

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
MAY 06, 2002

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 May 06, 2002.

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

The meeting was called to order by the Chairman at 10:05 AM.

AGENDA

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

The County Manager asked that Item #6, Secondary Road Improvements Presentation, be removed from the Consent Agenda and placed on the Regular Agenda as Item #8A and that a discussion regarding Q ZAB Funds to Moncure School be added under the Manager’s Reports.

Commissioner Pollard asked for an opportunity to make an appointment to the Orange Person Chatham (OPC) Board.

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

CONSENT AGENDA

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

Chairman Phillips asked to make a brief report with regard to Item #7, Sketch Design Approval for Weaver Creek. He stated that he had spoken with the developer who had agreed to graciously provide a buffer for the land adjacent to the Army Corps of Engineers; that it is designed in such a way that it will not affect this development but will help satisfy the Board’s goals for protection of Jordan Lake.

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

1. **Minutes:** Consideration of a request for approval of Board Minutes for Regular Meeting held April 15, 2002 and Work Session held April 15, 2002

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

2. **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).

3. **Universal Hiring Program Grant:** Consideration of a request to apply for funds under the Universal Hiring Program (UHP) 2002

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

4. **COPS in Schools Grant:** Consideration of a request to apply for a COPS in Schools US Department of Justice Grant

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

5. **Greenprint Resolution:** Consideration of a request to adopt **Resolution #2002-15 Greenprint Resolution Supporting the Triangle J Council of Governments Regional Vision for Open Space**, attached hereto and by reference made a part hereof.

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

6. ~~**Secondary Road Improvements:** Consideration of a request for the paving of unpaved roads down the priority list as right of way and funds allow, SR #2310 (J. Crook Road)~~

This item was removed from the Consent Agenda and placed on the Regular Agenda as Item #8A.

7. **Sketch Design Approval for "Weaver Creek":** Consideration of a request by Landco Realty for sketch design approval of "Weaver Creek" consisting of 11 lots, on approximately 31 acres, off SR #1907 (Lower Thrift Road), in Cape Fear Township

As per the Planning Department and the Planning Board recommendation, sketch design approval was granted with the following condition:

1. A disclaimer note to be on the final plat that reads, "This property is adjacent to property owned by the US Army Corps of Engineers. Adjacent land uses such as hunting, controlled burns and timber management may conflict with normal residential use."

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Virginia Reid, 500 Cedar Lake Road, Chapel Hill, NC, stated that as a resident of Cedar Village, she is very concerned with the pollution caused to Price Creek by the Arrington Construction Debris Landfill operated by Carolina Grading and Excavating Company located on the back portion of the Womble Farm; that there are a lot of people who live in the area of Cedar Village and Cedar Terrace who are unhappy about the problems of the landfill but are not property owners and most of them do not even know who owns their

property so they can't complain to the County Commissioners therefore having to put up with the landfill; that the landfill was declared filled by North Carolina State officials last year, but was given a one-year extension, ending this year; that she is worried that the landfill will get more extensions rather than be closed; and that she works in the School of Public Health at UNC, so she drinks Chapel Hill water during the day instead of the spring fed well-water at home. She asked the Board to do what they can to make sure the landfill is closed this year and that the State does not grant further extensions to keep it open; that she hopes the Board will think about regulating and managing all of the Price Creek Watershed in Chatham County including the ponds which are dammed portions of Price Creek. She asked her husband to show the Board a jar containing a sample of water taken by him on March 1, 2002, six feet from the Arrington Landfill settling basin discharge pipe, showing, a muddy, murky, copper-toned water.

Chairman Phillips stated that he had received two letters from people in Orange County who live downstream, particularly in the area of Heritage Hills with regard to this matter; that that community has seen flooding resulting from Price's Creek where ten years ago there was no flooding; that the County needs a Sedimentation and Erosion Control Officer to look at these matters as they occur to be able to prevent some of the disasters which have occurred this year.

