

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
and
WORK SESSION
AUGUST 06, 2001

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 August 06, 2001.

Present: Chairman Gary Phillips; Vice Chair Margaret Pollard; Commissioners Bob Atwater, 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

Absent: Commissioner Rick Givens

The meeting was called to order by the Chairman at 10:02 AM.

AGENDA

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

Water Maintenance Contract for Jack Bennett Standpipes:

The County Manager asked that the portion of Consent Agenda Item #9 concerning Water Tank Maintenance Contract for Jack Bennett standpipes be withdrawn from the Agenda but that the portion of the contract for Governor’s Club stand as is.

Townsend’s Waste Water Improvement Facility/Revenue Bonds:

County Attorney, Bob Gunn, asked that a public hearing be added to the Agenda for approval of Townsend’s waste water improvement facility project to be financed by revenue bonds to be issued by the Chatham County Industrial Facilities and Pollution Control Financing Authority and that a Resolution Approving, in Principle, a Project in Chatham County, North Carolina, to be Financed for Townsend’s, Inc. by not Exceeding \$4,000,000 Aggregate Principal Amount of Bonds of the Chatham County Industrial Facilities and Pollution Control Financing Authority, Authorizing that Authority to Apply to the North Carolina Federal Tax Reform Allocation Committee for an Allocation of Unified Volume Limitation, and Approving the Issuance of Such Bonds as be added to the Agenda as Item #11A.

Correction in June 25, 2001 Board of Commissioners’ Minutes:

Chairman Phillips asked that a revision be made to include the following statement with regard to tax evaluation on page two of the official minutes of the June 25, 2001 Board of Commissioners’ meeting:

“The question was asked whether or not the Board could return to last year’s evaluation.”

Correction in July 9, 2001 Board of Commissioners’ Minutes:

And that in the July 9, 2001 Board of Commissioners’ minutes, the minutes show that “There was no one in attendance who wished to make public comments regarding this issue.” for the Proposed Revision to the Watershed Protection Ordinance, the Proposed Additions to the Zoning Ordinance, Proposed Revisions to the Zoning Ordinance, and the Proposed Revision to the Subdivision Regulations when, in actuality, all issues were grouped together and citizens spoke on all issues at one time rather than separately.

Approval of Sale of Refunding Bond:

The County Attorney asked that consideration of approval of the sale of refunding bonds be added to the Agenda as Item #11B.

Commissioner Pollard 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.

Department of Social Services Contract Withdrawal:

Commissioner Outz asked that Item #10, Department of Social Services Contracts, be deferred until the next meeting at which time questions can be answered.

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

1. **Minutes:** Consideration of a request for approval of Board Minutes for Regular Meeting held July 9, 2001, Work Session held July 9, 2001, and Budget Work Session held June 25, 2001

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

2. **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. **Dons Drive**
- B. **Shelby Lane**
- C. **Siblings Court**

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

3. **Tax Collectors Annual Settlement:** Consideration of a request to approve the Tax Collectors Annual Settlement, attached hereto and by reference made a part hereof.

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

4. **Resolution in Support of 3M Company:** Consideration of a request for approval of

Resolution #2001-22 in Support of 3M Company Locating In Chatham County and Construction and Upgrading of Highway #15-501 South of Pittsboro to Support 3M Operations, attached hereto and by reference made a part hereof.

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

5. **Sketch Design Approval of “Governors Village Townhomes”**: Consideration of a request by Robuck Homes on behalf of Governors Club Limited Partnership for subdivision sketch design approval of **“Governors Village Townhomes”**, consisting of 84 townhome lots on 12.84 acres off SR #1811 (Governors Drive), in Williams Township

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

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

6. **Preliminary Design Approval of “Colvard Farms, Phase I”**: Consideration of a request by Jeff N. Hunter for subdivision preliminary design approval of **“Colvard Farms, Phase I”**, consisting of 24 lots off Hwy. #751 in Williams Township

As per the Planning Department and the Planning Board recommendation, preliminary approval of the plat and approval of the road names Colvard Farms Road, Woodgate Court, and Crooked Creek Lane were granted with the following conditions:

1. All other required agencies' approvals as listed in the executive summary shall be obtained prior to final plat submit.
2. The developer is requested to work with the Chatham County Historical Association to achieve the common goal of historic preservation.

