

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
OCTOBER 15, 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 October 15, 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 7:00 PM.

AGENDA

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

Commissioner Atwater moved, seconded by Commissioner Givens, to approve the Agenda. 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 meeting held October 01, 2001 and Work Session September 17, 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. **Private Road Names:** Consideration of a request to approve a request from citizens for the naming of a private road in Chatham County as follows:

Ernest Teague Road

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

5. **Service Agreement for Provision of Residential Services to Chatham County:** Consideration of a request to approve **2001-02 Service Agreement for Provision of Residential Services to Chatham County**, attached hereto and by reference made a part hereof.

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

6. **Request for Preliminary Approval of "Farrington, Bush Creek, Section VIII, Phase 7":** Consideration of a request for subdivision preliminary approval of **"Farrington, Bush Creek, Section VIII, Phase 7"**, consisting of 27 lots on 22.36 acres in Williams Township

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

1. The right-of-way to the Penny property is to be cleared and graded and a sign placed stating the public road may be extended at a future time.

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

7. **Request for Final Approval of "Jones Ferry Landing, Phase 3 and Recombination of Lots 6 and 7":** Consideration of a request by Cynthia Sax Perry, attorney, on behalf of Kathy Sequeira for final subdivision approval of **"Jones Ferry Landing, Phase 3 and Recombination of Lots 6 and 7"**, consisting of 6 lots on approximately 16 acres, off SR #1539 (Jones Ferry Road), in Baldwin Township

As per the Planning Department and Planning Board recommendation by a vote of four (4) to three (3), final approval of the plat as submitted was granted with the following condition:

1. The mylar copy of the plat shall state the useable area for lots 21, 24, 24D.

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

8. **Request for Final approval of "Colvard Farms, Phase I":** Consideration of a request by Jeff N. Hunter for subdivision final approval of **"Colvard Farms, Phase I"**, consisting of 22 subdivision lots on 46 acres, off Hwy. #751 in Williams Township

As per the Planning Department and Planning Board recommendation, final approval of Colvard Farms, Phase I was granted with the following condition:

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

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

9. **Request for Revision to Existing Light Industrial Conditional Use District:** Consideration of a request by George Farrell, Jr. for a revision to an existing Light Industrial Conditional Use

District with a Conditional Use Permit for mini warehouse storage facility to add one additional mini warehouse storage building and to include storage warehouses and yards specifically for outside boat and RV storage, on 4.73 acres, off SR #1717 (McGhee Road), in Williams Township

As per the Planning Department and Planning Board recommendation, the request was approved as submitted with the following conditions:

1. Mini-warehouse shall not be allowed to keep on the premises explosives, inflammable liquid, hazardous/toxic waste and other pollutants, contraband, live animals, or other goods prohibited by law.
2. Stormwater management facility to retain the first ½ inch of runoff from the impervious surface area.
3. The general layout and design shall be as shown on the site plan.
4. Lighting shall be shielded to prevent direct skyward glare. Lighting shall be designed to prevent light spillage on adjacent properties.
5. Vegetative screening shall be as stated in the application and per the Appearance Commission guidelines. A 40-foot wide type A buffer is to be added to the north side of the property fronting McGhee Road.

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

10. **Proposed Text Change to the Chatham County Subdivision Ordinance:** Consideration of a proposed text change to the Chatham County Subdivision Ordinance, Section 6.4B

As per the Planning Department and Planning Board recommendation, the proposed text change was approved as submitted:

“If found to be desirable to the road design, up to four (4) lots may be served by the thirty (30) foot easement, provided a portion of the easement is built to county private road standards (16 foot wide travelway with four inches of crush and run stone). The length of the easement to be improved in this manner will be established at sketch design approval.”

