

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**AUGUST 05, 2002**

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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 August 05, 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.

**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.

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 Givens asked that Item #2, Private Roads, be removed from the Consent Agenda and placed on the Regular Agenda as Item #7A.

Commissioner Outz asked that Item #3, Resolution Levying the Third One-Half Cent Local Government Sales and Use Tax and Prescribing the Method of Distribution of the Proceeds Within Chatham County, be removed from the Consent Agenda and placed on the Regular Agenda as Item #7B.

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

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

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

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

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- A. ~~**Celebrity Dairy Way**~~ B. ~~**Ollie Maes Drive**~~

This item was removed from the Consent Agenda and placed on the Regular Agenda as Item #7A.

3. ~~**Resolution for Third One-Half Cent Sales and Use Tax:** Consideration of a request to approve **Resolution Levying the Third One-Half Cent Local Government Sales and Use Tax and Prescribing the Method of Distribution of the Proceeds Within Chatham County**~~

This item was removed from the Consent Agenda and placed on the Regular Agenda as Item #7B.

4. **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 five (5) to zero (0).

5. **Board of Health Appointment:** Consideration of a request to appoint Dr. Bonnie A. Terll to the vacant Veterinarian Seat on the Chatham County Board of Health from July 1, 2002 through June 30, 2005

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

6. **Travel and Tourism Advisory Board Appointments:** Consideration of a request to appoint Sandra Gallagher (Governors Club) Lodging Representative (replacing David Simmons) and Wendy Dufour (French Connections Antiques) Retail Representative (replacing Cindy Edwards)

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

## **END OF CONSENT AGENDA**

### **PUBLIC INPUT SESSION**

**Randy Gilliland**, 1288 Beal Road, Goldston, NC, stated that he and his father have been raising chickens for forty-seven years in Chatham County; that Chatham County is ranked fourth in the State for raising poultry which is a significant source of income in taxes for the County; that his father's wells went dry early last week; that he called the Public Works Department on July 30, 2002 to get water from a fire hydrant due to the emergency; that he was told that the County Manager had said that no one was to get water from a hydrant unless there was a fire; that he called the County Manager who stated that he could not help him because everyone was getting off work and it would be hard to get in touch with someone and that he would have to wait; that he wondered if he was to tell his chickens to stop drinking water at 5:30 in the afternoon; that he then called Senator Ellie Kinnaird who made some telephone calls which allowed him to get his water that afternoon; that when he went to get water on Friday, August 2, 2002, it was gone; that the Water Department called his home and said that the Water Point was in Harpers Crossroads; that this is out of the

fire district in which he resides which is in Goldston; that the Water Department installed a two-inch tap on August 2 at the collection center to allow people to get water in emergencies; that the center is open from 7AM – 7PM Monday through Saturday and closed on Wednesday and is open from 1PM – 7PM; that he wonders if all emergencies happen between these times; that the simple plan would be to talk to the local fire chiefs and have them keep a meter in their department in case of emergencies; that the Water Department failed to inform Goldston-Gulf Sanitation District of the removal of the meter; that the Goldston Fire District now has no plan for emergencies because they thought they had eight days to get something together; that he feels the people of Chatham County have been let down by the emergency water tap; that he doesn't feel anything would have been done if he had not called Senator Kinnaird; that even the farmers with the County water taps are being wronged; that he knows a few of them who have paid a lot of money for big lines and have turned them on to find that they had no water pressure; that something needs to be done before the farmers are hurt and the economy of Chatham County is destroyed. He asked that the Board come out to his part of the County and see the problems they are having.

Commissioner Givens stated that he felt that the County needed to be more cooperative with the farmers who have emergency needs of water; that there might be a physical reason that the water is not available at the fire department; that he wants to accommodate farmers when they need water; and that when the farmers lose their chicken crop, they have lost their income.

Commissioner Givens moved to accommodate farmers with emergency water as much as possible.

Commissioner Outz agreed with Commissioner Givens' comments stating that the average temperature of a chicken is 105 degrees; that they have no sweat glands; that they cannot wait days for water; that poultry is the number one source of income for the County; that it has built the County; that chickens have to have water to survive; and that if extra help is needed to get the farmers water, then staff needs to be paid overtime or someone needs to be hired to accomplish it.

Chairman Phillips asked why people had not taken advantage of hauling the water.

