

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
JUNE 18, 2001

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 June 18, 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 7:16 PM.

AGENDA

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

The County Manager asked that Item #10, Resolution Honoring Anne Von Gruenigen, be deferred until a later date; that a Resolution in Support of 3M Company Locating in Chatham County and the Construction and Upgrading of 15-501 South of Pittsboro to Support 3M Operations be added to the Agenda as Item #10; that a funding item by the County Attorney be added to the Agenda as Item #22A; and that a request by the Family Resource Center be added to the Agenda as Item #22B.

Commissioner Pollard moved, seconded by Commissioner Givens, 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 Givens moved, seconded by Commissioner Outz, to approve the Consent Agenda. The motion carried five (5) to zero (0).

1. **Minutes:** Consideration of a request for approval of Board Minutes for meetings held June 04, 2001 and Work Session held June 04, 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. **Sketch and Preliminary Approval for “Caden Ridge”:** Consideration of a request by Richard E. Fox for subdivision sketch and preliminary approval for **“Caden Ridge”**, consisting of 9 lots on approximately 19 acres, off SR #1504 [Mt. Vernon Hickory Mountain Road], in Hadley Township

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

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

5. **Final Approval for “Jones Ferry Landing, Phase 2”:** Consideration of a request by Cynthia S. Perry for Kathleen and James Sequeira for subdivision final approval for **“Jones Ferry Landing, Phase 2”**, consisting of 5 lots on approximately 15 acres, off SR #1539 [Jones Ferry Road], in Baldwin Township

As per the Planning Board and Planning Department recommendation, final approval of Jones Ferry Landing, Phase 2 was granted as submitted.

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

6. **Final Approval for “Peppertree, Phase Two”:** Consideration of a request by Van R. Finch for Dimension Builders, Inc. for subdivision final approval for **“Peppertree, Phase Two”**, consisting of 15 lots, on approximately 23 acres, off SR #1532 [Manns Chapel Road], in Baldwin Township

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

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

7. **Private Road Names:** Consideration of a request to approve a request from citizens for the naming of private roads in Chatham County as follows:

- A. **Cannon Road**
- B. **Elisea**
- C. **McKnights Cove**

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

8. **FY 2001-2002 Rural Operating Assistance Program:** Consideration of a request to approve the Chatham Transit Board of Directors’ recommendation for the sub-allocation of FY 2001-2002 Rural Operating Assistance Program funds

As per the Chatham Transit Network Board of Directors’ recommendation, the Rural Operating Assistance Program sub-allocation was accepted as requested.

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

9. **Home and Community Care Block Grant Funds Acceptance:** Consideration of a request to accept Home and Community Care Block Grant Funds in the amount of \$349,903 for older adults to be used according to the Committee budget

As per the Home and Community Block Grant Committee, funds in the amount of \$349,903 to be used as budgeted were accepted as requested, budget allocation attached hereto and by reference made a part hereof.

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

END OF CONSENT AGENDA

-
-
-

PUBLIC INPUT SESSION

-
Anne Granath, 115 Fearrington Post, Pittsboro, NC, present on behalf of the Friends of the Library, stated that the libraries could do a lot more with more money, and that it would be a long-term investment in the community.

Mary Hayes Holmes, 1062 Old Graham Road, Pittsboro, NC, representing the Chatham County Libraries, stated that the Friends of the Library have helped to make the libraries what they are today; that they have been operating on a bare-bones budget for a number of years; and that there is so much to be done that could be done with additional funding. She further stated that the capital improvement to the Bookmobile will impact people from North Chatham to those in the southwestern part of the County; and that although there is a lot of private money going into the libraries, it can never take the place of the support and funding from the Board of Commissioners.

Joyce Kuhn, Executive Director of Orange Chatham Alternative Sentencing, Inc. 45 West Street, Pittsboro, NC, stated that this is a program that was contracted by the State; that they are required to raise ten percent local match money; that Chatham County has contributed to the local match for many years; that they would like to see the contribution rise above the \$500 mark; and that if it can not be raised this year, that they hope it can be increased to \$750 next year.

Elaine Lytton, 114 Julius Davis Road, Goldston, NC, stated that she was there to lodge a complaint about the North Carolina Sports Arena; that the new owner was the problem; that the clientel was primarily Mexican; that their music was obnoxious and loud; and that it was a nuisance every Friday and Saturday night.

