

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**APRIL 02, 2001**

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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 02, 2001.

Present: Chairman Gary Phillips; Vice Chair Margaret Pollard; Commissioners Bob Atwater, Rick Givens, and Carl Outz; 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 10:12 AM.

**AGENDA**

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

The County Manager asked that Item #14, Consideration of a request to supply funding for property acquisition by the Chatham County Board of Education, be removed from the Agenda and that a Resolution Authorizing the Purchase of Land for Buffer for Closed County Landfill be added to the Agenda as Item #13A.

Commissioner Pollard moved, seconded by Commissioner Atwater 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 Atwater asked that the March 12, 2001 minutes be corrected to show that his appointment to the Board of Equalization and Review be rescinded.

Commissioner Atwater asked that Item #12, Consideration of a request to approve **Resolution Certifying Tax Exempt Status of Municipal Lease of Defibrillators**, be placed on the regular agenda as Item #13B for discussion.

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

1. **Minutes:** Consideration of approval of Board minutes and work session minutes for meetings held March 12, 2001

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. **Refunds on 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).

4. **Resolution for the Addition of Roads to the NC System of Secondary Roads - Alex Watson Road Extension:** Consideration of a request for approval of **Resolution #2001-08 for the Addition of Roads to the NC System of Secondary Roads -Alex Watson Road Extension**, attached hereto and by reference made a part hereof.

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

5. **Funds Acceptance for the Health Department:** Consideration of a request for approval to accept additional funds in the amount of \$7,500 from the Department of Health & Human Services (DHHS) awarded to the Chatham County Health Department

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

6. **Funds Acceptance for the Health Department:** Consideration of a request for approval to accept additional funds in the amount of \$900 from the North Carolina Healthy Start Foundation awarded to the Chatham County Health Department

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

7. **Funds Acceptance for the Health Department:** Consideration of a request for approval to accept additional funds in the amount of \$853.26 from the Department of Environment and Natural Resources for the Environmental Health Services Division awarded to the Chatham County Health Department

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

8. **Notification of Change in Medicaid Rates:** Notification of change in Medicaid rates for public health departments, effective January 01, 2001

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

9. **Creation of Limited-Term Positions in Health Department:** Consideration of a request to create a limited-term 40% Public Health Nurse and 40% Interpreter position and increase time of Medical Laboratory Technician from 50% to 80% in the Health Department in order to implement a Family Planning Initiative, funded by the North Carolina Department of Health and Human Services through the Family Resource Center

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

10. **Naming of Private Roads:** Consideration of a request from citizens for the naming of private roads in Chatham County as follows:

- |                             |                               |
|-----------------------------|-------------------------------|
| <b>A. Bingo Street</b>      | <b>F. Luna Lane</b>           |
| <b>B. Camel Back Road</b>   | <b>G. Mountain Ridge Lane</b> |
| <b>C. Donald Drive Ext.</b> | <b>H. Old Country Road</b>    |
| <b>D. E.T. Hanner Road</b>  | <b>I. Walnut Lane</b>         |
| <b>E. Kelly Renee Road</b>  |                               |

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

11. **Emergency Operations Grant Application:** Consideration of a request to approve the grant application for the Chatham County Emergency Operations Director to apply for funds to purchase damage assessment equipment and activation/training

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

- ~~12. **Resolution Certifying Tax Exempt Status of Municipal Lease of Defibrillators:** Consideration of a request to approve **Resolution #2001-09 Certifying Tax Exempt Status of Municipal Lease of Defibrillators**, attached hereto and by reference made a part hereof.~~

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

**END OF CONSENT AGENDA**

### **PUBLIC INPUT SESSION**

**Dick Huffman**, 643-B Manns Chapel Road, Pittsboro, NC, stated that he owns two properties in north Chatham County; that they are an old established duplex condominium community on Manns Chapel Road in Baldwin Township; that developers have been given too much encouragement and support to do as they like by County government which is causing disruption and disturbing the life of previously tranquil life of taxpayers who have lived in Chatham County for generations. He cited specific examples and asked that the County give fewer licenses to developers moving into the County, pay much more attention to preserving the unique character of Chatham County, and respect more the rights and interests of residents who have lived in the County long before the developers came to make money.

**David Rankin**, 432 Moore Mountain Road, Pittsboro, NC, a network engineer at the University of North Carolina, expressed concern with regard to expanding cable access in the County and obtaining high-speed internet access service. He stated that high-speed access service is very important for several reasons: 1) education; 2) telecommunications as a way to keep people off the roads by working at home using high-speed access; 3) home businesses. He urged the County to work with the cable and telephone companies to expand high-speed internet access as widely as possible.

The Chairman asked if Mr. Rankin would be interested in serving as a resource on the Cable Committee, if and when it is reactivated.

**Bea Kendall**, 426 N. Pea Ridge Road, Pittsboro, NC, stated that the County is a rural County and that she is opposed to Bell's Landing Park; that she does not want to see it passed; that there

seems to be an impropriety in that business people are involved in its planning; that the amount of garbage will be enormous; that the entry fee to the park is inherently wrong; and that she does not want to see millions of dollars spent on the park when it should be going for infrastructure.