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

7. **Final Approval of “Caden Ridge”**: Consideration of a request by Richard Fox for subdivision final 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 Department and the Planning Board recommendation, final approval of the final plat was granted as submitted.

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

8. **Final Approval of “Hamlet Grove, Phase One”**: Consideration of a request by John W. Coffey, for Musigny, Inc. for subdivision final approval of **“Hamlet Grove, Phase One”**, consisting of 15 lots on 19 acres off SR #1525 (Hamlet Chapel Road) in Baldwin Township

As per the Planning Department and the Planning Board recommendation, final approval of the plat was granted as submitted with the following condition:

1. The plat not be recorded until the County Attorney has approved the financial guarantee.

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

9. **Water Tank Maintenance Contracts:** Consideration of a request to approve water tank maintenance contracts for Jack Bennett and Governor's Club standpipes

The water tank maintenance contract for Jack Bennett was removed from the Consent Agenda for reconsideration at a later date.

The motion for the water tank maintenance contract for Governor's Club carried four (4) to zero (0).

10. ~~**Department of Social Services Contracts:** Consideration of a request by the Department of Social Services for approval of the following contracts:~~

- ~~1) Lunday Riggsbee Child Protective Services/Adult Protective Services (CPS/APS)~~
- ~~2) Lunday Riggsbee Child Support backup contract~~
- ~~3) Chatham County Health Department Transportation/MA~~
- ~~4) Chatham County Sheriff's Department Child Support/Deputy; Enforcement~~
- ~~5) IRA's Transportation Service, Inc. Transportation/MA~~
- ~~6) Chatham Transit Network Transportation/MA~~
- ~~7) Gunn & Messick Child Support~~
- ~~8) Gunn & Messick CPS/APS backup contract~~
- ~~9) JOCCA Work First Jobs~~
- ~~10) Mueller Cab Company Kidney Dialysis/MA Transportation~~
- ~~11) Methodist Home for Children~~

This item was removed from the Consent Agenda and deferred until a later meeting.

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

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

Public Hearing:

Chatham County Industrial Facilities and Pollution Control Financing Authority Revenue Bonds: Public hearing to receive public comments on a request for approval in principle of Townsends' waste water improvement facility project to be financed by revenue bonds to be issued by the Chatham County Industrial Facilities and Pollution Control Financing Authority

County Attorney, Bob Gunn, stated that the public hearing is to receive public input prior to consideration by the Board of Commissioners for adoption for the resolution authorizing the issuance of bonds and approving the project, in principal.

Bill Baker, Townsend's representative, stated that everything is in order with regard to having all State and County permits for the Industrial Revenue Bonds and for financing of the advanced waste water system to allow Townsend's Pittsboro facility to continue to operate in Pittsboro.

There were no others present who wished to make public comments.

The Chairman announced that the public hearing was closed.

Resolution Approving in Principle Bonds to be Issued by Industrial Facilities and Pollution Control Financing Authority: Consideration of a request for adoption of a **Resolution Approving in Principle Bonds to be Issued by the Industrial Facilities and Pollution Control Financing Authority**

Commissioner Pollard moved, seconded by Commissioner Outz, to adopt **Resolution #2001-23 Approving in Principle Bonds to be Issued by the Industrial Facilities and Pollution Control Financing Authority**, attached hereto and by reference made a part hereof. The motion carried four (4) to zero (0).

Resolution to Prescribe the Details and Provide for the Sale of the County's Refunding Bonds and Approve the Related Escrow Deposit Agreement: Consideration of a request for adoption of a **Resolution to Prescribe the Details and Provide for the Sale of the County's Refunding Bonds and Approve the Related Escrow Deposit Agreement**

Commissioner Outz moved, seconded by Commissioner Atwater, to adopt **Resolution #2001-24 to Prescribe the Details and Provide for the Sale of the County's Refunding Bonds and Approve the Related Escrow Deposit Agreement**, attached hereto and by reference made a part hereof. The motion carried four (4) to zero (0).