Norm Koch, 214 Julius Davis Road, Goldston, NC, stated that he lived approximately 1/8-1/4 of a mile from the Sports Arena; that the music is so loud the knickknacks in his kitchen rattle on the windowsill; that the noise ordinance should be stricter; and that the guards on site warn the owner of an impending visit before the Sheriff's patrol arrives.

Michael Lytton, 108 Julius Davis Road, Goldston, NC, stated that he lived approximately 100 feet from the Sports Arena; that he has not gotten to sleep before 3:30 AM on a Friday or Saturday night for months; that patrons are going to the bathroom on his property; and that there were gunshots fired last

weekend. He further stated that the metal building needs to be soundproofed and the sewage system checked; that the last time he tried to talk to the owner, he was kicked off the property; that the Sheriff's Department has done everything that it can do within the limits of the law; that he feels that it is up to the Board of Commissioners to take care of the problem; and that something needed to be done immediately to abate this nuisance.

Sheriff Ike Gray, stated that he had given special directions to the dispatchers on duty, that when one of the calls came in, to have the deputy on patrol to call in, not to put the call out over the radio; that he has sent deputies in unmarked cars to the arena; that there was no way that they could have known that they were coming, and that they were in compliance with the law; that the man who runs the operation had asked for special permission to exceed the decibel meter, and that he had denied the request due to the number of complaints that he had received; that it had tied up a lot of their officers; and that he feels that it would be dealt with most efficiently as a public nuisance. He expressed appreciation to those in attendance who had come forward with the complaints and stated that, hopefully, between the Health Department, the Board of Commissioners, and the Sheriff's Department, this problem can be eradicated.

RESOLUTION FOR ANNE VON GRUENIGAN

~~Resolution Honoring Ann Von Gruenigen: Consideration of a request to approve Resolution Honoring Ann Von Gruenigen~~

This item was deferred until a later date.

PLANNING AND ZONING

Request for Light Industrial Conditional Use District for Telecommunication Tower: Consideration of a request by SBA, Inc. for a Light Industrial Conditional Use District with a Conditional Use Permit for a 195 ft. monopole telecommunication tower on property owned by William S. Kelly, located off SR #1743 [Luther Road], in New Hope Township

Commissioner Pollard moved, seconded by Commissioner Givens, to grant approval of the request as submitted, as per the Planning Board and the Planning Department recommendation. The motion carried five (5) to zero (0).

Request for Heavy Industrial Conditional Use District with Conditional Use Permit for Mixing Plant: Consideration of a request by S. T. Wooten Corporation for a Heavy Industrial Conditional Use District with Conditional Use Permit for a mixing plant for concrete, on approximately 4 acres of a 37.6 acre tract [currently used as a non-conforming asphalt plant], off SR #1714 [Sugar Lake Road], in New Hope Township

Commissioner Atwater moved, seconded by Commissioner Pollard, to deny the request due to findings #2, #3, #4, and #5 not being made, as per the Planning Board and the Planning Department recommendation. The motion carried five (5) to zero (0).

Commissioner Outz suggested that the Economic Development Commission be asked to help find a new place for this business.

Request for Office and Institutional Conditional Use District by David Daniel Construction Company: Consideration of a request by David Daniel Construction Company for an Office and Institutional Conditional Use District with a Conditional Use Permit for general and professional offices, on

approximately 5.7 acres, off SR #1008 [Mt. Carmel Church Road], in Williams Township.

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

1. The proposed driveway on the revised plan shall be allowed. Additional parking may be located as shown on the revised plan.
2. Unless diseased or determined to be a safety hazard, existing mature trees along the roadside shall remain, except the removal of one tree. Said trees may be trimmed as needed.
3. A 15 foot type C buffer shall be installed (if not already existing) and maintained along the roadside (SR-1008) of the property within six (6) months from the approval date.
4. Screening/landscaping shall be installed around the parking areas within six (6) months of the approval date.
5. An engineer's report verifying the floor load capacity is to be submitted to and approved by the Chatham County Building Inspections Department prior to a building permit being issued for inside renovations and/or occupancy of the structure for the use requested.
6. A building permit for inside renovations shall be obtained or occupancy of the structure for the use requested shall be within six (6) months of approval or the permit shall be null and void.
7. No outside storage of construction equipment shall be permitted.
8. Per the application, no additional external lighting is requested and shall not be allowed under this permit.
9. One double-faced sign of 32 square feet of sign area per side is allowed. If applicant chooses to illuminate the sign, the light must be turned off by 9:00 PM.