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

PUBLIC INPUT SESSION

Lucille Zane, 240 Meadow View, Moncure, NC, voiced concern with regard to the proposed CP&L second 230 kilo volt high power line. She stated that CP&L is denying that a dangerous link to cancer from EMF emissions exists; that they believe there is thirty years of inconclusive evidence pointing toward many clusters of brain cancer and leukemia which suggests caution is warranted; that many residents researched the dangers and built their homes well into the safe zone (200 feet and more) only to have that zone diminish through further study; that CP&L now wants to expand the easement, bring a new line 70 feet closer to their homes and take out the woods they have grown to hide the line from view; that CP&L spokespersons have been negative in response to discussing alternative methods of transporting this line underground, placing only the crossover underground or on the same path as the existing line; that their health is not an issue when it comes to profit margins; that the new line will negatively impact all property values, appraisals and ability

to sell their homes in the future; that for some, this represents a lifetime of work and retirement hopes; that they are no longer as rural as they were a short time ago; that there are more rural paths for this route to take where there are fewer homes and where it would be much easier for CP&L to skirt those homes; that people move to Chatham County to escape the city; that having an abundance of land in Chatham County from which to choose, people will not buy houses under two power lines, but simply find another piece of property; that it is apparent to them that expanding the existing easement is the most simple path; that they are discouraged that at those meetings, the questionnaires were misleading and the maps old and inaccurate; that CP&L has agreed that maps were inaccurate at the meetings and on the website, but no effort has been made to correct the impression; that response time was extended by ten days after their displeasure was voiced; that there have been more trees cut than necessary; that CP&L never returned to clean up their mess saying it was not in the budget; that there is no reason for them to expect any better treatment on the new 70 feet of easement that CP&L wants to take from their yards; that they will not remove the stumps since by law they are not required to do so; that the ultimate user of this service will be Asheboro and Randolph Counties; that they have had a positive response from both state representatives in expressing to state utilities commission that this particular route would disrupt many more people than expected; and that as a Moncure resident, she has personally joined the battles against a railroad resurrection, a huge waste dump and an illegal sludge operation in just the past year alone.

She presented a petition for Board consideration stating that it contained over 180 signatures along the small stretch of the proposed line. The petition is attached hereto and by reference made a part hereof.

Paul Keener, 215 Fairview Road, Moncure, NC, stated that for 2 ½ years in early 1980's, he lived in the attic apartment of an old house across the street from a large CP&L substation; that there was a large transmission line of 230,000 volts on 100' metal poles running right next to his house; that his Bedroom was on that side of the house; that when he lay on his bed next to the window, he could look out and see the above lines; that in September, 1999, he had a cancerous brain tumor the size of a small orange removed from his head; that CP&L would like for everyone to think that he is an example of a slightly increased risk or that he is a statistically insignificant; that he does not think he is insignificant and neither does his family; that they have all sunk all the money they have into their property and have spent years of hard labor making a paradise out of their 7 ¾ acres; that they knew that there was a power line and easement on their land when they bought it, so they situated their home site in the woods far enough away from the lines so that the electric magnetic field (EMF) would be minimal; that it was also the only site on which they could locate the house due to the well and perk sites; that CP&L now wants to take more of their land, cut down their shade trees and wooded buffer between them and the easement and put in a second 230,000 volt line on taller poles even closer to them and their home; that this would wipe out a good portion of a walking trail through their woods that he calls his "Therapy Trail" because he made it while he was recovering from his brain surgery; that the new line would be a horrible eyesore and would decrease property values; that he produces his own electric power; that CP&L claims that they want to impact the fewest homes possible, but the proposed route is not the one to take; that CP&L calls the 230,000 volt line a kilovolt, but the important part of the word to him is "kil"; that the line would kill the value of his land, his dream and quite possibly finish killing him and maybe his daughter. He asked the Board for their help in saving their homes, their land, and their dreams.

Frank Smith, 2076 Silk Hope, Silk Hope Fire Department Chief, stated that the Silk Hope Fire Department is in favor of the proposed water line for the northwest corner of the County; that the Silk Hope Fire Department has two stations which serves 8,200 people and covers 102 square miles; that no where in the fire district is there a water line; and that this does not fulfill the needs of the community. He asked the Board to consider this request.

Roland Rodgers, requested water for the western area of Chatham County. He stated that he cannot use his water to drink or wash clothes; and that he was here to present petitions on behalf of the citizens on

the Silk Hope-Snow Camp Road.

