

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**SEPTEMBER 17, 2001**

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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 September 17, 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 7:10 PM.

The Chairman asked that a moment of silence be observed for the victims and families of the terrorist attacks in Washington, DC, New York City, NY, and Pennsylvania on September 11, 2001.

**AGENDA**

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

Keith Megginson, Planning Director, asked that consideration of a request by the Town of Siler City for an expansion of their Extraterritorial Jurisdiction (ETJ) be deferred until a later date after which time the Planning Board has had time to review the issue.

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

**CONSENT AGENDA**

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

Jim LeTendre stated that he felt the presentation by the Chatham County West Concerned Citizens and the Southwest Water Group were one and the same and asked that the two items be consolidated.

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

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1. **Minutes:** Consideration of a request for approval of Board Minutes for meeting held September 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. **Grant Funds Acceptance for the TeenWorks Center:** Consideration of a request to accept additional grant funds from United Way of Chatham County in the amount of \$3,000 for the TeenWorks Teen Center of the Chatham County Health Department

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

5. **Donation Funds Acceptance for the TeenWorks Center:** Consideration of a request to accept a donation from the Town of Siler City in the amount of \$10,000 to offset expenses for the Chatham County Health Department's TeenWorks Teen Center

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

6. **Grant Funds Acceptance for the Health Department:** Consideration of a request to accept Physical Activity & Nutrition Grant Funds in the amount of \$9,019.50 awarded to the Chatham County Health Department by The North Carolina Governor's Council on Physical Fitness & Health

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

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

- |    |                           |    |                        |
|----|---------------------------|----|------------------------|
| A. | <b>Karen Calhoun Road</b> | C. | <b>Pear Drive</b>      |
| B. | <b>Lynn Oak Drive</b>     | D. | <b>Rock Ridge Road</b> |

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

**END OF CONSENT AGENDA**

### **PUBLIC INPUT SESSION**

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

### **SHERIFF'S DEPARTMENT**

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*Public Hearing:*

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**Local Law Enforcement Block Grants Program:** Public hearing to receive public comments on the Local Law Enforcement Block Grants Program

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

### **PLANNING AND ZONING**

***Public Hearings:***

**Revisions to the Chatham County Subdivision Regulations Section:** Public hearing to receive public comments on a request for proposed revisions to the Chatham County Subdivision Regulations Section 6.4(B) increasing the number of lots served by a private easement from three to four

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

**Request for Revision to Conditional Use Permit:** Public hearing to receive public comments on 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, off SR #1727 [Whippoorwill Lane], in Williams Township

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

**Revision to Existing Light Industrial Conditional Use District:** Public hearing to receive public comments on 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 (1) 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

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

**FARMLAND PRESERVATION PROGRAM ORDINANCE**

***Public Hearing:***

**Farmland Preservation Program Ordinance:** Public hearing to receive public comments on the Farmland Preservation Program Ordinance

**Tommy Emerson**, 186 John Emerson Road, Siler City, NC, stated that this ordinance is presented by the Agriculture Advisory Council; that the proposed ordinance attempts to head-off problems before they occur; that it allows the voluntary creation of agricultural districts; and that it will provide prior notice to future development of an existing agricultural operation. He further stated that the committee hoped it would prevent future litigation; and that it is something that will help farmers and help others as well.

Mr. Emerson answered questions on the Farmland Preservation Program Ordinance from the audience.

**Tommy Glosson**, 738 Mt. Olive Church Road, Pittsboro, NC, stated that he came to speak in favor of the ordinance; and that it was doing something good for the agricultural community.

**PRESENTATION**

**Chatham County West Concerned Citizens:** Presentation by the Chatham County West Concerned

## Citizens Group

**Jim LeTendre**, stated that this group was a representative body of citizens from southwest Chatham and that they were here to speak to the poor water quality in the area and the urgent need for County water.

**Clyde Brown**, stated that there is currently water in the three surrounding communities; that there are a number of people between all of these sources; and that the need in this area is extremely urgent.

**Lester Graves**, stated that several wells in the community have been tested and are not suitable for a variety of uses; that the need for County water is urgent to maintain the health and economy; that farmers and businesses must pay on their own to tap onto County water; and that the property value in the area is decreasing due to the poor water.

**Teresa Lindley**, stated that she lives five miles outside of Bennett; that her well is 200 feet deep and provided plenty of water initially; that it is not good water and remains high in minerals; and that it has ruined clothes, bathroom and kitchen fixtures and appliances. She further stated that you can taste the minerals in the water; that at her church, they have had to use hand sanitizers in the past; and that her story is only one of many regarding the water situation in the area.

**Annette Willett**, stated that nitrates were high in a recent water test in the area; that the property underwent intensive well treatment; and that a second test was performed and the nitrates tested even higher. She further stated that many people in the area are fearful and choose to remain ignorant to potential risks; that contaminated water can cause a variety of health problems including cancer, diabetes, and liver and kidney problems; that this poses a risk to infants in particular; and that she asks that the County not take this issue lightly.