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

Request for B-1 Business Conditional Use District with Conditional Use Permit by Bonnie Strowd: Consideration of a request by Bonnie Strowd for a B-1 Business Conditional Use District with a Conditional Use Permit for interior design, office, retail store with personal service shop, and incidental storage of goods associated with retail store, on approximately 1.8 acres, off US Highway #15-501 north, in Baldwin Township

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

1. A septic re-evaluation be done by the Environmental Health Division of the Chatham County Health Department and submitted to staff prior to occupancy of the structure for the use requested.

2. Signage shall not exceed 32 square feet in area.
3. The proposed use of the property commence prior to December 30, 2001 or the conditional use permit shall be null and void.

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

Request for Revision to Existing Heavy Industrial Conditional Use Permit by Frank Bolton:

Consideration of a request by Frank Bolton for a revision to an existing Heavy Industrial Conditional Use Permit for a rock crusher, on 100 acres [property owner John R. Callaway; applicant, Deep River Minerals, approved December 19, 1994]; to allow the addition of a Light Industrial Conditional Use District with a Conditional Use Permit for mini-warehouse storage facilities and storage warehouses and yards specifically for boat and RV storage; and a Heavy Industrial Conditional Use Permit for truck terminal, repair shop, hauling and storage yard associated with the recycling of wooden shipping pallets (same uses granted to adjoining property March 1996) plus retail sales of mulch, garden center, and sales of mowers, and other forestry related products, including trucks and skidders, both used and new (same uses granted to adjoining property 1997), off SR #1011 [Old US #1], in Cape Fear Township

Commissioner Givens moved, seconded by Commissioner Pollard, to return this item to the Planning Board due to the road location. The motion carried five (5) to zero (0).

Site Plan Approval for Atlantic Solutions, Inc.: Consideration of a request by North Chatham Park (Center Suites, LLC) for site plan approval for Atlantic Solutions, Inc.

Commissioner Atwater moved, seconded by Commissioner Outz, to grant approval of the site plan, landscape plan, and lighting plan, as per the Planning Board and the Planning Department recommendation, with the following conditions:

1. The landscape buffers from the westerly end of the building to Hwy. #15-501 not be installed until site plan review is done on Lots #1 and #3. If the landscape buffers are determined by staff to be necessary, they shall be planted prior to the certificate of occupancy being issued for Lot #1 and/or Lot #3. The balance of the interior landscape buffers shall be completed prior to approval of the certificate of occupancy for Lot #2.
2. Perimeter landscape buffers and berms as shown on the landscape plan approved August 7, 2000 shall be completed on lots 1, 2 & 3 prior to approval of the certificate of occupancy for the first structure on lots 1, 2, or 3.

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

Chairman Phillips expressed appreciation from the Board to the Appearance Commission for their efforts on this project and many other County endeavors.

FINANCE OFFICE

Budget Amendments: Consideration of a request to approve Budget Amendments

Commissioner Givens moved, seconded by Commissioner Outz, to approve the budget amendments

as proposed by staff, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Purchasing Policy Amendment: Consideration of a request to approve amendment to the Chatham County Purchasing Policy

Commissioner Pollard moved, seconded by Commissioner Givens, to increase the purchase order threshold to \$500 and the fixed assets limit to \$2,500. The motion carried five (5) to zero (0).

Introduction of Bond Order:

A Bond Order Authorizing the Issuance of \$9,500,000 General Obligation Refunding Bonds for the County of Chatham was introduced by Commissioner Atwater who moved the adoption of an attached resolution providing for a public hearing to be held on July 9, 2001, and directing the Finance Officer to file a debt statement with the Clerk to the Board and directing publication of notice of the public hearing with Bond Order attached. The motion to adopt the resolution was seconded by Commissioner Pollard and adopted by unanimous vote of the Board.

