

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION, AUGUST 20, 2001

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry H. Dunlap, Jr. Building Classroom, located in Pittsboro, North Carolina, at 4:00 PM on August 20, 2001.

Present: Chairman Gary Phillips; Vice Chair Margaret Pollard; Commissioners Bob Atwater, Rick Givens, and Carl Outz; Attorney, Robert Gunn; Assistant County Manager, Paul Spruill; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Lee

Absent: County Manager, Charlie Horne

The meeting was called to order by the Chairman at 4:08 PM.

WORK SESSION

Tentative Work Session Agenda

Presentations:

- 1.) **Judge Buckner – Child Planning Conference**
- 2.) **Hal House – Wastewater Update; School System Contracts**
- 3.) **James Carnahan – Land Use Discussions**

Business Items:

- 4.) **Meeting Announcements and Scheduling**
- 5.) **Clarification on Waste Management Waiver for NRCAP Rural Housing Assistance**
- 6.) **Animal Shelter Update – Recommended closing due to Kennel Cough Bacteria**
- 7.) **Update on Petition to Supreme Court for Discretionary Review of Swine Regulation**

Closed Session

Adjournment

CHILD PLANNING CONFERENCE – Judge Buckner

Judge Joe Buckner, explained that Child Planning Conferencing (CPC) is a meeting that takes place soon after a child is taken into non-secure custody by the Department of Social Services (DSS) because of alleged abuse, neglect or dependency in the child’s home. He stated that it is a meeting of the DSS social worker, parent(s)/legal guardian(s) of the child, guardian ad litem, all attorneys involved in the case [DSS attorney, GAL attorney, attorney(s) for the parents], and involved service providers, such as mental health professionals, school personnel, law enforcement, child support workers, and health department

professionals; that this meeting is not attended by a judge and is not a legal hearing; that a designated Child Planning Conference facilitator notifies the participants and presides over the meetings; that all information shared in a Child Planning Conference is confidential and all participants must sign a confidentiality agreement; that the meeting lasts approximately one hour; that parents/guardians can opt not to have a CPC, but most will want to have the conference to learn more about the situation and meet their attorney; that if parents/guardians cannot be served or do not attend after being served with notice of the conference, a CPC can still take place if their attorney is present; that often there is a sharing and exchange of information that could result in: 1) the beginning of needed medical or psychological services for the child; 2) stabilizing the child's school situation; 3) arranging sibling visitation; that no decisions regarding the child are made unless there is consensus by all parties; that agreements and orders can and often do result from a CPC, but only on items or issues where there is consent; that if there is consensus, the seven-day hearing may be waived at a Child Planning Conferencing; and that the County, at this point, would be able to get a contractor for \$10,000 per year.

This issue is to return before the Board at their September 04, 2001 Board meeting.

WASTEWATER UPDATE – Hal House

Mr. Hal House, Aqua Neoterics, Inc. President, summarized the status of the Chatham Central Wastewater Treatment System Upgrades. He stated that the current system modifications are for Chatham Central only; that the current system evaluations and modifications are designed to bring the system into NPDES regulatory compliance for stream discharge; that the Division of Water Quality policy is to remove discharges from streams; that there have been no detailed technical evaluation of the Chatham Central Campus for its potential to receive irrigated, treated wastewater; that a plan for the Bennett wastewater system to convert to a non-discharging system must be in place by November, 2006; that official clarification of the regulatory process and system design requirements for the Chatham Central system to convert from discharge to non-discharge will be obtained by Aqua Neoterics as a part of the current contract; that the NC Department of Transportation (DOT) is interested in a stream restoration and stormwater wetlands project on the Chatham Central Campus; that stormwater has a negative impact on the function of the Chatham Central Wastewater System; that there is potential that DOT may receive mitigation credit for stormwater wetlands and stream restoration on campus and therefore finance the implementation; that Aqua Neoterics in cooperation with Arcadis G&M will explore the potentials and clarify the process for potential stream and wetland mitigation; and that the stream restoration and stormwater wetlands will contribute significantly to the educational potential of the campus and add to its existing beauty.