**Margo Sizemore**, stated that she dug four wells and spent over \$7,000 to no avail; that her family decided to pump from her mother's well two tenths of a mile away and is now concerned that that well may go dry; and that she would like to let her son build on her property, but cannot guarantee that he will have the water he needs.

**Jim LeTendre**, stated that a nitrate reading higher than 10 parts per million is unhealthy and that people are afraid to have their wells tested for fear of condemnation. He asked the Board to please consider this area a top priority for County water.

Commissioner Outz moved to set aside a half million dollars per year to be used for nothing but water and water alone and to apply for as many grants as possible to gain the necessary help for citizens needing water. Commissioner Givens seconded the motion.

After considerable discussion with regard to the upcoming meetings planned for County water discussions, it was decided to table the motion and reintroduce it at the upcoming October work session.

## PRESENTATION

**Southeast Chatham Citizens Advisory Council:** Presentation by the Southeast Chatham Citizens Advisory Council

**Ken Harris**, Chairman of the Southeast Advisory Council, stated that their council consists of residents, business owners and industry representatives whose objective is to present a uniform voice for their community. He stated that as a result of a recent increase in breaking and entering and larceny from homes

and outbuildings, the SCCAC research indicated that in a 14 day period, they suffered 35% of like crimes (6 of 17) in Chatham County and 63% of dollar losses (\$28,000 of \$43,000); that these facts are particularly alarming since they represent approximately 10% of the County land mass and less than 10% of the total citizens in Chatham County; that Sheriff Ike Gray and three members of his staff attended their August meeting at the Moncure Fire Department where they presented their concerns and received a basic knowledge of the operation of the Sheriff's Department and exchanged ideas for community involvement; that as a result of the meeting, they have determined that the Sheriff's Department is fulfilling all of the basic responsibilities it can with current manpower and budget; that detective teams are backlogged with massive case numbers; that on their modest budget request for additional manpower, finances, and a nominal pay raise were rejected, and that a budget cut was imposed; that they do not believe that the Sheriff's Department is staffed and financed to a level commensurate to the task and the task is growing; that more must be done to provide citizens with a safe environment; that they do not believe that there is a quick fix, but that they ask that this problem be addressed as soon as possible to see if it can be corrected and that crime control in Chatham County can be improved.

### **PLANNING AND ZONING**

**Request by Town of Siler City for ETJ Expansion:** Consideration of a request by the Town of Siler City for an expansion of their Extraterritorial Jurisdiction (ETJ)

This item was deferred until a later date after the Planning Board has an opportunity to review it.

### **PUBLIC WORKS**

**Agriculture Building Heating & Cooling System Upgrade:** Consideration of a request to approve the Agriculture Building heating & cooling system upgrade

Commissioner Givens moved, seconded by Commissioner Outz, to approve the request to award the contract for the Agriculture Building heating and cooling system upgrade to Center Heating & Air Conditioning in the amount of \$22,664.00 and also include a contingency of 15% or \$3,400.00 for a total of \$26,064.00 to complete the project. The motion carried five (5) to zero (0).

### **BOARDS AND COMMITTEES**

**Cape Fear River Assembly Appointment:** Consideration of a request to appoint a member to the Cape Fear River Assembly

This item was deferred until a later date.

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

This item was deferred until a later date.

### **BOARD OF COMMISSIONERS' MATTERS**

**Southwest Chatham Recreation Ordinance:** Consideration of a request to approve the Southwest Chatham Recreation Ordinance

This item was deferred until a later date.

## **MANAGER' S REPORTS**

There were no Manager's Reports.

## **COMMISSIONERS' REPORTS**

### **Town of Siler City ETJ Expansion:**

Commissioner Atwater asked if the ETJ was subject to the same public meetings law as the Board of Commissioners, and asked that the matter be researched by the County Attorney.

The Board answered questions from the floor with regard to the extension of the Siler City ETJ, land use, and holding public hearings on same.

### **Farmland Preservation Program Ordinance:**

Commissioner Pollard stated that she hopes that the Chatham County Water Board will have an opportunity to review the Farmland Preservation Ordinance.

Commissioner Pollard stated that she would like to get a sense of the size and prevailing practice of farm districts.

### **Tap-On Fees:**

Commissioner Givens expressed concern with regard to individual water tap-on fees stated that an individual building a new home should incur the same tap-on fee as an individual in a subdivision.

### **Sheriff's Department Task Force:**

Commissioner Givens asked the Sheriff about the possibility of forming a "Breaking and Entering Task Force" due to the large number of break-ins in the County. He asked about sharing information between border counties.

Sheriff Ike Gray stated that monthly meetings with surrounding counties are held at which time information is shared; that there is presently no special task force; and that criminal investigations information is shared and a 50/50 split is made when crimes are solved.

### **Land Use Plan:**

Commissioner Givens commended everyone for the work done on the Land Use Plan stating that it had been a long time in coming and that he was pleased with the outcome.

## **ADJOURNMENT**

- Commissioner Outz 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 8:25 PM.

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Gary Phillips, Chairman

ATTEST:

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