

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**APRIL 03, 2000**

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The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Auditorium Building, 45 South Street, located in Pittsboro, North Carolina, at 10:00 AM on April 03, 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 10:12 AM.

Commissioner Holland entered the meeting at 10:20 AM.

**AGENDA**

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

Commissioner Pollard asked that a Resolution Honoring Lambert Chapel Missionary Baptist Church be added as the first item on the Regular Agenda.

Chairman Givens asked that Mr. Jackie McLamb with the Department of Agriculture be allowed to make a brief presentation on some land that is available for industrial development.

Commissioner Phillips moved, seconded by Commissioner Outz, to approve the Agenda with the noted requests. The motion carried four (4) 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 four (4) to zero (0).

1. **Minutes:** Consideration of approval of Board Minutes for meeting held March 13, 2000 and Board Minutes for Public Hearing for Proposed Industrial Park Minutes held March 27, 2000

The motion carried four (4) 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 four (4) to zero (0).

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

- |                             |                             |
|-----------------------------|-----------------------------|
| A. <b>Carroll Farm Road</b> | D. <b>Rabbit Hare Drive</b> |
| B. <b>L &amp; W Lane</b>    | E. <b>Redwing Lane</b>      |
| C. <b>The Whites Way</b>    | F. <b>Sam Dark Road</b>     |

The motion carried four (4) to zero (0).

4. **Funds Acceptance for Health Department/Rural Obstetrical Care Incentive:** Consideration of a request to accept additional State Rural Obstetrical Care Incentive funds in the amount of \$2,193 from the NC Department of Health and Human Services, Women's & Children's Health Section, allocated to the Health Department

The motion carried four (4) to zero (0).

5. **Funds Acceptance for Health Department/Medicaid Maximization:** Consideration of a request to accept additional Medicaid maximization funds in the amount of \$64,289.26 allocated to the Health Department

The motion carried four (4) to zero (0).

6. **Resolution Proclaiming "Fair Housing Month":** Consideration of a request to approve **Resolution #2000-11 Proclaiming the Month of April, 2000 as "Fair Housing Month" in the County of Chatham**, attached hereto and by reference made a part hereof

The motion carried four (4) to zero (0).

7. **Request to Set Public Hearing for North Chatham Fire Department:** Consideration of a request to set a public hearing on May 3, 2000 at North Chatham Fire Department Station #1 to discuss the acquisition by lease purchase of: 1) Land and construction of new fire station; 2) 2000 Emergency-One Tanker Fire Apparatus; 3) 2000 Emergency-One Custom Pumper Fire Apparatus

The motion carried four (4) to zero (0).

**END OF CONSENT AGENDA**

### **PUBLIC INPUT SESSION**

**Lucille Zane**, 240 Meadow View Drive, Moncure, NC, stated that the reactivated CSX rail will pass 50-60 feet from Gum Spring Baptist Church cemetery, 50-100 ft. from several homes, close to an elementary school, and at times would cross driveways to homes; that the citizens are especially disturbed by the lack of notification by CSX regarding this endeavor; that they have already had several experiences with CSX which indicated that they were dealing with a less than honorable company; that these exchanges led them to investigate CSX at which time they found that they were involved in several class action law suits across the country and that CSX has a questionable safety record; that their talks with 3M have been cordial and

productive; that Mr. Bill Nelson with the CSX Public Relations Department has agreed to meet with them to inspect the sites and review their concerns in person; and that they hope that the Board will support their efforts in finding an alternative to the CSX efforts to reactivate the seven miles of rail which passes through Moncure with 3M.

**Sue Bailes**, 360 Meadow View Drive, Moncure, NC, having read an article, stated that trucking has not been ruled out as a possibility to transport the 3M products; that she feels that trucking is the most positive method of transport; that it would be the least destructive for the County; that the road is already in place and maintained by the State; that road taxes are paid by all when paying for fuel; that the trail that is to be constructed along side the tract, not only widens the corridor, but may cause safety problems with the residents whose land they cross; that privacy is decreased; that litter is increased; that the trails would have to be maintained by the County which would increase taxes; that land and home values would be decreased; and that trucking should be considered as a positive solution to this problem.

**Dina Brown**, 264 Meadow View Drive, Moncure, NC, stated that she was concerned with regard to safety issues; that they would appreciate well-publicized meetings to explain how these issues will be addressed; that statistics show that children get hit often by trains; and that sparks from trains are likely to cause forest fires. She questioned the ability of the volunteer fire departments to handle these fires and stated that statistics show that every one hundred-fifteen minutes that someone is hit by a train; that half of all collisions around the country happen at railroad crossings; that she wonders if the County will be responsible for all of the law suits incurred when accidents happen; that if Shearon Harris has to have an emergency evacuation, the trains would block people from escaping an emergency; and that someone will have to be accountable for these concerns.

Commissioner Phillips stated that he did not think that any of the Commissioners had endorsed the rail, neither officially nor non-officially; that they are not promoting the rail; and that the grant that has been prepared does not have anything to do with the rail.

