

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
OCTOBER 21, 2002

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 21, 2002.

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

Absent: Commissioner Rick Givens

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

INVOCATION AND PLEDGE OF ALLEGIANCE

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.

Charlie Horne, County Manager asked that Item #9, a public hearing on a request by **SpectraSite Communications** for a Conditional Use Light Industrial District with a Conditional Use Permit for a 30 foot tall communication tower be removed from the Agenda at the request of the applicant.

Commissioner Pollard moved, seconded by Commissioner Outz, to approve the Agenda with the noted request. The motion carried four (4) to zero (0).

CONSENT AGENDA

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

The County Manager asked that Item #8, Consideration of a request to approve a Certificate of Appreciation for Henry Foust, be removed from the Consent Agenda and deferred until the November 18, 2002 Board of Commissioners' meeting.

Commissioner Atwater 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 October 07, 2002

The motion carried four (4) 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 four (4) 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 four (4) to zero (0).

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

- A. Fern Ridge Drive
- B. LC Farm Road
- C. Sankey Lane

The motion carried four (4) to zero (0).

5. **Resolution of Intent to Close Certain Portions of Public Streets and Alleyways in Bennett:** Consideration of a **Resolution #2002-42 of Intent to Close Certain Portions of Public Streets and Alleyways in the Village of Bennett, Chatham County, North Carolina** and consideration of a request to hold a public hearing on November 4, 2002 on the request:

1. That portion of Washington Street (80 foot right-of-way) which extends eastwardly from Chatham Street approximately 1432 feet to James Welch's line
2. All that portion of Gaston Street (80 foot right-of-way) extending eastwardly from Chatham Street approximately 1432 feet to James Welch's line
3. All that portion of Lee Street located between Washington Street and Gaston Street
4. All that portion of Vance Street which lies between Washington Street and Gaston Street
5. All that portion of Maple Street which lies between Washington Street and Gaston Street
6. All those alleyways which, on information and belief, are 10 feet wide and were originally laid out on the "Map of Bennett" in 1915 according to a plat entitled, "Map of Bennett, North Carolina" which alleyways are located between Chatham Street and Maple Street and between Washington Street and Gaston Street

The motion carried four (4) to zero (0).

6. **Central North Carolina Regional Library Internet Policy:** Consideration of a request to

approve the Central North Carolina Regional Library Internet Policy, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

7. **Fiscal Year 2002-2003 Budget Amendments:** Consideration of a request to approve Fiscal Year 2002-2003 Budget Amendments, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

8. ~~**Certificate of Appreciation for Henry Foust:** Consideration of a request to approve a Certificate of Appreciation for Henry Foust~~

This item was removed from the Consent Agenda and deferred until the November 18, 2002 Board of Commissioners' meeting.

INPUT SESSION

Bob Knight, Chimney Rock Road, Sanford, NC, questioned the placement of election signs. He stated that there were a lot of discrepancies in the enforcement in placement of the signs; that there were a lot of signs in the right-of-way on Highway #15-501 between Pittsboro and the Deep River Bridge and signs in the medians on Highway #64 East toward Raleigh; and that there were political signs under traffic signs. He also asked about the handicapped accessibility project status.

The County Manager explained that ADA requirements are to be discussed as part of budgetary considerations at the upcoming Board of Commissioners' retreat.

Tom Bender, thanked the Board for their support of the petition for closing certain portions of streets and alleyways in Bennett.

The County Attorney asked that the resolution, specific to the closing of the streets in Bennett, be adopted.

RESOLUTION OF INTENT TO CLOSE CERTAIN PORTIONS OF PUBLIC STREETS, ALLEYWAYS AND EASEMENTS

Commissioner Pollard moved, seconded by Commissioner Outz, to adopt **Resolution #2002-42 of Intent to Close Certain Portions of Public Streets, Alleyways, and Easements in Chatham County**, attached hereto and by reference made a part hereof. The motion carried four (4) to zero (0).

PLANNING AND ZONING

Public Hearing:

~~**Conditional Use Light Industrial District with a Conditional Use Permit for communication Tower:** Public hearing to receive public comments on a request by **SpectraSite Communications** for a Conditional Use Light Industrial District with a Conditional Use Permit for a 30 foot tall communication tower (and related variance on height) on property owned by Shirley and Mary Goodwin on the south side of US #64 East~~

This item was removed from the Agenda at the request of the applicant.

Proposed Amendment to the Chatham County Zoning Ordinance Section 16.4 Appeal Procedure: Consideration of a proposed amendment to the **Chatham County Zoning Ordinance Section 16.4 Appeal Procedure**. This section is proposed to be revised to be in compliance with North Carolina General Statutes concerning appeals to the Zoning Board of Adjustment. The language will clarify that appeals are limited to be made by aggrieved parties.