VOLUNTEER AWARDS

Volunteer Awards: Consideration of a request to recognize twenty volunteers for outstanding service

The Chairman read each volunteer's activities summary and the Vice Chair presented each recipient with a framed certificate of appreciation from the Board of Commissioners as follows:

Betty and Herb Bailey: For six years of service to Silk Hope School. Betty helped to establish the pre-school Day Care Center, a Smart Start facility. She serves on its Board, founded a scholarship program and works on a weekly basis with its students and staff. Herb serves as a volunteer instructor with classes and groups of 6th, 7th, and 8th graders in the Reading and Writing Program. He has initiated creative writing, poetry, prose, speaking, and reading projects that have enriched the curriculum for these students. The Bailey's are residents of Carolina Meadows, a continuing care retirement facility in Northern Chatham County.

Linda Booker: For five years exemplary service to Family Violence and Rape Crisis Services and Chatham County Together! Linda serves Family Violence and Rape Crisis Services by working with clients at the Garden Place Shelter, by serving as a trained 24-Hour Crisis Line counselor, by designing their quarterly newsletter, and by providing leadership for fundraising activities. As a Chatham County Together! mentor, this Pittsboro resident, with her husband Phil, also works intensively with an 11-year old boy, offering him support and new experiences each week.

Chatham Optimist Club: For its members' collective efforts to promote education, sports, and recreation opportunities for Chatham County's youth since 1998. These dedicated volunteers have initiated many noteworthy programs and special events to support educational enrichment and recreation activities, including Student of the Month awards, sponsorships for various student sports and recreation teams, and financial grants to improve school facilities and programs.

Chatham Outreach Alliance (CORA): For the outstanding efforts by the volunteers of this ecumenical ministry to meet the increasing needs for short-term food assistance to residents of Chatham County. In 2000 this all-volunteer organization rose to the challenge of providing groceries for more than 32,000 meals to families and individuals referred by religious leaders and social services agencies throughout the year. Preliminary figures suggest that service totals in 2001 will exceed this level.

Tom Doyle: For expanding the Pittsboro Memorial Library's financial and volunteer resources by coordinating its biannual book sale. Over the last four years this Pittsboro resident has provided leadership to make this special event increasingly successful with respect to sales and community involvement. His dedicated efforts with the Friends of the Pittsboro Memorial Library have helped the library to provide additional programs that encourage reading and enhance services for residents.

Janet Dyer: For two years of exemplary service with the Guardian Ad Litem program, serving as a child advocate for Chatham County youth involved in alleged neglect and abuse legal cases. This Siler City resident has demonstrated exceptional skills and compassion while volunteering countless hours to meeting with social services staff, families, teachers, medical professionals, and legal personnel to ensure that the best interests of children are being represented in the legal process.

Joseph L. Ellen: For leadership to coordinate activities and expand participation opportunities for Chatham County Special Olympics athletes and volunteers. In his role as Coordinator, Joseph wears many

hats for more than twenty hours each week. These include recruiting athletes and volunteers, fundraising, transportation, coaching, encouraging certification of coaches, managing administrative records, and scheduling activities. Recently recognized for his outstanding efforts by NC Special Olympics, Joseph's commitment to our local program and its values of good sportsmanship makes him a role model for all Chatham residents.

Andy and Melissa Foshee: For dedicated service to the Carnivore Preservation Trust, supporting its endangered animals sanctuary, conservation, and education programs. Since 1993 these Pittsboro residents have provided many types of volunteer leadership to this organization's administrative and fundraising activities, including managing a highly successful annual art auction, recruiting and supporting other volunteers, technical assistance, and community awareness efforts.

Elizabeth Hains: For fifteen years of caring service to UNC Hospice (formerly Hospice of Chatham County). Since 1995 this Pittsboro resident has provided more than 500 hours of service to more than fifty families, offering emotional and practical support to terminally ill patients and their caregivers. In addition to her work with UNC Hospice, she chairs the Adult Care Home Community Advisory Committee appointed by the County Commissioners and volunteers with other organizations including Habitat for Humanity, Chatham County Historical Society, and St. Julia's Church.

