

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
OCTOBER 07, 2002

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Building Auditorium, 45 South Street, located in Pittsboro, North Carolina, at 10:00 AM on October 07, 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 10:00 AM.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Chairman invited everyone present to stand and recite the Pledge of Allegiance after which Commissioner Atwater gave the invocation.

AGENDA

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

Commissioner Givens moved, seconded by Commissioner Pollard, 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 adopt a **Resolution Establishing Intent to Form a Three-County Public Entity to Serve as the Local Management Entity for Mental Health Services in Orange, Person, and Chatham Counties**, be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

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 September 16, 2002

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

2. **Resolution Honoring Gail Crider:** Consideration of a request to adopt **Resolution #2002-36**

of Appreciation to Gail Crider for Her Service to Chatham County on the Chatham County Recreation Advisory Board, attached hereto and by reference made a part hereof.

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

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

A. **Blueberry Ridge** B. **Mike Lashley Lane**

4. **Charging Off Property Taxes:** Consideration of a request to charge off 1992 property taxes, list attached hereto and by reference made a part hereof.

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

5. **Resolution Setting Time and Place of Board of Commissioners' Meetings for 2003:** Consideration of a request to adopt a **Resolution #2002-37 Setting the Time and Place of Its Regular Meetings for the Chatham County Board of Commissioners for Calendar Year 2003**, attached hereto and by reference made a part hereof.

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

6. **Resolution Levying the Third One-Half Cent Local Government Sales and Use Tax:** Consideration of a request to adopt **Resolution #2002-38 Levying the Third One-Half Cent Local Government Sales and Use Tax and Prescribing the Method of Distribution of the Proceeds within Chatham County**, attached hereto and by reference made a part hereof.

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

7. **Income Maintenance Caseworker II Position:** Consideration of a request to increase an Income Maintenance Caseworker II Position from $\frac{3}{4}$ time to full-time

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

8. ~~**Resolution Establishing Intent to Form a Three-County Public Entity to Serve as the Local Management Entity for Mental Health Services:** Consideration of a request to adopt a **Resolution Establishing Intent to Form a Three-County Public Entity to Serve as the Local Management Entity for Mental Health Services in Orange, Person, and Chatham Counties**~~

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

9. **Sketch Design Approval of "Bobcat Point, Phase III, Lots 83-88":** Consideration of a request by Ricky Spoon for subdivision sketch design approval of **"Bobcat Point, Phase III, Lots 83 – 88"**, consisting of 6 lots on approximately 20 acres, off SR #1559 (Emerson-Cook Road), Hadley Township

As per the Planning Department and the Planning Board recommendation, sketch design approval of the plat was granted as submitted.

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

10. **Preliminary Plat Approval of "Strowd Mountain":** Consideration of a request by Mark N. O'Neal, Pickett-Sprouse Real Estate on behalf of Syd Alexander, Personal Representative for the Irene H. Strowd Estate for preliminary approval of **"Strowd Mountain"**, consisting of 21 lots on approximately 105 acres, off SR #1539 (Crawford Dairy Road), Baldwin Township

As per the Planning Department and Planning Board recommendation, preliminary approval of the plat was granted as submitted.

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

11. **Sketch, Preliminary, and Final Approval of "Wilsonville Fire Station":** Consideration of a request by North Chatham Fire Department for subdivision sketch, preliminary, and final approval of **"Wilsonville Fire Station"**, consisting of one (1) non-residential lot on 4.82 acres, off Highway #64 E, New Hope Township

As per the Planning Department and Planning Board recommendation, sketch, preliminary, and final approval of the plat was granted as submitted.

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

12. **Final Design Approval of "Chestnut Crossing":** Consideration of a request by Ricky Spoon Builders for subdivision final design approval for **"Chestnut Crossing"**, consisting of 31 lots, on approximately 97 acres, off SR #1943 (Gum Springs Church Road), in Haw River Township

As per the Planning Department and Planning Board recommendation, final approval of the plat was granted as submitted.

