

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
NOVEMBER 18, 2002

The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in the Superior Courtroom, located in Pittsboro, North Carolina, at 7:00 PM on November 18, 2002.

Present: Chairman Gary Phillips; Vice Chair Margaret Pollard; Commissioners Bob Atwater, Carl Outz, and Rick Givens; 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. Sublett

The meeting was called to order by the Chairman at 7:06 PM.

The Chairman gave a brief review of the Work Session held earlier in the day.

PLEDGE OF ALLEGIANCE AND INVOCATION

The Chairman invited everyone present to stand and recite the Pledge of Allegiance after which he delivered the invocation.

AGENDA

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

Commissioner Pollard 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 Outz asked that Item #8, Consideration of a request to approve Fiscal Year 2002-2003 Budget Amendments, be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

Commissioner Pollard moved, seconded by Commissioner Outz, to approve the Consent Agenda with the noted request.

1. **Minutes:** Consideration of a request for approval of Board Minutes for meeting held November 04, 2002 and Work Session Minutes for meeting held November 04, 2002

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

2. **Resolution Honoring Henry Foust:** Consideration of a request to adopt a **Resolution #2002-46 Honoring Henry Foust as Chatham County's 2002-2003 Teacher of the Year,**

attached hereto and by reference made a part hereof.

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

3. **Resolution Honoring Helen Mathias:** Consideration of a request to adopt a **Resolution #2002-47 Honoring Helen Mathias as the 2002 NC High School Athletic Association 1-A Singles Tennis Champion**, attached hereto and by reference made a part hereof.

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

4. **Resolution Recognizing the Jordan Matthews High School Men's Soccer Team:** Consideration of a request to adopt a **Resolution #2002-48 Recognizing the Jordan Matthews High School Men's Soccer Team**, attached hereto and by reference made a part hereof.

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

5. **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).

6. **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).

7. **Private Roads:** Consideration of a request from citizens for the naming of private roads in Chatham County as follows:

A. Byrd Lane B. Double N Road C. Smith Harris Drive

- ~~8. **Fiscal Year 2002-2003 Budget Amendments:** Consideration of a request to approve Fiscal Year 2002-2003 Budget Amendments~~

This item was removed from the Consent Agenda and placed on the Regular Agenda for discussion.

9. **Fee Approval to Support Chatham Transit Transportation Services for Children Attending Teen Works Teen Center:** Consideration of a request to approve fees to support transportation services provided by Chatham Transit for children attending the Health Department's Teen Works Teen Center

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

10. **Funds Acceptance to Implement System of Care After School Pilot Project:** Consideration of a request to accept funding in the amount of \$4,625 from the System of Care and OPC Mental Health to implement a System of Care After School Pilot project served in the Health Department's Teen Works Teen Center

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

11. **Chatham County's Work First Plan:** Consideration of a request to approve Chatham County's Work First Plan, attached hereto and by reference made a part hereof.

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

12. **Subdivision Preliminary Approval of "Ridge Spring":** Consideration of a request by John Coffey for subdivision preliminary approval of "**Ridge Spring**", consisting of 16 lots on approximately 75 acres, off SR #1531 (Booth Road), in Baldwin Township

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

1. The preliminary plat not be scheduled for review by the Chatham County Board of Commissioners until the road plan approval has been received from the North Carolina Department of Transportation.

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

13. **Final Approval of "Camden Ferrington Park, Section VII, Lots 1197 – 1215 and Ferrington, Camden Park, Section VII, Lots 1216-1227":** Consideration of a request by Van R. Finch, Land Surveyor on behalf of Fitch Creations, Inc. for final approval of "**Camden Ferrington Park, Section VII, Lots 1197 – 1215 and Ferrington, Camden Park, Section VII, Lots 1216 –1227**", consisting of 31 lots on approximately 5.4 acres, off SR #1718 (Village Way), Williams Township

As per the Planning Department and Planning Board recommendation, the final plat was approved with the following condition:

1. The plat not be recorded until documentation has been received on the completion of the roadways or a financial guarantee has been received and approved by the County Attorney.