CHATHAM TRANSIT

Public Hearing:

Chatham Transit Network: Public hearing to receive public comments on the Chatham Transit Network Organization

Helen Stovall, Chatham Transit Network Executive Director, stated that the North Carolina Department of Transportation Public Transportation Division (NCDOT/PTD) has combined their three operating assistance programs into one application process; that these three programs are Rural General Public (RGP), Elderly and Disabled Transportation Assistance Program (EDTAP), and the Work First Transitional/Employment Transportation Assistance program; EDTAP funds are used to provide additional transportation services for the elderly and disabled, exceeding the quantity of trips provided prior to receipt of the funds; that the Work First Transitional/Employment Transportation Assistance program supports transitional transportation needs of Work First participants after eligibility for cash assistance has concluded and other general employment transportation needs; and that Rural General Public funds must be used in a manner consistent with the local General Public Service Plan already approved and on file with NCDOT/PTD.

She further stated that county governments are the only eligible applicants for these funds; that it is the responsibility of the County Commissioners to sub-allocate and distribute the funds to local agencies; that NCDOT/PTD has allocated \$25,772 in Rural General Public (RGP) funds to Chatham County for FY 2002-2003; that RGP funds can only be allocated to the local Community Transportation System which, in Chatham County, is Chatham Transit Network (CTN); that these funds require a local match which is provided to CTN by United Way of Chatham County; that Work First Transitional/Employment funds can only be allocated to the Community Transportation System (CTN) or Department of Social Services; that Chatham Transit Network has been the recipient in previous years and has the support of Robert Hall, Director of the Chatham County Department of Social Services to again receive these funds and that the total amount allocated for Chatham County is \$6,340.

She explained that the EDTAP allocation for the County is \$47,529; and that the Board of Directors of Chatham Transit Network recommends the following distribution of the funds:

Chatham County Council on Aging	\$34,741
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Chatham County Group Homes, Inc.	2,080
<u>Chatham Transit Network</u>	<u>11,708</u>
Total	\$47,529

The allocation to Chatham Transit Network will be used in the following manner:

Chatham Trades	\$ 3,000
Central Carolina Community College	1,500
Early Intervention and Family Services	361
OPC Mental Health	3,000
Chatham County Together	1,740
Chatham County Group Homes	1,000
<u>Chatham Transit Network</u>	<u>107</u>
Total	\$10,708

Mrs. Stovall explained that the Randolph County Area Transit System (RCATS) and Chatham Transit Network (CTN) have undertaken a joint project to provide transportation services to the Chapel Hill area; that CTN has been providing regularly scheduled service to the Chapel Hill area for several years and continues to operate the service that now includes RCATS; that RCATS has provided a vehicle for the project; that Randolph County residents schedule their transportation with RCATS and are transported to a transfer point in the Wal-Mart parking lot in Siler City where they transfer to a vehicle operated by CTN; that Chatham County residents schedule their transportation with CTN, or in the case of Medicaid recipients with the Department of Social Services; that the vehicle proceeds from Siler City on Highway #64 to Pittsboro then on Highway #15-501 to Chapel Hill; that pick-ups can be made in Siler City, Pittsboro, Cole Park Plaza, or within 2.5 miles of the route of travel; that RCATS is billed at the end of each month for their cost of the route; that the general public riders who are Chatham County residents are charged a fare based on how far they travel; that the in-county fares are \$1.00 for persons 12 and under, 60 and older, or with a disability and \$2.00 for all others; that the out-of-county fare is \$5.00 for persons 12 and under, 60 and older, or with a disability and \$10.00 for all others; and that pick-up and drop-off times in Siler City are 7:15 AM, 11:15 AM, 1:30PM and 5:15 PM.

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

RESOLUTION HONORING THE SERVICE OF ROBERT EBY

Chairman Phillips moved, seconded by Commissioner Atwater, to approve the **Resolution #2002-16 Honoring the Service of Robert Eby**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

NC DEPARTMENT OF TRANSPORTATION-DIVISION OF HIGHWAYS

2002-2003 Secondary Roads Improvement Supplement for Chatham County: Consideration of a request to present the Chatham County 2002-2003 Secondary Roads Improvement Supplement

Jeff Picklesimer, District Engineer for the North Carolina Department of Transportation, Division of Highways, introduced G. R. Kindley, Board Member for Division 8, Bill Rosser, Division Engineer from

Aberdeen, Richard Hancock, Division Maintenance Engineer, Benny Sloan, Chatham County Maintenance Engineer, Wayne Whorton and Reuben Blakely, Assistants in his office, and presented the Secondary Roads Improvement-Highway Funds Program for Chatham County. He reviewed the 2002-2003 proposed allocations for unallocated highway funds and unallocated trust funds, a copy attached hereto and by reference made a part hereof.