PRESENTATION – AGRICULTURAL VOLUNTARY DISTRICTS ORDINANCE

Presentation on the Voluntary Agricultural Districts Ordinance: Presentation on the Voluntary Agricultural Districts Ordinance

Tommy Emerson, Chairman of the Agricultural Advisory Committee, stated that Chatham County Farmland Preservation Program Ordinance, developed by the Chatham County Agricultural Advisory Committee, creates voluntary agricultural districts, establishes the authorization for such districts, and addresses the administration which is delegated to the Agricultural Advisory Committee. He stated that it sets out the criteria for establishing the districts and the criteria for farms to participate in those districts; that the ordinance 1) makes a strong statement from the Board of Commissioners that it supports and considers agriculture to be a very important economic enterprise in the County, and that in the Land Use Plan, the Board will take agriculture into consideration; and 2) provides some additional protection to the farmers for nuisance suits which will be important to farmers as new population pressures come from people moving into the County and at which time there will be more potential for conflict from those who may not understand the types of activities in the neighborhood. A public notice will be provided in the Register of Deeds Office.

He addressed the suggestions in the memorandum attached to the draft ordinance.

Chairman Phillips stated that he would like to expand the membership requirements in ARTICLE IV to include: the Carolina Farm Stewardship Association, the Chatham County Farmers Market Association, and the Central Carolina Community College Sustainable Agriculture Program.

The Board asked questions regarding the ordinance.

By consensus, the Board set September 17, 2001 as the date on which to hold a public hearing to receive public comments on the Voluntary Agricultural Districts Ordinance.

PLANNING AND ZONING

Sketch and Preliminary Design Approval of “Subdivision of Lot #6, The Orchard, Phase III”: Consideration of a request by Daniel S. Jenkins for sketch and preliminary design approval of “**Subdivision of Lot #6, The Orchard, Phase III**”, consisting of 2 lots on 4.242 acres, off SR #1714 (Sugar Lake Road) in New Hope Township

Commissioner Atwater moved, seconded by Commissioner Outz to accept the Planning Department and Planning Board recommendation and grant sketch design approval with the following three (3) conditions:

1. Prior to preliminary and final plat submittal, the applicant shall obtain a lot re-evaluation for Lot 6 and a septic improvement permit for Lot 6-A. (This has been achieved since the Planning Board recommended this as a condition.)
2. The first 430 feet [+/-] of the easement shall be upgraded to a 16 foot wide travelway with four (4) inches of crush and run stone [up to the end of lot #7 that adjoins lot 6A.] prior to the recordation of the preliminary and final plat.
3. The road maintenance agreement shall be updated to include the new proposed lot and recorded prior to the recordation of the preliminary and final plat.

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

Final Approval of “Bobcat Point, Phase III (Lots 50-59)”: Consideration of a request by Ricky Spoon for subdivision final approval of “**Bobcat Point, Phase III (Lots 50-59)**”, consisting of 10 lots on approximately 19.6 acres, off SR #1558 (Henderson Tanyard Road) and SR #1559 (Emerson-Cook Road) in Hadley Township

Commissioner Pollard moved, seconded by Commissioner Outz, to accept the Planning Department and Planning Board recommendation and grant final approval of the plat with the following recommendation:

1. The plat not be recorded until the County Attorney has approved the financial guarantee.

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

Sketch Design Approval of “Monterrane, Phase IV”: Consideration of a request by Jesse Fearington for subdivision sketch design approval of “**Monterrane, Phase IV**”, consisting of 6 lots on approximately 31 acres off SR #1700, (Mt. Gilead Church Road), in Williams Township

After considerable discussion, Commissioner Atwater moved, seconded by Commissioner Pollard, to return this issue to the Planning Board and Planning Department to consider short and long-term implications of land-locked properties adjoining new subdivisions with private roads and to ask the developer if he would be willing to provide legal access to those land-locked properties and to allow him an opportunity to tell the Board what he thinks about it. The motion carried four (4) to zero (0).

CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING

The Chairman recognized Vicki McConnell, Finance Officer, for her achievement as “Finance Officer

of the Year” and for her accomplishment on receiving the Certificate of Achievement for Excellence in Financial Reporting, presented to Chatham County for its comprehensive annual financial report for the fiscal year ended June 30, 2000.