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

14. **Final Approval of "Weaver Creek":** Consideration of a request by Landco Realty for final 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 Planning Board recommendation, the final plat was approved 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).

END OF CONSENT AGENDA

NC AIR QUALITY ISSUES IN MONCURE

The Chairman read a letter that he had written to Dr. Ken Mitchell, US EPA Region 4 regarding NC air quality issues in Moncure. A copy of the letter is attached hereto and by reference made a part hereof.

RESOLUTIONS

Resolution Recognizing the Jordan Matthews High School Men's Soccer Team

The Chairman recognized the Jordan Matthews High School Men's Soccer Team by asking the team to come forward, reading the resolution aloud, and stating that they were being honored for bringing pride and distinction to their school and community in their first season of competitive play. The coach introduced each player and the position they played on the team.

Resolution Honoring Henry Foust as Chatham County's 2002-2003 Teacher of the Year

The Chairman recognized Mr. Henry Foust by asking him to come forward at which time he read the resolution aloud, and stating that he was being honored for his commitment and long-lived service to Chatham County's youth honoring him as Chatham County's 2002-2003 Teacher of the Year.

INPUT SESSION

Betsy Phillips, 84 Granny's Acres, Durham, NC, stated that she lives in the northeast corner of Chatham County known as the "Lost Corners Community"; that she wanted the Board to know how very unhappy the residents are who live in that area; that the Town of Cary has included them in their northwest land use plan which means that in time they will more than likely be annexed into their city limits; that their land use plan has already been passed; that their plan is to put 45,000 people in the northeast edge of the County; that this would be perfectly lawful; that the people who live there need the Board of Commissioners' support in talking with the State Legislators about the matter; that their goal is to have the law amended to give the County Commissioners and citizens more voice about the fifty-year old law; that they know that this is their only chance to remain Chatham County citizens; that they want to stay rural; that four options have been discussed to change or amend the law of municipalities coming into adjoining counties: 1) the majority vote of the people; 2) the majority vote of the adjoining county commissioners; 3) the majority vote of the county commissioners in the county doing the annexing and the majority vote of the county commissioners in the adjoining county and then taking the vote to the people; 4) that no municipality can annex across county lines. She invited the Board to attend a meeting the next night with State Legislators who were going to speak on the issue.

David Legrys, 171 Pokeberry Lane, Pittsboro, NC, thanked Commissioners Givens and Phillips for many things, including e-mails, thanked the Board for their commitment to the County and its citizens and for their many correspondences including e-mails extended a special thanks to Commissioners Givens and Phillips for their vision, dedication, and service to Chatham County citizens.

Rich Hayes, 612 Oak Island Drive, Chapel Hill, NC, urged the Board to fund a Soil Erosion and Sedimentation Control Specialist position in next year's budget. He stated that the County needs a specialist who can help protect Chatham County's interests and resources.

FINANCE DEPARTMENT

Fiscal Year 2002-2003 Budget Amendments: Consideration of a request to approve Fiscal Year 2002-2003 Budget Amendments

After considerable discussion, Commissioner Givens moved, seconded by Commissioner Outz, to approve Fiscal Year 2002-2003 Budget Amendments, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

PLANNING AND ZONING

Public Hearings:

The Chairman administered the oath/affirmation to those in attendance who wished to make public comments.

Public Hearing Request by Carolina Waterscapes, Inc. for a B-1 Business Conditional Use District with a Conditional Use Permit: Public hearing to receive public comments on a request by Carolina Waterscapes, Inc. for a B-1 Business Conditional Use District with a Conditional Use Permit for a landscape design business and a lawn and garden shop on approximately 3 acres, off SR #1008 [Mt. Carmel Church Road], in Williams Township

Tim Upchurch, 9419 Dodsong Crossroads, Chapel Hill, NC, stated that he was an owner of the property on Mt. Carmel Church Road; that all neighbors were offered an opportunity to buy the property; that he was very impressed with the buyers of the property and the business they operate; and that he is convinced that their business would be an asset to the community.