Mr. Picklesimer and staff answered questions from the Board.

Commissioner Pollard moved, seconded by Commissioner Outz, to adopt **Resolution #2002-17 for Secondary Roads for the Chatham County Secondary Road Improvement Program**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

BUDGET PRESENTATION

FY 2002-2003 Manager's Recommended Budget: Consideration of a presentation of the FY 2002-2003 Manager's Recommended Budget

County Manager, Charlie Horne presented and reviewed the FY 2002-2003 Manager's Recommended Budget.

He asked that consideration be given to setting the dates on which to hold public budget hearings to receive public comments on the recommended budget and that a date be set on which to hold the legally required public hearing on the FY 2002-2003 Recommended Budget.

Public Budget Meetings: Consideration of a request to set dates for public budget meetings

By consensus, the Board set May 13, 2002, May 21, 2002, and May 28, 2002 at 7:00 PM as the dates on which to hold public budget meetings. Locations are to be announced.

Budget Public Hearing: Consideration of a request to set a date for the legally required public hearing on the FY 2002-2003 Recommended Budget

By consensus, the Board set May 20, 2002 as the date on which to hold the required public hearing on the FY 2002-03 Recommended Budget. The meeting is to be held in the Superior Courtroom and will begin at 7:00 PM.

BOARDS AND COMMITTEES

Recreation Advisory Board Appointment: Consideration of a request to appoint one member to the Recreation Advisory Board by Commissioner Givens

By consensus, the Board agreed to ask Tracy Burnett, Chatham County Recreation Director, to make a recommendation for the Recreation Advisory Board.

Human Relations Commission Appointments: Consideration of a request to appoint members to the Chatham County Human Relations Commission by Commissioners Givens and Atwater

Commissioner Atwater moved, seconded by Chairman Phillips, to appoint Gabriel F. Soltren, 210-H High Ridge Drive, Sanford, NC, to the Human Relations Commission. The motion carried five (5) to zero (0).

Adult Home Care Advisory Board Appointments: Consideration of a request to appoint three members to the Adult Home Care Advisory Board by the entire Board

This item is to be returned to the Board at a later date.

Agriculture Advisory Committee Appointment: Consideration of a request to appoint one member to the Agriculture Advisory Committee by Commissioner Phillips

This item is to be returned to the Board at a later date.

Court Operations and Security Committee: Consideration of a request by Judge Buckner to appoint a member of the Board of Commissioners to the Court Operations and Security Committee

Commissioner Atwater moved, seconded by Chairman Phillips, to appoint Commissioner Rick Givens to the Court Operation and Security Committee. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

Regional Terrorism Cost Share: Consideration or a request to appropriate funds to the regional terrorism cost share options

Commissioner Givens moved, seconded by Commissioner Atwater, to appropriate funds in the amount of \$2,000 for the Regional Terrorism Cost Share. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

Qualified Zone Academy Bonds (QZAP):

The County Attorney explained that a public hearing had been held on the Qualified Zone Academy Bonds (QZAB) to finance the estimated \$500,000 it will take to replace the roof and related improvements at the Moncure School; that the resolution will authorize the Chair, County Manager, and Clerk to execute certain documents; that it will entail the schools transferring title to the school property to the County; that the County will in turn execute a deed of trust on the property in favor of the Bank of America to secure the loan; that the County, over a period of 13-14 years, will pay back the interest-free loan; that the bank will receive a tax incentive for making the no-interest loan; that the money is put in an interest bearing account and the interest will go toward paying off the principal; and that although the County will hold the deed to the school for the duration of the loan, the school system will lease the property from the County for \$1.00 per year and will retain all decision making rights for the property.