Commissioner Pollard stated that their first information came from one of the land owners adjacent to the rail line saying that they had been approached; that she has not heard anything directly; that the Board has not received notification from CSX; that at this point, it is just talk.

### **RESOLUTION HONORING LAMBERT CHAPEL MISSIONARY BAPTIST CHURCH**

#### **Resolution Honoring Lambert Chapel Missionary Baptist Church:**

Commissioner Pollard made comments on and read a resolution honoring the Lambert Chapel Missionary Baptist Church.

Commissioner Pollard moved, seconded by Commissioner Holland, to approve **Resolution #2000-12 Honoring Lambert Chapel Missionary Baptist Church**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

### **INDUSTRIAL PARK**

**Jackie McLamb**, with the Department of Agriculture, stated that grant money for developing industrial parks is scarce; that there are funding methods and a lot of alternative sources of funding that are available provided that the proposal meets certain criteria; that some have to do with "live" prospects who are ready to locate in the facility, to employ people, and begin paying taxes; that there are certain monies available for development of industrial parks; that two grant providing agencies are the NC Department of

Commerce, Division of Community Assistance and the NC Rural Center which are the two preeminent grant providing agencies for that type of endeavor; that they have a number of programs that from the standpoint of funding are loan programs that could provide funds for the facilities and improvements to help provide infrastructure and develop the industrial park; that some are direct loans from the government or the Department of Agriculture; that interest rates and lengths of term are most favorable; that another program utilized across the State is called the Rural Economic Development Loan and Grant Program; that the funds for this program were generated by reserves that were set aside by the Rural Electrification Agency; that they are passed through type loans that would come from EMC that may be operating in the area; that they would be eligible to receive 0% loans and in some cases, a grant from the Department of Agriculture to make pass-through loans through a third party recipient to create a revolving fund; that the terminal debt to the ultimate recipient would be a ten-year period at 0%; that this program has been used by several counties throughout the State to help facilitate economic development by either developing an industrial park to provide available sites, to provide infrastructure to it, and in some cases, to actually construct a building to be leased to an industry or commercial concern locator; that the NC Department of Transportation can provide some assistance for streets and roads to serve the industrial park under certain circumstances; that there are a number of sources that should be researched; that he will be more than happy to meet with the County's Economic Development Director to get more information regarding the proposal to see what the funding alternatives are and develop a financing package that can be reviewed and determination made as how to proceed.

## SHERIFF'S OFFICE

### *Public Hearing*

**Local Law Enforcement Block Grant:** Public hearing to receive public comments on the Local Law Enforcement Block Grant regarding the proposed use of the grant and its relation to the grant budget

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

## PUBLIC WORKS

**Grant Proposal to Purchase Paper Baling Equipment:** Consideration of a request to approve a grant proposal to purchase paper baling equipment in the amount of \$25,000 and to provide matching funds to fund the balance

Commissioner Pollard moved, seconded by Commissioner Outz, to approve the acceptance of grant funding and provide matching funds. The motion carried five (5) to zero (0).

**Chatham County Tire Policy:** Consideration of a request to approve a revised Tire Policy for Chatham County

Commissioner Phillips moved, seconded by Commissioner Holland, to approve the revised Tire Policy and the three-part Scrap Tire Certification Form, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**Solid Waste Reduction Assistance Grant (SWRAG):** Consideration of a request to approve a Solid Waste Reduction Assistance Grant (SWRAG) offered by the NC State Division of Pollution Prevention and Environmental Assistance (DPPEA) to help finance the Glass Bunker Project at Waste Management Facility

Commissioner Pollard moved, seconded by Commissioner Phillips, to approve applying for grant, to

accept grant funds if awarded, and to provide matching funds. The motion carried five (5) to zero (0).

**Durham Interconnect and Carbonton Water Mains Construction Administration Services:** Consideration of a request to approve the construction administration services for the Durham Interconnect and Carbonton Water Mains

Commissioner Outz moved, seconded by Commissioner Holland, to approve contracts with Hobbs Upchurch and to authorize the Chairman to execute the contracts. The motion carried five (5) to zero (0).

### **BOARDS AND COMMITTEES**

**Chatham County Child Fatality Prevention Team:** Consideration of approval of appointments of a Firefighter, Law Enforcement Officer, and Social Worker to serve on the Chatham County Child Fatality Prevention Team

Commissioner Phillips moved, seconded by Commissioner Holland, to appoint Tom Bender, Fire Marshal, Terrienne Dubois, Law Enforcement Officer, and Mary Linker, Health Department Social Worker to the Chatham County Child Fatality Prevention Team. The motion carried five (5) to zero (0).

**Mid-Carolina Workforce Development Board:** Consideration of a request to appoint a member to the Mid-Carolina Workforce Development Board

This item is to be returned to the Board at the next meeting.

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

**NACo 2000 Annual Conference Contribution:** Consideration of a request to contribute funds to the National Association of Counties 2000 Annual Conference in Mecklenburg County

Commissioner Pollard moved, seconded by Commissioner Outz, to contribute \$1,000.00 to the National Association of Counties 2000 Annual Conference to be held in Mecklenburg County on July 14-18, 2000. The motion carried five (5) to zero (0).