Lauren Fitts, 1815 Billabong Lane, Chapel Hill, NC, stated that they started their business in Chapel Hill three years ago and that they are committed to using the property to the best of their ability.

RESOLUTION

Resolution Honoring Helen Mathias as the 2002 NC High School Athletic Association 1-A Singles Tennis Champion

The Chairman recognized Ms. Helen Mathias by asking her to come forward at which time he read the resolution aloud honoring her as the 2002 NC High School Athletic Association 1-A Singles Tennis Champion.

Public Hearing Request by Neon Impressions, Inc. for a Revision to an Existing Light Industrial Conditional Use District: Public hearing to receive public comments on a request by Nathan Sheaffer on behalf of Neon Impressions, Inc. for a revision to an existing Light Industrial Conditional Use District with a Conditional Use Permit for assembly of machinery and goods from previously prepared parts and light manufacturing or processing not otherwise named, to include the following uses on approximately 5.73 acres on the east side of SR #1008 [Farrington Road], in New Hope Township:

- § Assembly of machines, appliances and goods from previously prepared parts
- § Blueprinting and Photostating establishments
- § Bookbinding
- § Coffee roasting
- § Fur storage
- § General, professional, medical and governmental offices
- § Leather goods manufacture excluding tanning
- § Machine shops
- § Optical and scientific instrument, jewelry and clock, musical instrument manufacture
- § Printing, publishing and reproduction establishments

- § Public and private schools, training and conference centers
- § Repair and service office and household equipment
- § Sheet metal shops
- § Sign manufacture, painting and maintenance
- § Woodworking shops, mill work

Nathan Schaeffer, 441 Hills of the Haw Road, Pittsboro, NC, stated that this request is in keeping with the intended uses for this property and that they have been very sensitive to the nature of the community in formulating this request.

Public Hearing Request by Paul Goodwin for Conditional Use Light Industrial District with a Conditional Use Permit for Contractors Storage Yard: Public hearing to receive public comments on a request by Allen and Teresa Phillips on behalf of Paul Goodwin for a Conditional Use Light Industrial District with a Conditional Use Permit for contractors storage yard specifically for outdoor storage of forest raw materials, an office, and accessory uses and structures and light manufacturing or processing not otherwise named herein provided no operations are carried on, or are likely to be carried on, which will create smoke, fumes, noise, odor or dust which will be detrimental to the health, safety or general welfare of the community, specifically for firewood production, on approximately 6 acres on the south side of Highway #64 East, in New Hope Township

Jim Stutts, 205 East Deer Run, Apex, NC, stated that he is concerned about the proposal, especially the truck traffic; that this proposal compromises the safety of the residents in that area; that there will be a negative visual impact on the area; that there will be water quality issues in the area; and that this project should be opposed.

Jim Miller, 65 Doe Court, Apex, NC, stated that he lives in Deer Run; that we should stick to the designation in the Land Use Plan; that it would make a better impact on visitors to the County.

Teri Phillips, 2584 New Hope Church Road, Apex, NC, stated that she and her husband are owners of the business proposed on this site; that they understand the concerns of neighbors; that there are three tractor-trailers and twenty dump trucks that enter and leave daily; that she measured the decibels and they comply with the ordinance; that they are adding a heavy vegetative buffer around the property; that the logs are not treated and run-off water is not chemically enhanced; and that they just want to bring their business to the County in which they live.

Al Phillips, 2584 New Hope Church Road, Apex, NC, stated that the property is bordered on three sides by industrial sites and that was the reason they picked this site.

Larry Ballas, 139 Indian Creek Lane, Apex, NC, stated that he was in favor of this project; that this Board or the new Board coming in must decide where they are going to put people or risk facing this question again and again.