Jan Hanrath: For four years of dedicated service to Chatham Habitat for Humanity. Mr. Hanrath is a Pittsboro resident who volunteers an average of 30 hours per week to help Habitat provide energy efficient, affordable, and accessible housing. He has served as a member of Habitat's Board of Directors, as Chair of the Construction Committee, and as a Construction Engineer whose guidance and inspiration to other volunteers has been especially appreciated by the agency.

Holly Kozelsky: For many years of volunteer service to Hispanic families and children in Chatham County. Holly began work with the Spanish-speaking community by volunteering her bilingual skills to translate for patients at Chatham Hospital. Over the years this Siler City resident has tutored English As A Second Language students and helped the Optimist Club to start the Buy-A-Book program that enables students in low-income families to purchase books at school fairs. She has volunteered her professional skills as a real estate agent to help found the Chatham County Affordable Housing coalition, has instructed Spanish language Homebuyer Education classes, and has informally helped many families to access information about housing, employment, and credit resources.

Ann Lee: For providing creative arts programming to senior citizens at the Chatham County Council on Aging. This Pittsboro resident and former nurse volunteers many hours each week to enrich the lives of senior citizens by preparing and teaching popular arts and crafts activities that inspire participants to keep active through creative arts. Ann assists interested individuals to participate regardless of financial resources, and she encourages involvement in health monitoring and other agency programs.

Don Lein: For his leadership of efforts to encourage physical fitness and the improvement of recreation opportunities in Chatham County. Don is a Pittsboro resident who volunteers approximately 25 hours a week to many organizations including the Chatham County Master Plan Steering Committee, the Chatham Parks Foundation (which he helped found in August 2000), the Chatham County Senior Games, the newly formed Community Coalition For an Active Chatham and YMCA board, the Jordan Lake Advisory Board, and the Land Conservation and Development Roundtable.

Matthew Markie: For six years of progressive volunteer leadership with Chatham County Girl Scouts. Matthew is a Pittsboro resident whose volunteer involvement has grown from parent participant and troop leader many years ago to higher administrative roles since he became a Chatham resident several years ago, including Area Coordinator, Service Unit Manager, Area Girl Scout Cookie Manager, Pines of Carolina

Council Delegate. His service is especially noteworthy due to the fact that he balances full-time paid employment with the many responsibilities involved in inspiring and supporting other volunteers to successfully expand the availability of girl scouting opportunities to Chatham youth and their families.

Dolores Millikan: For many years of service to Chatham County youth through education and recreation projects sponsored by organizations including the Chatham Optimist Club, the Siler City Little League, and schools in the Siler City. Dolores's many volunteer activities include coordinating the Student of the Month Club at Chatham Middle and Chatham Charter, various fundraising efforts to support local youth sports programs, and working in the schools with students and teachers.

Barbara Myers: For ten years outstanding volunteer service as youth mentor with Chatham County Together! Barbara has worked intensively one-on-one with many children to improve their quality of life and chances of future success in addition to her professional role as an educator in Chatham Public Schools. She has regularly dedicated many more than the minimum required hours for mentor activities, and she has helped to recruit mentors so more youth in need of positive adult role models can be served.

Violet Perry: For exemplary volunteer service to senior citizens through Chatham County Council of Aging activities. This Moncure resident visits on a weekly basis with seniors who participate group activities at the Council on Aging, and regularly spends many additional hours as a friendly visitor with homebound seniors. Her devoted and caring outreach to Chatham County's senior citizens has touched many lives.

Jane Pyle: For many years of leadership with the Chatham County Historical Association to foster appreciation of local heritage. This Pittsboro resident has initiated and sustained many projects of cultural and historic value, including researching and editing numerous local history publications, coordinating the restoration of the Marshall and Millikin log cabins, establishing the Court House museum, maintaining local library genealogical resources, and supporting oral history projects. She also served on the Steering Committee for the Pittsboro Historic District, the Chatham County Agricultural and Industrial Fair Association, and St. Bartholomew's Church.