PUBLIC WORKS DEPARTMENT

Weiser Security Services, Inc. Agreement Renewal: Consideration of a request to approve the renewal of service agreement with Weiser Services, Inc.

Commissioner Outz moved, seconded by Commissioner Pollard, to approve the proposed service agreement for County collection center staffing, pending final approval of the contract document by the County Attorney, attached hereto and by reference made a part hereof. The motion carried four (4) to zero (0).

Bulk Water Purchase by The Preserve: Consideration of a request to approve a bulk water purchase by The Preserve at Jordan Lake

Commissioner Atwater moved, seconded by Commissioner Pollard, to approve a one-time bulk water sale to the Preserve at Jordan Lake at a rate of \$3.00 per 1000 gallons. The motion carried three (3) to one (1) with Commissioner Phillips dissenting.

Proposed Amnesty Period for New Water Connections: Consideration of a request to approve policy by the Public Works Department to allow an amnesty period for new water connections by existing residents at a reduced fee

Commissioner Atwater moved, seconded by Commissioner Outz, to approve the staff proposal to establish a 90-day amnesty period for reduced price water connections for potential water customers along existing water line routes. The motion carried four (4) to zero (0).

Commissioner Pollard stated that she would like to see a comparison with regard to the number of new customers generated after the new policy is instigated.

Solid Waste Feasibility Study: Consideration of a request to approve agreement between Chatham County and HDR Engineering, Inc. to conduct a Solid Waste Feasibility Study

Commissioner Pollard moved, seconded by Commissioner Atwater, to approve the agreement between Chatham County and HDR Engineering, Inc. to conduct a Solid Waste Feasibility Study, contingent upon the County Attorney’s review and approval, in the amount of \$53,800, with funds to come from the Waste Management Fund Balance. The motion carried four (4) to zero (0). The contract is attached hereto and by reference made a part hereof.

HUMAN RESOURCE DEPARTMENT

Amendment to the Chatham County Personnel Policy: Consideration of a request to approve an amendment to the Chatham County Personnel Policy, Article VI, Section 6, subsection A(5) regarding family sick leave

Commissioner Atwater moved, seconded by Commissioner Pollard, to approve **Resolution #2001-25 Amending the Chatham County Personnel Policy, Article VI, Section 6, subsection A(5) Regarding Family Sick Leave to Include Dependents Outside of the Immediate Home**, attached hereto and by reference made a part hereof. The motion carried four (4) to zero (0).

BOARDS AND COMMITTEES

Central North Carolina Regional Library Board Appointments: Consideration of a request to appoint three members from Chatham County to the Central North Carolina Regional Library Board

Commissioner Pollard moved, seconded by Commissioner Outz, to appoint the following members to the Central North Carolina Regional Library Board, with terms to expire on June 30, 2007:

Selby Gration, 1004 Fearington Post, Pittsboro, NC
David Kalbacker, PO Box 310, Siler City, NC
Edith Calhoun, 295 Blacktwig Road, Pittsboro, NC

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

Commissioner Pollard asked that letters of appreciation be sent to those who have served on the various boards.

Chatham County Travel & Tourism Advisory Board: Consideration of a request to approve newly appointed members to the Chatham County Travel & Tourism Advisory Board

Commissioner Atwater moved, seconded by Commissioner Outz, to appoint the following members to the Chatham County Travel & Tourism Advisory Board:

Richard Delany (Fearington House – Representative Lodging)
(295 Hillsboro Street, Pittsboro, NC)
Doris Huneycutt (Chatham Growers – Representative Agriculture)
(22 Oakwood Drive, Pittsboro, NC)
Charles Johnson (Chamber of Commerce – Representative Chamber)
(1430 Sandy Branch Church Road, Bear Creek, NC)

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

Industrial Facilities and Pollution Control Financing Authority Appointment: Consideration of a request to appoint a member to the Industrial Facilities and Pollution Control Financing Authority

Commissioner Atwater stated that due to Mr. Bruce Ladd's prior commitments, he would be unable to serve on the Industrial Facilities and Pollution Control Financing Authority.