Jim Goldston, 11305 Derby Lane, Raleigh, NC, stated that he owns the property surrounding this proposed area; that he has concerns about the number of truckloads per day; that when his business was approved, a 30-foot easement was required; and that if this is approved, similar requirements should be required of the owners.

Tom Colhoun, 1506 N. Salem Street, Apex, NC, stated that he has been working with the owners; that he proposes a higher and better use for the property; and that this is a better use at this time.

Kevin O'Neal, 584 Olde Thompson Creek Road, Apex, NC, stated that he was on the development team of Heritage Point; that they are concerned about the high volume of truck traffic; and that they are concerned for the homeowners in that area.

Public Hearing Proposed Amendment to the Chatham County Zoning Ordinance, Section 10.5 [B-1 Business District, A. Permitted Uses]: Public hearing to receive public comments to consider a proposed amendment to the Chatham County Zoning Ordinance, Section 10.5 [B-1 Business District, A. Permitted Uses] to include Arts and Crafts fabrication and related sales

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

Amendment to the Chatham County Noise Ordinance: Public hearing to receive public comments on an amendment to the Chatham County Noise Ordinance

Robert Lytton, 510 Lydia Perry Road, Sanford, NC, stated that multiple warnings have been issued to the NC Sports Arena; that calls to the Sports Arena pull deputies away from other enforcement duties; that no one responds to calls for assistance; that the noise pollution continues until 2:00 AM; that it is after 2:00 AM every Friday and Saturday night before anyone can go to sleep in that area; that gunshots have been fired four consecutive weekends in a row; and that changing the noise ordinance may protect other communities.

Teresa Hutchison, PO Box 116, Goldston, NC, stated that there are not enough calibrated noise meters in the County; that it should be left up to the discretion of the officers; and that it should be based on the C rating, not the A rating as the C rating picks up bass levels. She urged the Board to consider bass levels and questioned why warnings were issued instead of violations.

Ashley Hutchison, PO Box 116, Goldston, NC, stated that she and her family are not members of the KKK; that they are being denied their right to a good night's sleep; that exposure to loud music can affect in-utero development and other health problems in adults and children.

Norm Koch, 214 Julius Davis Road, Goldston, NC, stated that the C rating should be used instead of the A rating; that warnings should only be given one time; that the meter reading should be taken at the origin of the source; and that there should be more meters available for the Sheriff's Department.

Tracy Koch, 214 Julius Davis Road, Goldston, NC, stated that someone in the County will get the short end of the stick with only two meters available for use; and that if the meter is not available, the officer may use their own discretion in dealing with the situation. She further stated that the bass is the primary problem; that the bass must be included in the rating; and that what is there isn't working.

Terry Ward, PO Box 607, Liberty, NC, stated that the A rating does measure bass; that they have met with the mediation team suggested by the Board; that the new video tape shot highlights of new noise readings; that this is not a noise problem at the NC Sports Arena; that it allows law enforcement to be heavy handed about issuing warnings and fines; that this will be a severe introduction to the noise ordinance for those unfamiliar with it; that this is the NC Sports Arena amendment; that the current Sheriff has chosen not to enforce false complaints; that performing music groups change every week; and that these changes make it easier to criminally charge with violations.

An Unidentified Speaker stated that the last comments were an argument for a change in the Noise Ordinance.

PRESENTATION

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Resolution to Attorney General Roy Cooper to Halt Rail Shipment of High-Level Nuclear Waste Across North Carolina: Consideration of a presentation on halting the rail shipment of high-level nuclear waste across North Carolina and adoption of **Resolution to Attorney General Roy Cooper to Halt Rail Shipment of High-Level Nuclear Waste Across North Carolina**