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

13. **Revision of Light Industrial Conditional Use District with a Conditional Use Permit for Neon Impressions/EMJ America:** Consideration of a request by Nathan Sheaffer for a revision of the **Neon Impression/EMJ America** Light Industrial Conditional Use District with a Conditional Use Permit dated 8-21-95 for assembly of machinery and goods from previously prepared parts and light manufacturing or processing not otherwise named on 6.78 acres on the east side of SR #1008 [Farrington Road] in New Hope Township - to reduce the acreage to 5.7 acres

As per the Planning Department and Planning Board recommendation, approval of the request was granted as submitted.

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

14. **Revision of Conditional Use Permit for Daycare Centers:** Consideration of a request by Mary P. Hardin for revision of a Conditional Use Permit dated June 20, 1991 for four [4] daycare centers, in four [4] townhouse units, with a maximum of 19 children each and for a revision to the August 22, 1994 revised Conditional Use Permit for an expansion of the

daycare in the four [4] existing units from 19 to 20 children and to allow after school care in four (4) additional units with a maximum of 20 children each with the condition that the loop road providing service to the center be blocked until it is improved to state standard – to decrease the number of children in each daycare unit and after school unit from 20 children to 15 children each and to decrease the playground space 25%. Located on the east side of Highway #15-501 North in Williams Township

As per the Planning Department and Planning Board recommendation, approval of the request was granted as submitted.

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

15. **Proposed Amendments to the Chatham County Subdivision Regulations Section 6.1B Land Subject to Flood:** Consideration of proposed amendments to the **Chatham County Subdivision Regulations Section 6.1B. Land Subject to Flood**. This section is proposed to be amended to reference the most recent Flood Insurance Rate Maps (FIRM) dated July 16, 1991 prepared by the Federal Emergency Management Agency. The proposal is also to reference “best available data” to allow for the incorporation of more accurate data than the FIRM may provide.

As per the Planning Department and Planning Board recommendation, the proposed language was adopted as presented.

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

16. **Proposed Amendments to the Chatham County Flood Damage Prevention Ordinance:** Consideration of proposed amendments to the **Chatham County Flood Damage Prevention Ordinance**. Various sections are proposed to be revised to reference “best available data” to allow for the incorporation of more accurate data than the FIRM may provide. Article 5 Section D is proposed to be revised to clarify flood damage prevention standards for subdivisions.

As per the Planning Department and Planning Board recommendation, the proposed language was adopted as presented.

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Rev. Terry Dorsey, PO Box 1520, Pittsboro, NC, stated that as a resident of Chatham County for the past decade, he was coming to the Board for consideration of three related issues. He stated that the first and most significant was that of seasonal hunting and the discharge of firearms not contained by the hunting season; that living adjacent to the North Carolina game lands near Robeson Creek, there is constant shooting seven days per week; that family and guests have endured this for years and since his future plans include the development of a small retreat center, the continual hunting and poaching is quite disturbing; that the incidence of this shooting, trespassing and poaching in this area is on the rise as unrestricted hunting counties are on the decline; that he is not contesting the right of any qualified person to hunt, however, the predawn shooting robs them of any peace and the after dark shooting leaves us prisoners of their own home; that he lives on a ridge adjoining the game lands and given the high caliber of weaponry used, it is simply not safe for

his family, pets, and guests during hunting season; that he has literally dodged bullets and been cursed by hunters; that he had too often called upon understaffed wildlife and sheriff's offices; that he has seen a lawlessness increase in the area; that littering increases in the fall during hunting season; that there has been a significant increase in traffic and speeding; that heavy dump trucks gain speed with heavy loads eliminating safe distance breaking on curves and hills; and that the road is paved as a "B" grade road which contributes to noisy travel.

He respectfully submitted the following requests to the Board:

- 1.) That available law enforcement provide some consistent monitoring of traffic and hunting areas, especially during hunting season.
- 2.) That speed limit signs, consistent with North Carolina law for rural residential areas and trucks, be posted and occasionally enforced.
- 3.) That rules and fines that regulate hunting (i.e. times, distance from residences, littering, etc.) be posted in the area and occasionally enforced by State Park Rangers and NC Wildlife.
- 4.) That requests are made to the proper NC agencies to consider moving the game lands' boundaries away from residences.
- 5.) That a request is made of the Department of Transportation to upgrade the grade of Hanks Chapel Road where it is noisy and inconsistent with other sections.
- 6.) That residents in the Pittsboro ETJ are provided with some secondary law enforcement from the Pittsboro Police Department.
- 7.) That the County reevaluate its law enforcement needs and that all of the officers are paid, equipped and trained and supported in light of the risks and demands of their duties.