LAND USE DISCUSSIONS – James Carnahan

James Carnahan, stated that although the new Land Conservation Plan calls for “compact communities” along corridors such as Highway #15-501, it is premature to say that Briar Chapel is an appropriate site for this area; that it does not fit the definition of a compact walkable community that would support public transportation; that before the County begins to review specific proposals, the Land Conservation Plan needs to be completed and implemented in the County; that preservation of the County's rural character is a primary reason for having this kind of development in Chatham County; that there are important environmental reasons as well; that the County should be looking for a plan that is compact, mixed-use, walkable, and transit-supportive; that commercial areas are separated from most of the residences by over a half-mile; that density is key to both walkability and public transit; that walkability and transit require an average minimum of seven DU/acre; that in talking about this kind of project, it is important to make a distinction between yield and density; that “yield” is the total build-out for the site – total houses and total square feet of commercial and institutional use; that the yield for a particular site and project has to be determined by the capacity of the land to support it, by transportation and availability, by compatibility with

surrounding uses, and by open space provision; that “density” is the number of homes per acre to be built on whichever parts of the site are designated for housing; that if 2800 was determined to be a suitable yield for this site, then the zoning for the project, to insure walkability and capacity to support transit, would require a minimum density of 7DU/ac which means all the homes would be built in a compact grid that would occupy no more than 400 acres of the 1400 acre site; that with the commercial, institutional use, and neighborhood open space, the entire community might take up 500 acres of the total 1400 acre site; that the remaining 900 acres would be restricted, either by zoning or conservation easement, for agriculture or open space; that one result would be that the project would have far more land available for spray discharge of treated wastewater than the current proposal; that the commercial areas in the current plan, in addition to being too remote for residents to walk to, are “strip development” which is opposed by the Land Use Plan; that the open space in the current plan is insufficient to receive the sewage discharge and is fragmentary in character; that without some kind of formula by which intense growth in one part of the County is set-off by land preservation somewhere else, compact communities is just another path to unbridled growth that will result in the conversion of the beautiful rural county into another sprawl of bedrooms and malls for Triangle employment centers; that recent property revaluation had put additional pressure on Chatham land owners to sell to the nearest developer in order to make ends meet; and that the Land Use Plan should be completed, the design and development guidelines should be written, and a determination should be made as to where compact communities are appropriate before any projects of this scale are approved.

ANIMAL SHELTER UPDATE - Rande Russell

Rande Russell, Animal Control Department Supervisor, explained that the animal shelter facility has been battling with what they believe is a strain of Bordetella bronchiseptica, which are airborne bacteria that are highly contagious; that it is commonly called “kennel cough”; that this bacterium began showing up in April of this year; that they have aggressively attacked the bacterium and have been unable to eradicate it; that at this time, they feel it is necessary to step up their eradication efforts; that this enhanced eradication effort will require closing the animal shelter for a period of one week, beginning August 24, 2001, so they can follow recommended procedures for making the shelter safe again for animals; that there is verification of at least two different strains of the bacterium in the County; that one possible difficulty in eradicating the disease is that new dogs are dropped off or captured and keep bringing the bacteria into the shelter; that when a dog is brought into the shelter with kennel cough, it may not be readily diagnosable; that the dogs may begin coughing two to ten days after arrival and spread the disease to other dogs; that this provides the conditions for continuing spread of the bacteria; that because of dogs coming in already exposed to the bacteria, there is always an exposed animal within the shelter either in the incubation or on the verge of presenting symptoms; that the other possible scenario is that the shelter itself may harbor deep contamination of the bacterium and needs thorough decontamination and period of airing out; that after having extensively researched the situation and possible courses of action and spoken to other facilities, veterinarians, and contacted the NC School of Veterinary Medicine’s Communicable Disease Specialists for their advice and recommendations, the consensus is that the only way to determine whether or not the exposure to the bacteria is coming from within the facility or being brought in with new arrivals, is to completely purge all canines, deep clean the facility with disinfectant and air the facility out for as many days as is feasible, with one week as a minimum; that the Chatham County Animal Shelter has received recent good publicity on the cleanliness of the facility and that they want to continue this reputation; that this ensures that the citizens are adopting healthy animals into their homes; that during this period, Chatham Animal Rescue and Education (CARE) volunteers will be assisting on-site to eradicate this bacteria; that the week for cleanup has been set for August 24-September 2, 2001; and that the time will also allow minor kennel maintenance.