Ivan Remnitz: For exemplary service as an advocate for Chatham County's Latino immigrant population. Ivan is a bilingual resident of Farrington Village who serves as Vice-President of the Hispanic Liaison Board and assists Spanish-speaking community members one day a week at its Siler City office. He helps immigrants to find solutions for health, housing, financial, and education needs through liaison work with local human service agencies, as a volunteer interpreter at UNC Hospitals, and through participation with other organizations including the Chatham Social Health Council and Chatham Communities in Action.

Trudy Talner: For five years outstanding volunteer service with Family Violence & Rape Crisis Services to reduce violence against women and children in Chatham County. This retired social worker has regularly provided administrative support on a weekly basis by answering the agency's phone, assisting staff members, and contributing to special projects. In addition, Trudy has demonstrated her strong commitment to reducing family violence by advocating with lawmakers and participating in local and national initiatives such as the Million Mom March.

PLANNING AND ZONING

Request by SBA for Monopole Communications Tower: Consideration of a request by SBA for a Light Industrial Conditional Use District with a Conditional Use Permit for a 195 foot monopole telecommunications tower on property owned by Franklin and Betty Bayes, located off SR #1755 (Clyde Farrell Road), in Williams Township

Mr. Sasser, a representative of SBA informed the Board that SBA had decided to give the residents of Clyde Farrell Road a balloon test during the month of November. He extended an invitation for the Board to review the test.

Commissioner Givens moved, seconded by Commissioner Outz to delay a decision on this matter until after the balloon test can be done in November, 2001. The motion carried five (5) to zero (0).

Request for Revision to Existing Heavy Industrial Conditional Use Permit for Rock Crusher:

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 and 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 Atwater as per the Planning Department and Planning Board recommendation, to grant approval of the request for a mulch production and storage operation on 14.3 acres located off Hwy. SR #1011 with the following ten conditions:

1. Engineered drawings showing how the first 1" of stormwater will be managed on site shall be submitted to staff for review and approval prior to issuance of a building permit and/or beginning operations.
2. A stormwater permit shall be obtained from the NCDENR, Division of Water Quality for the 14 acre tract prior to beginning operations.
3. Prior to the Board of County Commissioners acting on the request, staff shall receive a letter from the NCDENR stating that all violations noted in a letter dated July 10, 2001 have been corrected.
4. The berm shown on the site plan, as revised 9-5-01, along the eastern property line (common line between Bolton and Gunter) shall extend along the entire property line as shown on the site plan and must be built and landscaped prior to operations beginning. This landscaping shall be of a type to provide an opaque screen to be a minimum of six (6) feet tall within four (4) years of planting. Plantings shall be a minimum of 3 gallons in size / minimum 2 feet tall when planted. Landscaped area must be maintained and any plantings that die must be replaced promptly.
5. Applicant shall offer to adjacent property owners a perpetual easement for access on one of the two access locations as shown on the site plan revised 9-5-01. Offer to be good for 60 days.
6. Per the Design Guidelines, non cut-off – type shielded lights (nondirectional floodlights) shall not be installed higher than 20 feet above grade. Shielded cut-off type light fixtures may be installed as high as 35 feet above grade. It is recommended that the maximum height not exceed 25 feet for a cut-off type light fixture.

7. Hours of operation for the mulch grinder shall be between the hours of 7:00 AM to 7:00 PM and days of operation for the grinder shall be Monday through Saturday.
8. Upon approval of the conditional use district and conditional use permit, the mulch production and storage operations shall be completely located permanently on the 14 acre tract and not relocated back to the 15 acre tract in the future.

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

Request for Revision to Section H Conditional Use Permit by Carolina Meadows: Consideration of a request by **Carolina Meadows** for a revision to Section H of the existing Conditional Use permit to read as follows: "The development shall consist of not more than 750 residential units (not including the health care facility). Prior to 12/31/98, 431 residential units shall be completed. Prior to 6/30/04, a specific site plan for the remaining acreage, including an estimated completion schedule, shall be submitted." This request provides a three-year extension from the existing date of 6/30/01 and also reduces the maximum residential units from 850 to 750

Commissioner Pollard moved, seconded by Commissioner Givens, to delay a decision on this issue until a discussion with the applicant can be held. The motion carried five (5) to zero (0).