Judy Hogan, stated that she lives in Moncure within a mile of the train track. She asked that the Board ask the North Carolina Attorney General, Roy Cooper, to tell CP&L/Progress Energy to halt their monthly shipments of high-level nuclear waste to Shearon Harris; that the trains cannot be protected from terrorist attack; that they are easily derailed; that canisters can be broken into and exploded within five minutes by weapons available on the open market; that each cask is filled with radioactive material, including the especially dangerous Cesium 137; that the NRC expects local emergency personnel to handle accidents; that when asked how they would respond, in different scenarios, to a train carrying one 70-ton cask, a Moncure Fire Department volunteer stated that they wouldn't know what it was carrying until they got the manifest from the engineer; that if there was a fire, they would hopefully put it out; that with such a cask, per an NRC booklet, if engulfed in a 1700 degree fire for 1.35 hours would be severely damaged, causing a melting of the lead shield and/or a degradation of the closure seal; that they would call in Emergency Operations, nearby counties, and the State; that he estimated one hundred people live near the tracks; that within a mile of such an accident, the estimate would be three hundred which include many elderly and disabled; that they would evacuate people but would not do it with sirens; that it would likely be at night; that either the railroad or Shearon Harris would have to bring in cranes if the cask were off the rails; that a guard would be set up; that if a terrorist event exploded a nuclear cask near the Moncure Post Office, a ten-mile zone and beyond would have to be evacuated; that the post office is seven miles from the plant by air; that they would determine which direction the plume was going and notify fire departments in other counties; that one-fourth of the North Carolina population lives within fifty miles of the Harris Plant; that there is no emergency evacuation plan for a train accident or a pool storage fire; that the potential threat to nuclear plants is very real; that the consequences of a catastrophic attack against a nuclear power plant are simply incalculable; that urgent steps must be taken to enhance protections for one of the most vulnerable components of a nuclear power plant, its spent fuel; that the risks from loss of coolant in a spent fuel storage pool would cause radiation levels to rise rapidly to the point where no work could be done on the unit; that the fuel would then burn spontaneously; that there would be acute lethal gamma doses from Cesium-137 within a mile or two of a fire from a storage facility smaller than the one at the Harris Plant; and that the same report notes that widespread contamination in the southeastern United States could be worse than that of the Chernobyl fallout.

Kathy Hawkins, CP&L representative, stated that she appreciated the opportunity to come before the Board to discuss the issue of used nuclear fuel. She stated that the Shearon Harris Plant generates electricity to power 400,000 homes at any one time; that nuclear energy produces about 40% of all the electricity used in the State; that at Progress Energy, they take seriously their responsibility to their customers to generate safe and reliable electricity at the lowest possible cost; that it is their responsibility to look at every possible means of generation that would be beneficial to their customers in terms of safety, environmental impact, reliability and cost; that a well-balanced mix of generation is important as well, since no fuel source is immune to price swings or even shortages; that while they all hold out hopes of new advances in technology, when it comes to generating large amounts of electricity – like the 900 megawatts produced at the Harris Plant, there are only three fuel choices, coal, natural gas, and nuclear; that almost half of the electricity in North Carolina is produced by nuclear power; nuclear energy has perhaps the lowest impact on the environment, including air, land, water, and wildlife, of any energy source; that nuclear fuel looks and feels the same if it is new or used; that it is a hard ceramic pellet about the size of the tip of a little finger; that even when new, nuclear fuel is too weak to explode; that uranium mined from the ground is less than one percent fissionable and must be enriched to four percent in order to be used in a nuclear reactor; that weapons grade uranium is enriched 20 to 90 percent; that nuclear fuel does not burn when used in a nuclear reactor; that it is not flammable; that the