The Board asked that the Animal Control Staff report to the Board on the Carnivore Preservation Trust within the next month.

JOINT MEETING WITH BOARD OF EDUCATION

The joint meeting between the Chatham County Board of Commissioners and the Chatham County Board of Education is scheduled to be held on September 20, 2001, 6:30 PM, at The Little Creek Farm Deli on Hillsboro Street, Pittsboro, NC.

ORANGE-CHATHAM JUSTICE PARTNERSHIP

The Orange Chatham Justice Partnership meeting will be held on August 28, 2001 from 4:00 – 6:00 PM.

JOINT MEETING WITH TOWN OF SILER CITY

October 16 and 17, 2001 were selected as possible dates on which to hold a joint meeting between the Chatham County Board of Commissioners and the Siler City Town Board to discuss the industrial park.

NCRCAP HOUSING ASSISTANCE WASTE DISPOSAL

Vicki McConnell, Chatham County Finance Officer, explained that the waste and inert debris collected from renovations to homes by the NCRCAP program has been taken and deposited into the County's Land Clearing/Inert Debris Landfill. She asked for permission to continue to accept the waste and dispose of it at the County's expense.

By consensus, the Board agreed to continue to accept the waste and inert debris collected from the renovations by NCRCAP and dispose of it in the County's Land Clearing/Inert Debris Landfill (LCID) and not charge NCRCAP for the disposal of the inert debris.

SWINE REGULATIONS/SUPREME COURT UPDATE

Paul Spruill, Assistant County Manager, stated that the Supreme Court had made a decision to accept the County's petition for review of the decision by the NC Court of Appeals that overturned County swine ordinances and regulations.

SOUTHWEST COMMUNITY PARK

Considerable discussion was held with regard to accepting the grant to build the proposed Southwest Community Park.

Commissioner Givens expressed concern about whether or not the Board obligates itself to an expenditure of \$411,000 if it accepts the grant of \$250,000 from the State. The Assistant County Manager, Paul Spruill, responded that the Board, at a minimum, obligates itself to a dollar-for-dollar match to the \$250,000 grant; that the Board also obligates itself to provide public access to the facilities included in the grant application; that if public access to these facilities can be accomplished for less than the \$661,000 total project estimate, the State will only be concerned with the dollar-for-dollar match to the \$250,000 grant.

Commissioner Outz expressed concern with regard to park spending when there are citizens in the County without water service.

Chairman Phillips suggested that he understands that they have to decide on the issue tonight.

The Assistant Manager responded that the County is without a “set-in-stone” deadline from the State for deciding to accept the grant. However, he stated that Chatham is only one of two entities that has not accepted.

Commissioner Pollard moved to approve acceptance of the grant.

Commissioner Atwater then asked about the possibility of turning the grant away due to poor timing and seeking private donations to assist with the land purchase.

Chairman Phillips proposed accepting the grant at this time and evaluating the project along the way while revisiting the willingness of the Chatham Parks Foundation to help bring in donations.

Commissioner Atwater reiterated the need for staff to recruit in-kind and corporate money to the point that the project may not require any County money.

The Assistant County Manager stated staff’s concern that completion of the project without at least a dollar-for-dollar match to the \$250,000 grant may be optimistic. He further suggested that the Board consider a two-step process where: 1) The Board would decide whether or not to accept the grant tonight; and 2) Define the level of support for the project upon consideration of a project ordinance at the next meeting.

Chairman Phillips restated the motion on the floor to accept the grant and asked for a second. Commissioner Givens seconded the motion. The motion carried three (3) to two (2) with Commissioners Atwater and Outz dissenting.

Commissioner Atwater stated that he would like to meet with the County Attorney to discuss the bylaws of the Chatham County Parks Foundation.

WATER ISSUES

The Board requested a special work session with the Water Advisory Board, devoted strictly to County water issues, to be held on October 15, 2001, prior to the regularly scheduled Board meeting.

CLOSED SESSION

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

RECESS

Commissioner Outz moved, seconded by Commissioner Givens, that the meeting be recessed to the regularly scheduled Board of Commissioners’ meeting in the Superior Courtroom. The motion carried five (5) to zero (0), and the meeting was recessed at 6:48 PM.

Gary Phillips, Chairman

ATTEST:

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