Commissioner Atwater moved, seconded by Commissioner Pollard, to adopt **Resolution #2002-18 Authorizing the Execution and Delivery of an Installment Financing Agreement, A Deed of Trust, A Rehabilitation Agreement, A Lease Agreement and Related Documents in Connection with an Installment Financing for School Improvements**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

COMMISSIONERS' REPORTS

Orange Person Chatham Area Board:

Commissioner Pollard moved, seconded by Commissioner Atwater, to appoint Sue Schwartz, 312 Shady Grove, Pittsboro, NC, to the Orange Person Chatham Area Board. The motion carried five (5) to zero (0).

CP&L:

Kathy Hawkins, Manager of Community Relations, Northern Region with CP&L, introduced herself and stated that she was delighted to be a part of Chatham County; that she grew up in Rockingham County which parallels the growth and beautiful countryside of Chatham County; and that she looks forward to working and being helpful in any way possible.

The County Attorney stated that it was his understanding that CP&L was providing a part of the cost of the school financing project.

Commissioner Atwater moved, seconded by Commissioner Pollard, to honor CP&L by commending them for their support of public education in Chatham County especially with regard to the Quality Zone Academy Bonds program in which they provide one of the key links in securing such a loan; and for their long-standing support of Moncure School. The motion carried five (5) to zero (0).

The resolution is to be prepared and read by the Chairman at the next meeting.

Division of Air Quality:

Chairman Phillips read a letter written to Mr. Alan Klimek with the Division of Air Quality regarding significant levels of respiratory toxicants including high levels of formaldehyde and SO₂ being released into the Moncure area of Chatham County.

Commissioner Pollard moved, seconded by Commissioner Atwater to submit the letter read by the Chairman on behalf of the Board of Commissioners. The motion carried five (5) to zero (0). A copy of the letter is attached hereto and by reference made a part hereof.

Clerk to the Board's Certificate of Appreciation:

Commissioner Atwater commended Sandra Sublett, Clerk to the Board, for having received a Certificate of Appreciation given in recognition of outstanding service and time rendered in service on the Professional Development Committee for the North Carolina Association of County Clerks during 2001-2002.

Chatham County Health Department:

Commissioner Atwater acknowledged a letter received praising the efforts of the Chatham County Health Department Staff stating that he was appreciative of the care and kindness received while he was in the Health Department's care.

Air Quality in the Moncure Area:

Commissioner Pollard stated that she felt it was wonderful that the air quality issue in Moncure was going to be addressed.

Piedmont Health in Siler City:

Chairman Phillips stated that he was getting good reports on the upstart of Piedmont Health in Siler City; that he felt that their move to Siler City was going to be very positive; that he has talked with several people who have been pleased with the level of service, the hospitality, and the bilingual staff.

Water Summit:

Chairman Phillips reminded the Board of the invitation from the Orange County Board of Commissioners to a water summit on Thursday, May 16, 2002, at 8:00 PM to be held at the Orange County Southern Human Services Center in Chapel Hill.

The County Manager stated that he would be attending the meeting. Commissioners Pollard and Outz volunteered to also attend the meeting.

Moncure School Emissions:

Commissioner Givens stated that he was shocked to find out about the emissions at the Moncure School and that he felt that the letter was a very good start.

Wildlife Officer:

Commissioner Outz asked when a Chatham County Wildlife Officer would be able to come before the Board to discuss an extended deer season.

One-Way Bridge on Alston Chapel Church Road:

Commissioner Outz stated that he had received complaints with regard to the one-way bridge on the Alston Chapel Church Road; that people feel that the bridge is unsafe; and that he would like to discuss it with the Department of Transportation officials.

National Drinking Water Week:

Ron Singleton, Public Works Director, stated that it was National Drinking Water Week and invited the Board for a hotdog lunch outside the Public Works Building.

RECESS

Commissioner Pollard moved, seconded by Commissioner Givens, to recess the meeting to the Henry H. Dunlap, Jr. Classroom for the scheduled work session. The motion carried five (5) to zero (0), and the meeting recessed at 11:46 AM.

Gary Phillips, Chairman

ATTEST:

Sandra B. Sublett, Clerk to the Board

Chatham County Board of Commissioners