**Pat Sheley**, 562 Windy Ridge Road, Chapel Hill, NC, stated that she is not happy with putting money into another park; that they have a park just down the road; that her first priority is human resources; that as a nurse, she gets upset when she hears that the County can not help pay for dental care for the County's children; that she thinks that the children should come first; that the County is not an endless pit; that she willingly pays taxes to see it go toward education and the school system; and that there are plenty of resources in the County without having to build new parks.

### **TIME WARNER CABLE**

**Time Warner Cable:** Presentation of the layout map and proposed franchise agreement

**Brad Phillips**, Division Vice President for Time Warner Cable (TWC), addressed Mr. Rankin's concern and stated that the cable company is aware of the "digital divide" within the County and across the State. He stated that they are taking part in a Rural Internet Access Authority which has been appointed by the Governor, have made presentations to the committee, and are a part of the technical committee and are trying to address the issue across the State; that the only requirement is that cable passes a home; that the satellite dish has been a great competitor to TWC which is driving the process as well; and that they are planning to drive out to Moore Mountain Road to assess the situation there.

He introduced Mel Tingent, Technical Supervisor out of the Chapel Hill Office, who is responsible for the areas served in Chatham County.

**Mel Tingent**, reviewed the area service map and explained the areas served within the County.

**Dave Permar**, Attorney for Triangle J, stated that the model franchise does contain a density provision of thirty homes per mile; that it provides a means of cost-sharing on a pro rata basis where an area does not meet the density requirement; that the primary factor, both as a matter of the "real world" and a matter of policy under the Federal Cable Act, competition drives the service and the amount of service provided; that their primary concern in a rural area is satellite; that serving the entire community or County has become less of a regulatory issue because of the competitive factors and the growth of satellite; and that the potential for competition will frequently drive the cable company to serve an area that they do not ordinarily serve, as they want to get there first because if they do so, they do a better job of holding on to the market.

### **CHATHAM COUNTY BOARD OF EDUCATION**

**Chatham County Board of Education:** Consideration of a request to supply funding for property acquisition by the Chatham County Board of Education

This item was removed from the Agenda for discussion at a later date.

### **RESOLUTION CERTIFYING TAX EXEMPT STATUS OF MUNICIPAL LEASE OF DEFIBRILLATORS**

**Resolution Certifying Tax Exempt Status of Municipal Lease of Defibrillators:**

Consideration of a request to approve **Resolution Certifying Tax Exempt Status of Municipal Lease of Defibrillators**

Commissioner Atwater moved, seconded by Commissioner Givens, to approve **Resolution #2001-09 Certifying Tax Exempt Status of Municipal Lease of Defibrillators**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**CHATHAM COUNTY FIRE MARSHAL**

**Resolution Extending Chatham County Fire District Insurance Rated Boundaries from Five Miles to Six Miles:** Consideration of a request for approval of **Resolution Extending Chatham County Fire District Insurance Rated Boundaries from Five Miles to Six Miles**

Commissioner Atwater moved, seconded by Commissioner Givens, to approve **Resolution #2001-10 Extending Chatham County Fire District Insurance Rated Boundaries from Five Miles to Six Miles**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**RESOLUTION AUTHORIZING THE PURCHASE OF LAND FOR CLOSED LANDFILL**

**Resolution Authorizing the Purchase of Land for Buffer for Closed County Landfill:** Consideration of a request to approve **Resolution Authorizing the Purchase of Land for Buffer for Closed County Landfill**

Commissioner Pollard moved, seconded by Commissioner Atwater, to approve **Resolution #2001-11 Authorizing the Purchase of Land for Buffer for Closed County Landfill**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**PUBLIC WORKS**

**Introduction of Assistant Public Works Director:**

**Ron Singleton**, Public Works Director, introduced Tom Lucas, new Chatham County Assistant Public Works Director, to the Board.

**Mowing Services Contract for 2001 Growing Season:** Consideration of a request to award contract for mowing services for County-owned property for the 2001 growing season to G.G. Marsh & Sons

Commissioner Pollard moved, seconded by Commissioner Outz, to award the service contract for mowing services to G. G. Marsh and Sons, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**3M Water Line Construction Contract Award:** Consideration of a request to award 3M water line construction contract based on low bid and engineer's recommendation

Commissioner Givens moved, seconded by Commissioner Atwater, to approve **Resolution #2001-12 of Award for 3M Water Line Construction Contract** (Sanford Contractors, Inc.), attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**3M Elevated Water Tank Construction Contract Award:** Consideration of a request to award construction contract for the 3M elevated water tank construction based on low bid and engineer's recommendation

After considerable discussion, Commissioner Outz moved to run a water line to the Sanford Road and the Chatham Church Road, even if money has to be borrowed to do so.

The motion died for lack of a second.

Projected construction costs and the number of persons interested in tapping onto the water line on Chatham Church Road and the Sanford Road area are to be discussed at a future work session.