nuclear energy industry is the only industry established since the industrial revolution that has managed and accounted for virtually all of its by-product material; that by reducing, eliminating, or managing their waste, nuclear facilities have prevented or lessened adverse impacts on water, land, habitat, species and air from releases or emissions in the production of electricity; that throughout the nuclear fuel cycle, the small volumes of nuclear by-products actually created are carefully contained, packaged and safely stored – or permanently disposed as low-level waste; that at Progress Energy, they manage the storage of used fuel by transferring it from their Robinson and Brunswick Plants, which have limited storage, to the Harris Plant which has surplus storage; that spent fuel is shipped in robust, state-of-the-art Nuclear Regulatory Commission (NRC)-certified containers with tons of steel and radiation shielding; that in contrast to what one might believe based on Hollywood depictions, spent fuel is shipped dry and cannot explode; that experience is the best indicator of the success of the disciplined process applied to spent fuel transport; that CP&L has been shipping used fuel, without any safety problems, for fourteen years; that there have been no accidents anywhere in the United States resulting in the release of radioactive material to the environment; that while the horrific events of September 11, 2001 may have focused attention on these issues, stringent safeguards and security measures have long been in place as a normal condition of transport for spent fuel; that they continue to enhance their safeguards and security efforts commensurate with mandated additional requirements; that they have incorporated a number of state and federal agencies into their security plans; that no transfer of used fuel is made without the agreement of these agencies; that information about shipping schedules, as well as specific measures in place to protect these shipments, is kept confidential as part of their coordinated effort with state and local law enforcement to ensure safety; that the fuel is shipped in specially designated, fortified containers built to withstand severe accidents, including high-speed crashes, explosions, fires and submersion in water; that once the fuel arrives at Harris, it is stored in concrete, steel lined pools inside a reinforced, secure and protected facility; that there are many companies, government agencies and other organizations that regularly transport radioactive material including spent fuel; when Yucca Mountain is licensed as the national repository for the nation's spent fuel, many other companies will be shipping used nuclear fuel; that since 1983, their customers have contributed more than \$500 million to a federal waste fund to finance a permanent solution for spent fuel storage that was supposed to be available in 1998, the industry has contributed nearly \$16 billion; that generating safe reliable electricity and dealing with the issue of spent fuel shipping and storage are serious issues important to all their customers, including Chatham County residents; that over 100 CP&L employees live with their families in Chatham County and more than 600 employees go to work every day at the plant; that they are committed to the safety of these employees as they are to safety.

She urged the Board of Commissioners to give this matter serious thought and suggested that having a vote like this two weeks before a new commission is sworn in raises questions. She also asked Chairman Phillips, as a public advocate for the group that brought forth the resolution, to recuse himself from the vote. She thanked the Board for allowing her the opportunity to speak.

Commissioner Outz stated that he recognized the importance of nuclear power, but that he feels that there are two sides to the issue; that disposal has been delayed; that the spent fuel rods are supposed to go to Nevada for deposit; that the federal government has lagged on this issue; that CP&L has tripled their security measures; that the issue has been to court which has ruled in their favor; that a lot of co-ops depend on CP&L from which to buy their power; that he hopes some researcher will come up with a way to neutralize the energy; that more research needs to be done; that CP&L is a good neighbor; and that they have been the largest tax payer in the County for more than 43 years.

Commissioner Givens stated that no one has spent more time than he has researching this issue; that this was done as a personal effort, not as a commissioner; that he sees hidden agendas and that he does not agree on it; that he sees a possibility of terrorism; that there is no problem with storage pools; that he has been on both sides; that if NC Warn had taken his advice, this would not be an enemy; that the Country is at war; that he sees how it can be sabotaged; that he does not agree with all that is being said; that he does wish

shipments could be stopped; that he thinks that each new board member needs to decide for himself; that he sees no problem; that he thinks that everyone needs to hear the briefings; that they might find out some information that would make them happier; that he will not vote for the resolution for numerous reasons; and that he thinks the new Board members need to go for briefings to see and hear for themselves.

Chairman Phillips stated that it was not his resolution; that he did not advocate for it; that he respects CP&L employees very much; that he has church parishioners and friends who support it; that he will continue to speak out on those issues; that the resolution would need some editing in order for him to support it; that he is concerned about the transportation issue; and that he is opposed to hazardous waste being transported across North Carolina.