Land Use Development Plan: Consideration of a request to adopt the Chatham County Land Use Development Plan

Commissioner Outz moved, seconded by Commissioner Givens, to delay a decision on this issue until the next Board of Commissioners' meeting on November 5, 2001. The motion carried five (5) to zero (0).

HEALTH DEPARTMENT

Division of Environmental Health Policy on Maximum Acreage Evaluation: Consideration of a request to approve the Division of Environmental Health Policy on maximum acreage evaluated per application

By consensus, this item was tabled until the next the next Board of Commissioners' meeting on November 5, 2001.

BOARDS AND COMMITTEES

Adult Care Home Committee Appointment: Consideration of a request to appoint a member to the Adult Care Home Committee

Commissioner Pollard moved, seconded by Commissioner Atwater, to appoint Dr. Melyn Brockstein, 39525 Glenn Glade, Chapel Hill, NC (933-5590) to the Adult Care Home Committee. The motion carried five (5) to zero (0).

Human Relations Committee Appointment: Consideration of a request to appoint a replacement to the Human Relations Committee

An appointment to the Human Relations Committee was delayed until a later date.

BOARD OF COMMISSIONERS' MATTERS

Time Warner: Consideration of a request to approve a review, accounting, and tolling order to Time Warner Cable

Commissioner Atwater moved, seconded by Commissioner Pollard, to approve **Resolution #2001-33 The Review of FCC-1240, FCC-1205, and FCC-1235 filings for Regulated Cable Service Provided by Time Warner Cable**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

Personnel Advisory Committee:

Commissioner Pollard moved, seconded by Commissioner Givens , to restructure the Personnel Advisory Committee to include a representative from Dispute Settlement, two supervisory County employees, and two non-supervisory County employees, and amend the Chatham County Personnel Policy, Article IX, Section 5, subsection A to reflect that change. A copy of the policy is attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Commissioner Atwater moved, seconded by Commissioner Pollard, to appoint the appoint the following employees to the Personnel Advisory Committee:

Supervisory: Margie Ellison, Department of Social Services
Tom Lucas, Public Works Department
Dawn Stumpf, Elections

Non-Supervisory: Vickie Tyndall-Alston, Department of Social Services
Dave Green, Central Permitting

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

E Communities Program:

The County Manager explained that the Rural Internet Access Authority (RIAA) announced a new funded initiative to support North Carolina communities to make the transition to a connected future; that the E-Communities Program will make awards of \$10,000 in each of the 85 rural North Carolina counties that choose to undertake a Phase I E-Communities planning effort; that they are enlisting the Board's assistance in identifying appropriate leaders in the community that can serve as the local connectivity champion(s) that will be needed to spearhead the County's E-Community application; that this issue will return to the Board at the November 5, 2001 Board meeting.

Commissioner Pollard stated that she would like for the Board to consider Lyle Estill for this appointment, as he has been instrumental in helping to get the schools connected.

This issue is to return to the Board at their next meeting on November 5, 2001.

Water Issues:

Commissioner Outz stated that most of the people in the audience were there to speak about water; that they had been told by Charlie, the newspaper, and he to come to the meeting in regard to water; that since

the Public Works Director was not in attendance, the County Manager should update them on what the County is doing, water-wise, and the effort the Board is making to try to get water to new folks; that he agrees that they have waited long enough; that he thinks it is time for the County to move, even if the Board has to borrow money to do it; that the Board has been getting requests for quite some time for water; that a lot of the people are drinking contaminated water or buying water; that a lot can not wash clothes in their water; that it is time for someone to make a move so that the people can understand that they are not trying to be avoided; that it appears that they are being avoided because they have not been given time on the agenda; and that they were told to come in for a water hearing.

The County Manager stated that he was unsure who had communicated that message; that he had not been the one to convey it.

Commissioner Outz said that the people were from Harper's Crossroads, Brush Creek Church, Crutchfield's Store, and Silk Hope areas.