Resolution Requesting General Assembly of North Carolina to Add Chatham County to List of Counties Authorized to Exercise Authority Granted by General Statutes

Commissioner Givens moved, seconded by Commissioner Atwater, to approve **Resolution #2001-17 Requesting the General Assembly of North Carolina to Add Chatham County to the List of Counties Authorized to Exercise Authority Granted by NCGS 153A-158.1**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

SHERIFF'S DEPARTMENT

Intensive Spanish Course, Part II: Consideration of a request to approve the Intensive Spanish Course, Part II, at Instituto Cultrual Oaoxca in Mexico

Commissioner Givens moved, seconded by Commissioner Atwater, to approve travel, training, and meals reimbursement for Detective T. C. Yarborough in Mexico to attend Intensive Spanish Course, Part II at the Instituto Cultrual Oaoxca in Mexico to be funded from drug monies. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Human Relations Committee: Consideration of a request to appoint two at-large members to the Human Relations Committee

Chairman Phillips moved, seconded by Commissioner Outz, to appoint Regina Bridgeman, 1339 Jones Ferry Road, Pittsboro, NC, as an at-large member to the Human Relations Committee. The motion carried five (5) to zero (0).

Region J EMS Advisory Council Appointments: Consideration of a request to appoint/reappoint members to the Region J EMS Advisory Council

Commissioner Atwater moved, seconded by Commissioner Pollard, to reappoint John Wait, Greg White, and Tony Tucker to the Region J EMS Advisory Council. The motion carried five (5) to zero (0).

Planning Board Appointments: Consideration of a request to appoint members to the Chatham County Planning Board

Commissioner Pollard moved, seconded by Commissioner Givens, to appoint George Lucier, 628 Redbud, Pittsboro, NC, to the Chatham County Planning Board. The motion carried five (5) to zero (0).

Commissioner Outz moved, seconded by Commissioner Givens, to reappoint Bunkey Morgan, 1970 Martha's Chapel Road, Apex, NC, to the Chatham County Planning Board. The motion carried five (5) to zero (0).

Commissioner Atwater moved, seconded by Commissioner Givens, to appoint Chris Walker, 216 Tanager Lane, Chapel Hill, NC, to the Chatham County Planning Board. The motion carried five (5) to zero (0).

It was suggested that an invitation be extended to the present and former members of the Planning Board to the public hearing on the Newlin Communities, to be held on July 9, 2001.

MANAGER' S REPORTS

The County Manager expressed his appreciation for the Board's hard work efforts on the budget.

Family Resource Center – Request for Financial Assistance:

Bill Lail, Interim Health Director, stated that the Family Resource Center (FRC) provides vital community services through education, outreach, and direct response; that this included home visits, case management, and transportation; that the FRC, in the last quarter only, provided 244 transports to health and human services appointments, serviced 138 families, 110 of them new clients, responded to 8 emergency situations and made 30 home visits; that the lion's share of this labor was carried out by Americorps workers; that the total yearly local match for four workers is \$16,800; that have of the cost comes from the Smart Start Program and those funds are for families with children 0-5; that they are requesting that the County pay half of this which amounts to \$8,400; that the Americorps members serve many families with children over age 0-5, and County monies would pay for those services.

A decision will be made on this request within the budget process.

COMMISSIONERS' REPORTS

Budget Process:

Commissioner Givens stated that he felt great progress is being made on the budget process.

Project Graduation:

Chairman Phillips stated that after the Friday night graduation ceremony at Jordan Matthews, he went to Project Graduation; that he was challenged by a group of teenagers; that he stayed the entire night; that 400 teenagers were there from three different high schools; that the major drug support, George Greger-Holt, was there the entire time; that he found only two cigarette butts in the bathroom during the night; that he was proud of them; that they had a good time; that the amount of adults who helped make it happen made him proud and did a great job!

Commissioner Givens stated that Gene Watkins and he were the first organizers of Project Graduation; that it had grown and blossomed; that they struggled to get supporters the first year, but now people line up to help.

ADJOURNMENT

Commissioner Outz moved, that there being no further business to come before the Board, the meeting be adjourned. Commissioner Givens seconded the motion, and the meeting was adjourned at 8:45 PM.

Gary Phillips, Chairman

ATTEST:

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