steering Committee to improve communications between County government and County citizens

Larry Hicks, Chair of the Strategic Plan Steering Committee, stated that one of the most important goals of the Chatham County Strategic Plan is to assure effective communications between County government and County citizens; that because of its impact on successfully achieving other Strategic Plan objectives, it was the first goal to be addressed by the County's Strategic Plan Steering Committee (SPSC) which formed a Communications Action Team in April 1999; that this team will carry out the following tasks: 1) Assess the effectiveness of communications' channels between County government and County citizens; 2) Formulate recommendations for improvements that might be needed; and 3) Submit findings and recommendations to the county Commissioners. He stated that these tasks are not yet completed, but it is clear to the team that there are some communications channels between County government and the public that can and should be improved as soon as possible; that in particular, the County should make better use of its Internet website and its libraries in disseminating public information. He suggested that the County Internet website provide the following information: 1) Agendas for upcoming County Commissioner Meetings 2) Minutes of the two most recent County Commissioner Meetings 3) Budgetary Proposals (i.e. Impact Fees, Pay-As-You-Throw, etc. 4) Notices of Public Hearings 5) County press releases 6) List of County-appointed committees and contacts for each (i.e. Health and Planning Boards, Strategic Plan Steering and Water Committees) 7) Important Public Documents (i.e. At present, the top two priorities would be the County Budget and the proposed County Land Conservation and Development Plan.)

Commissioner Pollard moved, seconded by Commissioner Phillips, to follow-up the Strategic Plan Steering Committee's recommendation and review the monetary impact involved. The motion carried five (5) to zero (0).

INFORMATION SERVICES

- **Replacement of Telephone PBX System:** Consideration of a request to approve a replacement of telephone PBX System

Commissioner Holland moved, seconded by Commissioner Outz, to approve the replacement of the existing telephone system and to move the purchase of the phone system from 2003 to the current fiscal year. The motion carried five (5) to zero (0).

Commissioner Pollard moved, seconded by Commissioner Holland, to award the bid to Sprint. The motion carried five (5) to zero (0).

Commissioner Holland moved, seconded by Commissioner Pollard, to approve the contract to lease the equipment using the Sprint Technology Plan, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

PUBLIC WORKS

Engineering Contract Phase I (Study) of Heating Ventilation and Air Conditioning System for the Law Enforcement Center: Consideration of a request for approval of an Engineering Contract Phase 1 (Study) of Heating Ventilation and Air Conditioning (HVAC) System for the Law Enforcement Center

Commissioner Phillips moved, seconded by Commissioner Pollard, to award an engineering contract to the firm of ARCADIS to perform a study of a more efficient and reliable HVAC system for the Law Enforcement Center Building in the amount of \$14,000. The motion carried five (5) to zero (0). A copy of the contract is attached hereto and by reference made a part hereof.

FINANCE DEPARTMENT

Budget Amendments: Consideration of a request for approval of Budget Amendments

Commissioner Phillips moved, seconded by Commissioner Outz, to approve budget amendments as proposed by the staff, attached hereto and by reference made a part thereof. The motion carried five (5) to zero (0).

Commissioner Pollard moved, seconded by Commissioner Holland, to approve the Carbondon Water Mains Project Ordinance and the Durham Water Interconnect Project Ordinance, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Commissioner Pollard moved, seconded by Commissioner Outz, to approve the transfer of funds from special assistance to computer equipment for the purchase of computers for the Department of Social Services in the amount of \$18,928.00. The motion carried five (5) to zero (0).

ECONOMIC DEVELOPMENT

Proposed Economic Development Application for Chatham County/3M: Consideration of a request for approval of proposed Economic Development Application for Chatham County; Resolution to Execute CDBG Related Documentation; and Resolution of Commitment to Further Fair Housing

Commissioner Outz moved, seconded by Commissioner Holland, to approve the following:

Resolution #2000-08 to Execute CDBG Related Documentation

Resolution #2000-09 in Support for the Submission of a CDBG for Economic Development

Letter of Commitment to Commerce Finance Center

Application Summary

Chatham County/3M Economic Development Project Assessment Policy

Certification of Ability

Disclosure Report

Resolution #2000-10 of Commitment to Further Fair Housing

Local Economic Benefit for Low and Very Low Income Persons Plan

Equal Employment and Procurement Plan

Environmental Review Record

Copies are attached hereto and by reference made a part thereof. The motion carried five (5) to zero (0).

Economic Development Bylaws Change: Consideration of a request to approve changes in Economic Development current bylaws

Commissioner Pollard moved, seconded by Commissioner Holland, to approve the changes in the Economic Development current bylaws, attached hereto and by reference made a part thereof. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Chatham County Workforce Development Board Appointments: Consideration of a request to appoint two members, one private sector vacancy and one public sector vacancy, to the Chatham County Workforce Development Board

Commissioner Pollard moved, seconded by Commissioner Holland, to appoint Tony M. Tucker, Chatham County Economic Development Director, to the Chatham County Workforce Development Board. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

Criminal Justice Partnership Program (CJPP) Grant Proposal: Consideration of a request for approval of Criminal Justice Partnership Program (CJPP) Grant Proposal for FY 2000-2001

Commissioner Phillips moved, seconded by Commissioner Holland, to approve the submission of the grant proposal and authorize the chair to sign the appropriate paperwork. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

The County Manager had no reports.

ADJOURNMENT

Commissioner Phillips 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 (0), and the meeting was adjourned at 8:44 PM.

Rick Givens, Chairman

ATTEST:

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