He thanked the Board for their leadership and service to the County and stated that he appreciated their consideration of his concerns.

Commissioner Atwater cautioned Rev. Dorsey about confronting hunters and expressed concern with regard to his safety in doing so. He suggested that he post "no hunting" signs on his property and place a copy of the posting at the Chatham County Courthouse.

Chairman Phillips asked that a copy of Rev. Dorsey's letter be sent to the Sheriff's Department for a response and that a copy also be sent to the Army Corps of Engineers requesting a meeting with them at a work session sometime during the next several months to discuss Corps lands.

Commissioner Atwater asked that school officials be informed of the meeting so that they may participate as well due to school lands abutting up against forest/Corps lands.

Commissioner Pollard asked that a copy of the letter also be sent to the Town of Pittsboro Police.

RESOLUTION ESTABLISHING INTENT TO FORM A THREE-COUNTY PUBLIC ENTITY TO SERVE AS THE LOCAL MANAGEMENT ENTITY FOR MENTAL HEALTH SERVICES

Resolution Establishing Intent to Form a Three-County Public Entity to Serve as the Local Management Entity for Mental Health Services: Consideration of a request to adopt a **Resolution Establishing Intent to Form a Three-County Public Entity to Serve as the Local Management Entity for Mental Health Services in Orange, Person, and Chatham Counties**

After considerable discussion, Commissioner Givens moved, seconded by Commissioner Atwater, to

adopt **Resolution #2002-39 Establishing Intent to Form a Three-County Public Entity to Serve as the Local Management Entity for Mental Health Services in Orange, Person, and Chatham Counties.** The motion carried five (5) to zero (0).

Commissioner Atwater asked that the North Carolina Association of County Commissioners (NCACC) be asked to target and focus on this issue.

"SAFE HAVENS" PRESENTATION

Safe Havens - Supervised Visitation and Safe Exchange Program: Presentation on "Safe Havens - Supervised Visitation and Safe Exchange Program" by Carmen Coley

Carmen Coley, Coordinator of Child Victim Services, summarized the "*Safe Havens: Supervised Visitation and Safe Exchange Program*" and informed the Board of the grant received. A copy of the program is attached hereto and by reference made a part hereof.

Commissioner Pollard moved, seconded by Commissioner Givens, to accept the grant in the amount of \$337,153.00 over the next two years for the "*Safe Havens – Supervised Visitation and Safe Exchange Program*" funded by the United States Department of Justice, (Violence Against Women Office). The motion carried five (5) to zero (0).

PROCLAMATION DECLARING "CUSTOMER SERVICE WEEK"

Proclamation Declaring "Customer Service Week": Presentation by Renee Dickson and consideration to adopt **Proclamation Declaring October 7-11, 2002 as "Customer Service Week" in Chatham County**

Renee Dickson, Director of Organizational Development, stated that October 7-11th is "Customer Service Week" throughout the nation. She stated that those seeking services from the County deserve quality customer service. She explained that there are a number of things being done to improve customer service; that some department goals measure customer satisfaction; that many of the performance agreements that employees have done include customer service objectives; that about forty-five County employees recently completed a four-part customer service class that was taught in-house; that a number of things regarding customer service were looked at, including skills and how to deal with difficult customer situations; that in recognition of "Customer Service Week", staff is asking that the Board adopt the resolution; that employees are being asked to play "Customer Service Bingo", (**B**eing **I**n tune to the **N**eeds of our customers and **G**iving them **O**utstanding service) a game devised by employee Robin James, and complete five different actions during the week; that employees are being reminded what good customer service looks like; that some departments are recognizing customers including refreshments, sprucing up their lobbies to make them more customer friendly, distributing surveys, and sending thank you notes.