The County Manager stated that as the Board is acutely aware, that during the first phase of the water discussions at the last work session, a trunk lining system for the County was outlined, based on staff assumptions of what the Board might want, not necessarily the direction given at this point; that it totaled in excess of \$30 million; that it does not include getting any water to any particular community in the County; that at the work session prior to the day's Board meeting, a discussion was held with regard to specific policies, assessments, reinvestments from property owners, etc. as part of the overall structure when the Board decides what type of system they want in the County; that it is driven entirely by the Board of Commissioners, not by the staff; that the staff outlined it as part of the process for decision making for the Board; and that at the point the Board gives the staff direction with regard to what they want and where they want it, the staff will pursue it from that point on.

Commissioner Outz stated that at the last meeting, he made a motion that the County set aside \$500,000 annually to be used for water and water only in the County; that it would be a start; that even if money was borrowed, the money set aside would pay the interest on it to try to help some of the folks out; that water is going to be a critical thing in the future; that it is not something that is going to go away; that he thinks they are going to see more and more problems with water; that the water table is going down; that a lot of wells are going dry; that the County has a problem.

Commissioner Atwater stated that since a lot of citizens were in attendance, the meeting had already been held, and there was miscommunication about when it would be done.....

Chairman Phillips explained that the Board is having a series of work sessions, devoting the majority of every work session to water and the water system in Chatham County; that the Board began with the last meeting and it was continued with the work session prior to the Board meeting; that at the last meeting, the Board began to discuss the costs involved with putting in trunk lines to individual communities and areas; that was what the map was about; that at the day's work session, the water extension policy toward developing a water system and how the Board would fund it, what the Board would do with it, and the rules and regulations would be...whether assessments, like those done in other urban counties, would be done or whether per household or per acre would be charged; that a lot of decisions have to be made with regard to the process of extending water even if the County gets the money to begin doing it; and that the conversation will be continued at the next work session.

Commissioner Givens stated that one of the confusing things is that Siler City does not have a lot of extra water; that now that they have the reservoir, they are building; that without water, even if some of the communities were fed water, water would not be available if it had to be bought from Siler City; that the

solution is to bring the water from Jordan Lake, as per the agreement between the County and Cary; that an abundance of water will be available; that the problem will just be getting it to the folks; that, at this point, if the lines are run, there will be no water; that if the water lines are brought to Siler City, then the branches can be run to Silk Hope or south to Bennett; that the County sometimes now reaches the limit and peaks out from what it can buy from Siler City because it is just not available; that what Mr. Outz is suggesting is to commit the County to so much money per year towards doing this; that it will not happen overnight; that it can not just be piece-milled because the hydrology will not be right; that if someone is at the end of the line, they would not get the same service as someone down the road; that if the water is not flowing, there will not be clear water; that one might get mud or chemicals; that these are problems that have to be worked out; that if Commissioner Outz wants to make the motion, he will second it.

Commissioner Outz moved to set aside \$500,000 each year to be used for water line extension only.

He stated that Silk Hope School used to get 75 gallons per minute, but now they get only 6 gallons per minute; that it is where one puts his priorities; that if the Board wants to put water to some of the folks, they can do it; that the County would just have to save on some areas; that the County can spend \$15 million dollars on parks without blinking an eye.

Chairman Phillips stated that the County had not agreed to spend \$15 million on parks; that he keeps saying it all the time as if it is happening and it just keeps making for an argument; and that it is not true; that if he wants his support, he cannot continue to say things that are not true.

Commissioner Givens stated that it was true that the Board had not committed to parks; that he disagrees with Commissioner Outz on that point; that the bottom line is that they are talking about water; that he feels that all are committed to water; that he would like the \$500,000 to be a payment on a loan which, at the present interest rates, would equate to about \$6 million with which the Board could start; that it would be a payment, but would only be scratching the surface; that the County will have to have a water bond or something to continue; that they have talked with the Public Works Director about some fingers that could come out of existing lines that might provide a temporary service until the trunk line was run; that those things have to be discussed; that water lines just cannot be run; that he supports committing the County to so much; and that everyone has to understand that for every \$500,000 committed, it is one penny that the tax will have to increase.

Commissioner Givens seconded the motion with the condition that the County borrows the money and that whatever \$500,000 will pay back, that it will give the County a start.