Commissioner Pollard moved, seconded by Commissioner Atwater, to approve **Resolution #2001-13 of Award for 3M Elevated Water Tank Construction** (Caldwell Tanks, Inc.), attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

### HUMAN RESOURCES

**Increase in Time for Fearington Public Health Nurse:** Consideration of a request to approve an increase in time for a 37.5% Public Health Nurse I position to 50%, funded by the Fearington Cares Project, through the Chatham County Health Department

Commissioner Givens moved, seconded by Commissioner Atwater, to approve an increase in time for a 37.5% Public Health Nurse I position to 50% effective April 9, 2001. The motion carried five (5) to zero (0).

### BOARDS AND COMMITTEES

**Piedmont Conservation Council Appointment:** Consideration of a request to appoint a member to the Piedmont Conservation Council

This item was deferred until the April 16, 2001 Board of Commissioners' meeting.

**Chatham County Human Relations Committee Appointment:** Consideration of a request to appoint a member to the Chatham County Human Relations Committee

Commissioner Pollard moved, seconded by Commissioner Atwater, to appoint Vanessa Jeffries, 1221 Hillsboro Street, Pittsboro, NC, to the Chatham County Human Relations Committee. The motion carried five (5) to zero (0).

**Chatham County Board of Equalization and Review Appointment:** Consideration of a request to appoint a member to the Chatham County Board of Equalization and Review by Commissioner Atwater

Commissioner Atwater moved, seconded by Commissioner Pollard, to appoint Hal Winters, 64 Eagle Drive, Chapel Hill, NC, to the Chatham County Board of Equalization and Review. The motion carried five (5) to zero (0).

**Chatham County Board of Equalization and Review Alternate:**

Commissioner Atwater moved, seconded by Commissioner Pollard, to appoint Morton Barrow, 682 Whitehurst Drive, Pittsboro, NC, as an alternate to the Chatham County Board of Equalization and Review. The motion carried five (5) to zero (0).

**Chatham County Solid Waste Advisory Committee Appointment:** Consideration of a request to appoint a member to the Chatham County Solid Waste Advisory Committee

Commissioner Pollard moved, seconded by Commissioner Givens, to appoint Evelyn Cross, 4964 Corinth Road, Moncure, NC, to the Solid Waste Advisory Committee. The motion carried five (5) to zero (0).

**Chatham County Travel and Tourism Advisory Board Appointment:** Consideration of a request to appoint a member to the Chatham County Travel and Tourism Advisory Board

Commissioner Atwater moved, seconded by Commissioner Givens, to appoint Dr. John Shillito, 6 Caswell, Pittsboro, NC, to the Chatham County Travel & Tourism Board. The motion carried five (5) to zero (0).

**Chatham County Economic Development Corporation Board:** Consideration of a request to reappoint a member to the Chatham County Economic Development Corporation Board and to appoint a commissioner ex-officio member

Chairman Phillips moved, seconded by Commissioner Atwater, to reappoint Jennifer Andrews, 123 E. Raleigh Street, Siler City, NC, to the Chatham County Economic Development Corporation Board. The motion carried five (5) to zero (0).

Commissioner Pollard moved, seconded by Commissioner Atwater, to reappoint Nate Shaeffer, 1434 Farrington Road, Apex, NC, to the Chatham County Economic Development Corporation Board. The motion carried five (5) to zero (0).

#### **Central Carolina Community College – Board of Trustees:**

Consideration of a request to appoint a member to the Central Carolina Community College Board of Trustees

Commissioner Pollard moved, seconded by Commissioner Atwater, to reappoint Bill Dudenhausen, 363 Linden Close, Pittsboro, NC, to the Central Carolina Community College Board of Trustees. The motion carried five (5) to zero (0).

#### **MARCH 12, 2001 MINUTES CORRECTION**

Commissioner Atwater moved that a correction be made to the March 12, 2001 Board Minutes to reflect that his appointment to the Board of Equalization and Review has been rescinded. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

#### **COMMISSIONERS' REPORTS**

##### **Town of Pittsboro Water Comments:**

Commissioner Givens apologized to Commissioner Outz for his comments with regard to the

purchase of water from Lee County instead of the Town of Pittsboro for 3M's water supply.

**Poole Road East Repair:**

Commissioner Outz asked that a letter be sent to the NC Department of Transportation requesting that Poole Road East be repaired and repaved as necessary.

**Lashley Road:**

Commissioner Outz asked that a letter be sent to the NC Department of Transportation requesting that Lashley Road, which serves approximately twenty homes, has two daily school buses, has dangerous curves, and is not very wide, be paved.

Chairman Phillips suggested that the County's transportation representative be invited to a work session within the next three months to talk about the Transportation Improvement Plan and other issues.

**Revenue Neutral Number:**

Commissioner Givens asked that the Board be given a "revenue neutral" number in order to figure the percentage of increase on tax revaluations.

After considerable discussion, Commissioner Givens withdrew his request.

**United Way:**

Chairman Phillips expressed his appreciation for the support at the gathering of the United Way.

**RECESS**

Commissioner Atwater moved, seconded by Commissioner Outz, to recess for lunch at RAFI, USA with the work session to follow. The motion carried five (5) to zero (0), and the meeting was recessed at 12:16 PM.

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Gary Phillips, Chairman

ATTEST:

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