Commissioner Outz expressed concern with regard to complaints he had received from employees performing property evaluations and stated that they needed to use a little more tact while doing their jobs. He also expressed concern with regard to the County's automated telephone system and the inability to reach a person without having to go through a series of numbers and name spellings.

Commissioner Givens moved, seconded by Commissioner Atwater, to adopt **Resolution #2002-40 Declaring October 7-11, 2002 as "Customer Service Week" in Chatham County**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

PLANNING AND ZONING

Proposed Amendment to the Chatham County Educational Impact Fee Ordinance Section IV – Public School Impact Fee Exceptions: Consideration of a proposed amendment to the **Chatham County Educational Impact Fee Ordinance Section IV – Public School Impact Fee Exceptions**. The proposed amendment is to include as an exception to the impact fees temporary residential dwellings, specifically campers, motor homes and travel trailers.

After considerable discussion, Commissioner Givens moved, seconded by Commissioner Atwater, to accept the Planning Department and Planning Board recommendation and adopt the proposed language as presented, a copy attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

HEALTH DEPARTMENT

Combining of Nutritionist II Positions: Consideration of a request to approve the combining of two .5 full-time employee Nutritionist II positions into 1.0 full-time employee Nutritionist II position for the Health Department

Commissioner Atwater moved, seconded by Commissioner Pollard, to approve creating a 1.0 full-time employee Nutritionist II position by combining two .5 full-time Nutritionist II positions. The motion carried five (5) to zero (0).

Hiring of Public Health Nurse III: Consideration of a request to hire a Public Health Nurse III above the midpoint salary range

Commissioner Atwater moved, seconded by Commissioner Pollard, to approve the hiring of a Public Health Nurse III at an annual salary of \$54,000.00. The motion carried five (5) to zero (0).

PUBLIC WORKS

Bulk Water Purchase Contracts: Consideration of a request to approve bulk water purchase contracts with the City of Sanford for Corinth and Asbury Connections

Commissioner Atwater moved, seconded by Commissioner Givens, to approve the two bulk water purchase contracts for the Corinth and Asbury Connections with the City of Sanford, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Bid Award for the Purchase of Roll-Off Vehicles for Waste Management Division of Public Works: Consideration of a request to award the bid for the purchase of two new roll-off vehicles for the Waste Management Division of Public Works

Commissioner Givens moved, seconded by Commissioner Atwater, to award the bid for two new roll-off vehicles for the Waste Management Division of Public Works to Volvo and GMC Truck Center of Charlotte, NC. The motion carried five (5) to zero (0). The bid tabulations are attached hereto and by reference made a part hereof.

BOARDS AND COMMITTEES

Agriculture Advisory Committee Appointment: Consideration of a request to appoint a member to

the Agriculture Advisory Committee by Chairman Phillips

This item was deferred until a later date.

Recreation Advisory Board Appointments: Consideration of a request to appoint two members to the Chatham County Recreation Advisory Board

Commissioner Atwater moved, seconded by Commissioner Pollard, to appoint Maureen Chambers, 114 Green Tree Trail, Chapel Hill, to the Recreation Advisory Board. The motion carried five (5) to zero (0).

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

This item was deferred until a later date.

BOARD OF COMMISSIONERS' MATTERS

- **Agreement for Lease of Canoe Access:** Consideration of a request to approve agreement between NC Department of Transportation (NCDOT), NC Department of Environment and Natural Resources (NCDENR), and the County of Chatham for a five-year lease of the Highway #15-501 Canoe Access Site upon completion of the access facility by NCDOT and NCDENR at no cost to the County

Commissioner Pollard moved, seconded by Commissioner Givens, to approve the agreement with the North Carolina Department of Transportation (NCDOT) and the North Carolina Department of Environment and Natural Resources (NCDENR) for a five-year lease of the Highway #15-501 Canoe Access Site upon completion of the access facility by NCDOT and NCDENR at no cost to the County with the following conditions:

1. Either party is allowed a six-month notice to terminate the lease
2. A one-page attachment will specify the general maintenance standards expected of the County and that the County Manager be given authority to sign the lease agreement.

The motion carried five (5) to zero (0). The agreement is attached hereto and by reference made a part hereof.