**Proposed Change to the Chatham County Subdivision Ordinance (Commissioner Review Time):** Consideration of a request to approve a change to the Chatham County Subdivision Ordinance (Commissioner Review Time)

Commissioner Phillips moved, seconded by Commissioner Pollard, to hold a public hearing on May 15, 2000 on a request to change the Commissioner review time in the Chatham County Subdivision Ordinance. The motion carried five (5) to zero (0).

**Term of Service Change to County Boards:** Consideration of a request to approve a change to the term of service for appointed members to all County boards

After considerable discussion, there was no action taken on this matter.

### **MANAGER'S REPORTS**

There were no Manager's reports.

## **COMMISSIONERS' REPORTS**

### **Animal Control Issues:**

Commissioner Phillips asked if there was a report from Animal Control regarding the keeping of wild and vicious animals.

The County Manager explained that staff is in the process of revising this policy.

### **Educational Foundation Invitation:**

Commissioner Phillips stated that a breakfast invitation had been issued from the Education Foundation to the Board to discuss, with a cross-section of teachers, their concerns and perceptions of the Chatham County School System. He suggested that the invitation be accepted and that a date be set as soon as possible.

The Board concurred.

## **RECESS**

Commissioner Outz moved, seconded by Commissioner Holland, to recess the meeting for five minutes. The motion carried five (5) to zero (0).

## **PUBLIC INPUT #2**

- **Shirley Dean**, 1503 Old Sanford Road, Moncure, NC, asked that consideration of desperate water needs be extended to the citizens of the Chatham Church Road area.

## **CLOSED SESSION**

- Commissioner Holland moved, seconded by Commissioner Outz, to go out of Regular Session and into Closed Session for the purpose of discussing property acquisition. The motion carried five (5) to zero (0).

## **REGULAR SESSION**

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

## **WORK SESSION**

### **Work Session Agenda:**

1. **Land use Review (2 Sections)**
2. **Five Acre Minimum Lot Size for River Frontage Lots**
3. **Discussion of Water Issues with Water Committee**
4. **Cary Water/Land Use Management Requirements**
5. **Subdivision Ordinance Amendments (Proposed)**
6. **Agricultural Advisory Committee (Proposal from Strategic Plan Steering Team)**

7. **School System Wastewater Problem: Clean Water Funds?**
8. **Canoe Access Question**
9. **Sports Arena**
10. **Closed Session to Discuss Property Acquisition**
11. **Industrial Park: Next Steps**

#### **Land Use Review:**

After discussion regarding lots bordering rivers, the Board discussed changing the ordinance to require lots to be a minimum of five acres rather than averaging five acres as the ordinance now requires.

Commissioner Pollard moved, seconded by Commissioner Phillips, to hold a public hearing to receive public comments to amend the subdivision regulations so that lots that have river frontage have a minimum of five (5) acres with three (3) acres of that being usable ie: outside of floodable area. The motion carried five (5) to zero (0).

#### **Heritage Trail:**

Commissioner Pollard moved, seconded by Commissioner Holland, that the County become a temporary fiduciary agent for Craig Debussy's organization to obtain non-profit status which stems from a grant application he is to submit. The motion carried five (5) to zero (0).

#### **Sports Arena:**

The Manager stated that he and Commissioner Holland had the opportunity to look at twenty-six acres and the Sports Arena in Goldston with regard to a lease/purchase as potential realty use facility for the County.

Commissioner Holland stated that there is a lot of room in the facility; that the owners are willing to renovate the property as needed; that the facility could house Head Start and different agencies within the County; and that she would like the Board to visit the site.

#### **Canoe Access:**

Commissioner Phillips moved, seconded by Commissioner Holland, to support the position of the Carolina Canoe Club and to encourage the passage of the NC Senate Bill #368 to our NACo Representatives and to our Legislative Delegation. The motion carried five (5) to zero (0).

#### **School System Wastewater:**

The County Manager explained that a discussion had been held with Hal House with regard to "clean water" monies to be used for alternative wastewater clean-up of J. S. Waters School, Chatham Central High School, and Bonlee; and that it would be a County initiative to seek the money.

After considerable discussion, Commissioner Phillips stated that he would like to endorse the project and encourage it to proceed with the support of the school system.

The County Attorney advised that the Chatham County School Board be consulted before any official action is taken.

**Agricultural Advisory Committee:**

This item was deferred until a later date.

**LUNCH**

- The Chairman recessed the meeting for a one-hour lunch period.

**RECONVENE WORK SESSION**

- Commissioner Pollard moved, seconded by Commissioner Outz, to reconvene the meeting. The motion carried five (5) to zero (0).

**Affordable Housing Coalition:**

- Commissioner Pollard moved, seconded by Commissioner Phillips, to appropriate \$15,000.00 over three years, or \$5,000 per year, beginning with fiscal year 2000-2001 to the Affordable Housing Coalition. The motion carried three (3) to two (2), with Commissioners Outz and Givens dissenting.

**ADJOURNMENT**

- Commissioner Pollard 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 3:20 PM.

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Rick Givens, Chairman

ATTEST:

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