Commissioner Givens moved, seconded by Commissioner Outz, to table the **Resolution to Attorney General Roy Cooper to Halt Rail Shipment of High-Level Nuclear Waste Across North Carolina.**

Commissioner Pollard stated that everyone is in a new world since September 11, 2001; that all feel somewhat threatened some of the time; that all have become aware of the hazards and war taking place within our boundaries; that the issue of how to assure the safety of citizenry is a very complex issue; that she struggled over resolution and like others she finds problems with it; that she understands the concerns of those who developed the resolution; that she thinks that one thing that they might want to do is have briefings and invite pertinent folks to discuss what can be done with regard to public safety; that she thinks that Homeland Safety which includes transport of spent nuclear rods is an issue that rests outside the purview of local government; that the US Congress is clear where the responsibility rests; that to take on or pretend to know something that she doesn't know or take responsibility for something that she doesn't know she finds threatening, and that she could make a mistake trying to do the right thing.

Commissioner Atwater stated that he observed three weeks ago that the subject resolution would be on the agenda at some point; that he has tackled every issue during his term as best he could; that he is not going to abrogate his present responsibility to this Board or to any future Board or Boards; that when responsibility is placed before this Board, he will meet his responsibility; that he has prepared a revised resolution addressing matters that he does, through common sense, know something about; and that with all due respect to the CP&L officials present and particularly to Ms. Hawkins, he regretted very much that she was not treated with the same respect accorded Ms. Hogan.

The motion carried three (3) to two (2) with Commissioners Phillips and Atwater opposing to table the resolution.

***The above motion was amended to accurately reflect the correct vote as per the January 6, 2003 Board of Commissioners' Minutes.**

Commissioner Atwater was asked to read the revised resolution on the rail transportation of spent nuclear fuel rods to the Research Triangle Region.

Upon further discussion, Commissioner Atwater moved, seconded by Chairman Phillips, to approve the revised **Resolution #2002-49 to Halt Rail Shipment of High-Level Nuclear Waste Across North Carolina**, attached hereto and by reference made a part hereof. The motion carried three (3) to two (2) with Commissioners Givens and Outz opposing.

PUBLIC WORKS

Jordan Lake Allocation Contract with the State of North Carolina: Consideration of a request to approve Contract Between the State of North Carolina and Chatham County for Water Supply Storage in B. Everett Jordan Lake

Commissioner Atwater moved, seconded by Commissioner Pollard, to approve the contract for Jordan Lake allocation and authorize the Chairman to execute same in the name of Chatham County, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

3M Change Order: Consideration of a request to approve a provision for a group of 3M change orders out of sequence with other portions of the 3M Water Extension Contract

Commissioner Givens moved, seconded by Commissioner Atwater, to approve the final change order for 3M Water Main Improvements, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

HUMAN RELATIONS

Reclassification of Communications Director and E-911 Specialist Positions: Consideration of a request to reclassify the Communications Director position and the E-911 Specialist position

Commissioner Givens moved, seconded by Commissioner Atwater, to approve the reclassification of the Communications Director position from a grade 17 to a grade 21; and the E-911 Specialist position from a grade 11 to a grade 15. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Agriculture Advisory Board Appointment: Consideration of a request to appoint a member to the Agriculture Advisory Board by Commissioner Outz

This item was deferred until a later date.

MANAGER' S REPORTS

The County Manager reported on the following:

Appreciation to Board Members:

The County Manager expressed appreciation to the retiring Board members for their hard work efforts on behalf of Chatham County.

COMMISSIONERS' REPORTS

Chairman Phillips expressed his appreciation to fellow Board members for their support during the past four years.

Commissioner Givens expressed his appreciation to everyone for their support while he has been a member of the Board.

Commissioner Outz thanked everyone with whom he had served on the Board.

Commissioner Atwater expressed appreciation to the out going Board members for their service to Chatham County and their efforts in making some very difficult decisions.

Presentation of Plaques of Appreciation:

Vice Chairman Pollard presented plaques of appreciation to Chairman Phillips and Commissioner Givens for their years of service to the citizens of Chatham County as members of the Chatham County Board of Commissioners.

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 (0), and the meeting was adjourned at 9:45 PM.

Margaret B. Pollard, Vice Chair

ATTEST:

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