MANAGER' S REPORTS

The County Manager had no reports.

COMMISSIONERS' REPORTS

The Chatham County Affordable Housing Coalition:

Chairman Phillips stated that he had read the study from The Chatham County Affordable Housing Coalition and that it contains very useful information; that he would like for it to be distributed as widely as possible; that there will be a meeting on Thursday, October 17, 2002 from 10:00 to 11:30 AM at the Central Carolina Community College, Pittsboro Campus, Building 2 Conference Room to discuss the report

Resolution #2002-41 Domestic Violence Awareness Month and National Unity Day 2002:

Commissioner Pollard moved, seconded by Commissioner Givens, to adopt **Resolution #2002-41 Domestic Violence Awareness Month and National Unity Day 2002**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Livestock Compensation Program:

Commissioner Atwater asked who was handling the Livestock Compensation Program/USDA in the County.

The Manager replied that it was being handled by the Farm Service.

The Chatham County Affordable Housing Coalition:

Commissioner Pollard stated that she, too, was impressed with the study on affordable housing; that it pointed out very clearly the fact that much of the housing stock in Chatham County is not affordable to Chatham County employees; that it is something that the Board needs to think about as they look at salary issues and Pay-for-Performance; that they need to monitor the cost of housing in the County and the cost of transportation to jobs outside of the County.

Commissioner Givens stated that the report was good, but that it wasn't just Chatham County employees; that the study brought out the diversity of the County; that some of the property values were increasing but the incomes were not; and that he didn't know what the solution was until industry could be brought in to the western side of the County.

State Mental Hospital Location:

Commissioner Pollard expressed concern that when the new state mental hospital issue was brought up in the General Assembly, it was discussed that the hospital was going to be located in Granville County. She stated that the hospital had not been funded, and that since it was not funded, Chatham may have a window of opportunity to work toward getting the hospital located in a more convenient location; that geographically, Chatham County is the center of the service area that this region has for mental health; that this area is much more patient friendly than Butner; that this might be of interest to Board members who live toward the west side of the County; and that beginning communications with the Legislators might be important.

Commissioner Atwater stated that the Chairman of the UNC Department of Psychiatry was concerned about the placement of the hospital and was interested in entering into a dialog if asked.

Commissioner Givens stated that there was no doubt that Chatham County had the best location for the facility. He suggested that the Board send another letter to the Legislature emphasizing the County's need for this facility.

Commissioner Pollard stated that the lead medical people are meeting with the lead medical folks who staff the current facility that will combine to create the new hospital; that it will be important to meet with them; that political pressure is what it is all about; that they need to meet with their cohorts to discuss the issue.

Chairman Phillips stated that he didn't feel that it was all political pressure; that it also had a lot to do with the ancillary businesses and governmental functions that were already developed in the Butner area as well as facilities that were already there; that the engineer strongly support the Siler City side stating that it

was an ideal location in many ways; that he feels that if there are any openings to support this endeavor, that it should be done.

Commissioner Atwater stated that he would like to see the entire State Delegation be formally contacted and expressed a desire to see a draft of a letter to be sent to the Legislatures regarding this matter.

Class Action Law Suits:

Commissioner Outz asked how the Board felt about joining with other counties on the Class Action Law Suits.

The County Attorney strongly recommended that the County not join suit stating; that there were questions as to whether there is any authority of the County to sue the State; that the only thing that gives them any basis to sue is that the statutes say that at least some of those funds would be paid to the Secretary of Revenue for disbursement to the counties; that there is an argument there that since it never got into the State General Fund, the Governor had no authority to put a hold on it; that if that is the case, the County would still have to find some authority by which the County could sue the State; and that to him, this would be the biggest hurdle to cross.

The County Manager explained that the Governor's aid made a rather blunt statement with regard to those counties joining forces to sue the State.

Commissioner Pollard stated that she felt that Chatham County wanted to continue to enjoy a good relationship with the Governor's Office and State agencies.

ADJOURNMENT

Commissioner Givens moved, seconded by Commissioner Atwater, 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 11:35 AM.

Gary Phillips, Chairman

ATTEST:

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