Commissioner Atwater stated that he doesn't think that there is any doubt that everyone is interested, in a big way, to make this happen; and that he feels that the water line extension/water line emergency procedures should be the first item on the work session.

Commissioner Pollard stated that, not only communications, but having an emergency policy is critical so that staff will have something to go on and that it needs to be done immediately.

Tony Tucker, Emergency Operations Director, cautioned the Board with regard to contaminating water that has been dumped into people's wells. He stated that fire trucks withdraw water out of some contaminated water sources during emergencies and asked who would be liable if contaminated water is fed into a home and the pipes are also contaminated resulting in someone getting sick.

Commissioner Atwater asked if there were rubber or plastic bladders available for holding large quantities of water.

The County Manager stated that the National Guard may have some available.

The Emergency Operations Director stated that the "water buffaloes" that were once used for water distribution are now unavailable for the same reason if they are going to be used for drinking water.

The Chairman stated that it was his perception that staff had worked very hard to try to make water

available and that it needed to be discussed further during the work session.

## **EMERGENCY OPERATIONS**

### ***Public Hearing:***

**Naming of State-Maintained Road - "Foxfire Trace":** Public hearing to receive public comments on the naming of one State-maintained road, "Foxfire Trace", in Chatham County

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

Commissioner Atwater moved, seconded by Commissioner Outz, to accept staff recommendation to approve the State maintained road, Foxfire Trace, as petitioned. The motion carried five (5) to zero (0).

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

- A. **Celebrity Dairy Way**      B. **Ollie Maes Drive**

This item was removed from the Consent Agenda and placed on the Regular Agenda as Item #7A.

After some discussion, Commissioner Givens moved, seconded by Commissioner Outz, to approve the private drives as listed. The motion carried five (5) to zero (0).

**Resolution for Third One-Half Cent Sales and Use Tax:** Consideration of a request to approve **Resolution Levying the Third One-Half Cent Local Government Sales and Use Tax and Prescribing the Method of Distribution of the Proceeds Within Chatham County**

After considerable discussion, Commissioner Atwater, seconded by Commissioner Pollard, to adopt **Resolution #2002-29 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).

## **PUBLIC WORKS**

**Request to Accept Responsibility for STEP Pumps:** Consideration of a request to accept responsibility for the STEP pumps for twelve households in the Stockyard Road Sewer Project

Commissioner Givens moved, seconded by Commissioner Pollard, to accept responsibility for the STEP pumps for the twelve households that need them in the Stockyard Road Sewer Project. The motion carried five (5) to zero (0).

## **BOARDS AND COMMITTEES**

**Human Relations Commission Appointment:** Consideration of a request to appoint one member to the Chatham County Human Relations Commission by Commissioners Givens

This item was deferred until the next Board of Commissioners' meeting.

**Agriculture Advisory Committee Appointments:** Consideration of a request to appoint two members to the Agriculture Advisory Committee by Chairman Phillips and Commissioner Pollard

This item was deferred until the next Board of Commissioners' meeting.

**Planning Board Appointment:** Consideration of a request to appoint a member to the Chatham County Planning Board by Commissioner Atwater

This item was deferred until the next Board of Commissioners' meeting.

### **MANAGER' S REPORTS**

The County Manager had no reports.

### **COMMISSIONERS' REPORTS**

#### **Motor Home at Recycling Center:**

Commissioner Outz stated that he had received a telephone call with regard to a mobile home at the recycling center; that it was his understanding that it was placed there during Hurricane Fran to be used for emergency situations; and that he thought it might be used by Hamm radio operators.

The County Manager explained that the mobile home was the County's Emergency Operation's vehicle; that it does not belong to the County and could possibly be returned.

#### **Phillips vs Chatham County Litigation:**

Commissioner Givens asked who paid for the Phillips vs Chatham County litigation.

The County Attorney stated that the insurance company elected to defend the suit and that it is his understanding that the County has governmental immunity from suits unless they have elected to purchase insurance in which the purchase of insurance would waive the immunity for certain cases which was not the case in this case.

Commissioner Givens stated that he never understood how they provided defense and then charged the County if the insurance was not paying for it and why, if the County didn't have insurance, they could make a judgement.

### **RECESS**

Commissioner Givens moved, seconded by Chairman Phillips, to recess the Regular meeting for the scheduled work session. The motion carried five (5) to zero (0), and the meeting recessed at 10:45 AM.

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Gary Phillips, Chairman

ATTEST:

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