Commissioner Pollard stated that she wished the Board would wait to make their decision; that the Board is in the middle of a planning process; that a half million might not be what the County needed; that it might be \$600,000 or greater; that to pull a figure out of the air while the Board is in a planning process sounds like pandering to a group; that she wants to tell the truth about the thing; that she wants water as badly as anyone for her neighbors and herself but that she thinks total needs have to be considered before a decision is made with regard to how much money is set aside.

Chairman Phillips stated that there were people sitting behind the table that did not have good water.

Commissioner Outz stated that if this had been done ten years ago, the County would have had \$5 million.

Commissioner Pollard stated that she was not on the Board ten years ago.

Commissioner Atwater explained that to put aside that sum or twice that sum did not necessarily mean

that they would get the trunkage for water.

Commissioner Givens stated that just to show in the next budget that the County will commit that much means business.

Commissioner Atwater stated that he felt it was possible to make a stronger statement that the Board means business when the study is concluded.

Commissioner Givens stated that the motion was to show that the Board means business; that if the Board wants to up the amount later, it will at least show that they mean business.

Chairman restated the motion as follows:

The motion is to allot \$500,000 per year from the General Fund from the operating budget in Chatham County to be placed in the Utility Fund and that determinations from the Board would be made just for the extension of water lines.

Commissioner Atwater asked if the motion was with the understanding that it would require an additional one-cent on the tax rate.

Commissioner Outz stated that the Board should wait and see; that the County is growing by seven or eight percent per year; and that there will be more tax money coming in.

Commissioner Givens stated that \$400,000 was equal to one penny.

Commissioner Atwater stated that he did not feel that it was wise to go about it in this way due to the fact that the Board is in the midst of a comprehensive water study which has not been completed; that by no means did he not feel that water should be a top priority; that he believes that the motion has the sure potential to mislead the public and those in attendance into believing that the County has the capital and water supply allocation to make things happen in the immediate future, which is unlikely the case; that clearly and before most, if not all citizens in attendance at the night's meeting do not receive water, the Board will first be addressing, by priority, funding the critical major trunkage infrastructure throughout the County; and that they will be doing so for many years to come.

Commissioner Pollard stated that she was not prepared to vote positively on the motion because she feels that the Board is right in the middle of a planning process; that the Board does not know what the total cost is going to be; that more money may be needed; that they do not know the sources of their money.

Commissioner Outz stated that that amount of money would pay the interest on a large loan from the USDA; that it wouldn't necessarily be putting a line in, it would be paying interest on the money borrowed; that there has to be a start somewhere.

Commissioner Pollard stated that she knows Commissioner Outz wants water; that she wants water as badly as anyone; that she is going to work toward it as hard as he, but that to vote for a dollar figure now, she is not prepared to do it; that she thinks that more money will be needed.

Commissioner Outz said that Commissioner Pollard did not want water as much as he did.

Commissioner Givens stated that \$500,000 would borrow six or seven million dollars.

Commissioner Pollard stated that she felt that more would be needed; that a plan is first needed; and that the Board does not have a plan with regard to how they are going to go about it.

Chairman Phillips stated that there was a motion and a second to it on the floor. He asked if anyone else wanted to say anything before it was voted on.

There were no further comments.

The motion carried three (3) to two (2) with Commissioners Atwater and Pollard dissenting.

Chairman Phillips stated that he respected the way everyone was thinking about this issue; that the Board had been working very, very hard on water; that there are a lot of decisions to be made together; and that he wants them made as much as possible together.

Joint Meeting with the Town of Siler City:

The joint meeting between the Board of Commissioners and the Siler City Town Board is scheduled for Tuesday, October 16, 2001, at Haley Bales in Siler City at 5:30 PM.

Retreat Dates:

By consensus, the Board decided to hold their retreat on Wednesday, December 5th and Thursday, December 6th with lunch on the 5th. Location is to be announced.

COMMISSIONERS' REPORTS

There were no Commissioner Reports.

ADJOURNMENT

Commissioner Atwater moved, seconded by Commissioner Givens, that there being no further business to come before the Board, the meeting be adjourned. The motion carried five (5) to zero, and the meeting was adjourned at 8:28 PM.

Gary Phillips, Chairman

ATTEST:

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