Commissioner Atwater moved, seconded by Commissioner Outz, appointed John Vernon, 1341 Fearington Post, Pittsboro, NC, to the Industrial Facilities and Pollution Control Financing Authority Board. The motion carried four (4) to zero (0).

Cape Fear River Assembly Appointments: Consideration of a request to appoint members to the Cape Fear River Assembly

This item was deferred until the August 20, 2001 Board of Commissioners' meeting.

MANAGER' S REPORTS

The County Manager reported on the following:

Foreign Animal Disease (FAD) Emergency Plan Update:

The County Manager deferred to the Emergency Operations Director for this item.

Tony Tucker, Emergency Operations Director, explained that the Foreign Animal Disease (FAD) Emergency Plan is being developed by the State in cooperation with the Ag Department and Emergency Operations; that they met with the State and determined that there was little information available as to the number and location of cattle in Chatham County; that if the disease arrives in the County, State and Federal officials will place a six-mile perimeter quarantine around the farm; that in order to know what kind and the number of local animals, there will need to be a County-wide information update; that the State has contacted Civil Affairs (military) at Fort Bragg; that they have expressed an interest in using the gathering of confidential information as a training session; that this would give the County free labor for a few weeks while this is being done, however, they do not have an adequate number of vehicles to use; and that the State believes that this can be used as a pilot program for other counties in the State. He stated that there was a lot of good information available if it can be worked out, and asked for the support from the Board of Commissioners to use Chatham County as a pilot project.

Family Resource Center Appropriation:

The Family Resource Center has requested \$3,500 to be used to pay a portion of Americorps members, to be taken from contingency

Commissioner Atwater moved, seconded by Commissioner Pollard, to fund the Family Resource Center, in the amount of \$3,500 to be taken from contingency, to be used for Americorps members. The motion carried four (4) to zero (0).

COMMISSIONERS' REPORTS

Distribution of Agendas:

Commissioner Outz asked if agendas could be distributed earlier in the week prior to the Board of Commissioners' meeting.

Extension of Deer Season In Chatham County:

Commissioner Outz asked that a letter be sent to the Wildlife Commission requesting an extension of the deer season, in particular, the doe season.

Commissioner Pollard asked that the possibility of having someone from Chatham County appointed to the Wildlife Commission be investigated.

LUNCH

The Chairman explained that due to the extensive work session agenda, the Board would continue with a "working lunch".

WORK SESSION

Work Session Agenda

- 1.) **American Tobacco Trail Update**
- 2.) **Southwest Chatham Recreation Update**
- 3.) **Land Use**
 - * **Water and Wastewater**
 - * **Economic Development Centers**
- 4.) **Field Trip**
 - * **Meadowmont and Southern Village to look at compact community concepts**

SOUTHWEST CHATHAM RECREATION UPDATE

- An update was presented on the southwest Chatham recreation proposal. The Board was informed that the community meeting went well; and that the land owner is still interested in selling the twenty-five acres. The Raleigh Recreation Consultant stated that the grant money had to be used in the location in which the application was applied. He asked the Recreation Department and County management to set up a meeting with the Board of Education to discuss the proposed southwest section.

- By consensus, the Board directed the County Attorney to develop an Offer to Purchase property, contingent upon the Board of Commissioners' approval of a grant for recreation for the Chatham Central area to be considered by the Board at their August 20, 2001 Board meeting.

AMERICAN TOBACCO TRAIL UPDATE

- David Stein, planning specialist from the North Carolina School of Design gave an update and presentation on the American Tobacco Trail project. He informed the Board that the next steps would be to hold a public meeting after which the School of Design would return to the Board with construction and maintenance costs for the trail.

LAND USE

- This item was deferred until a meeting in September.

FIELD TRIP

- The Board of Commissioners visited Meadowmont and Southern Village, both located in Orange County, to obtain a better idea of the compact communities concept with regard to the Newland Communities request.

ADJOURNMENT

After returning from their field trip, Commissioner Atwater moved to adjourn the meeting. The motion was seconded by Commissioner Outz, and the meeting was adjourned at 4:30 PM.

Gary Phillips, Chairman

ATTEST:

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