As per the Planning Board and the Planning Department recommendation, Commissioner Pollard moved, seconded by Commissioner Atwater, to adopt the revised text as presented:

Page 67 Section 16.4 Appeal Procedure. All appeals from the enforcement and interpretation of this Ordinance, including appeals for variance from the terms of the requirements set forth shall be submitted to the Chatham County Zoning Enforcement Officer within 30 days of enforcement or interpretation (see table below), and shall be addressed to the Chatham County Board of Adjustment. Appeals may be initiated by aggrieved parties.

Enforcement Sequence

1. Notice of Violation-30 days from receipt
2. Warning Citation
3. Citation
4. Criminal Summons

Interpretations

1. Letter of decision-30 days from date
2. Permit-30 days from approval date

The motion carried four (4) to zero (0).

Commissioner Pollard asked the Planning Director if the new County roads were protected from being flooded with billboards and signs.

The Planning Director explained the specifics of the Off-Premise Sign Ordinance.

BOARDS AND COMMITTEES

Agriculture Advisory Board Appointment: Consideration of a request to appoint a member to the Agriculture Advisory Board by Chairman Phillips

This appointment was deferred until a later date.

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

Commissioner Pollard moved, seconded by Commissioners Outz, to appoint Al Craven, 2832 Airport Road, Siler City, NC, to the Recreation Advisory Board. The motion carried four (4) to zero (0).

Appearance Commission Appointment: Consideration of a request to appoint a member to the Chatham County Appearance Commission

Chairman Phillips moved, seconded by Commissioner Pollard, to appoint Brad Crittenden, 107 Persimmon Hill, Pittsboro, NC, to the Appearance Commission. The motion carried four (4) to zero (0).

Community Child Protection Team Appointment: Consideration of a request to appoint a member

to the Community Child Protection Team

Commissioner Atwater moved, seconded by Commissioner Pollard, to appoint George Friday, 200 Sanford Highway, Suite #4, Pittsboro, NC, to the Community Child Protection Team. The motion carried four (4) to zero (0).

MANAGER' S REPORTS

There were no Manager's Reports.

COMMISSIONERS' REPORTS

State Mental Hospital:

Commissioner Pollard voiced concern with regard to a newspaper article's suggestion that the State Mental Hospital was to be located in Granville County. She reiterated that it would be a great injustice to the patients who are to be served in that catchment's area when thinking about those in the southwestern and northwestern locations; that she wants to keep it on the front burner that Chatham County is most centrally located; that it is important for the County to use its influence to get officials to see the merit in centrally locating the hospital for the patient as well as the medical staff that will be relating to the hospital. She further stated that she would be in contact with elected representatives regarding this issue.

The County Manager stated that staff is waiting now on consultants' reports on site designation for the new hospital.

Sports Arena:

Commissioner Outz stated that he had received a call regarding someone firing three shots into the Sports Arena located on Highway #421. He stated that he had heard rumors that the owner was thinking about opening the business on Sundays; that the owner parked his vehicle over a leaking waterline prohibiting it from being repaired; that something needs to be done about it.

The County Manager explained that the Noise Ordinance is being amended to be returned to the Board for final approval and adoption in November.

County Attorney, Bob Gunn, stated that firing into an occupied building is a felony; that he hopes the Sheriff is investigating the matter; that he doesn't know anything specific that the Board could do except to encourage the Sheriff to do everything that he can to enforce it; that there are nuisance laws but that it has to be a public nuisance and he is not sure that the conduct that he has heard, up to this point, would sustain a suit to close the owner down under the nuisance laws; that he will be happy to take a further look at the matter and report back to the Board.

Soccer Team at Northwood High School:

Chairman Phillips stated that approximately six to seven years prior to the day's date, Northwood High School developed the first high school soccer team in Chatham County; that a couple of years ago, Chatham Central created a soccer team; that for some reason, there was a tremendous amount of resistance to create a team at Jordan Matthews School; that last year the resistance was overcome and the new principal gave a lot of support to developing a team; that they began with a girl's team and added a boy's team this year; that the guidance counselor has said that it was a major force in keeping the Hispanic kids in school; that they are

playing a different kind of soccer; that the first time they played they did not even know each other's names; that they called each other by number; that they have three coaches; that they completed the season with a record of 13 and 2; that they have been beaten only by the current State champions; and that they are preparing to go into State tournaments next week. He encouraged the Board to go see the team play

ADJOURNMENT

- Commissioner Atwater moved, seconded by Chairman Phillips, that there being no further business to come before the Board, the meeting be adjourned. The motion carried four (4) to zero, and the meeting was adjourned at 7:40 PM.

Gary Phillips, Chairman

ATTEST:

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