

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**WORK SESSION**  
**JULY 15, 2002**

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The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry H. Dunlap, Jr. Building Classroom, located in Pittsboro, North Carolina, at 4:00 PM on July 15, 2002.

Present: Chairman Gary Phillips; Vice Chair Margaret Pollard; Commissioners Bob Atwater, Rick Givens and Carl Outz; 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 Chairman called the meeting to order at 4:02 PM.

*Work Session Agenda*

1. **Supreme Court and Swine Ordinance**
2. **Moncure Air Quality**
3. **Water Committee**
4. **Recreation Items:**
  - Canoe Access
  - American Tobacco Trail
5. **Handicap Access**
6. **Closed Session Litigation**

**(Time Permitting)**

7. **Health Department**
  - Salary Adjustments
  - Environmental Health Positions/Divisions
8. **Homeless Education Funding**
9. **Rental House**

**HANDICAPPED ACCESS**

**Bob Knight**, 7040 NC Highway #87 South, Sanford, NC, expressed concern with regard to ADA handicap accessibility, push-button doors, ramps, etc. and needs of the disabled. He stated that a flotation pier for handicapped has been built at Jordan Lake; that CP&L built one and that he appreciated them doing so without being asked; that a lady told him about going to the library and her 70 year old mother had to lift her from her wheelchair and drag her into the bathroom; that this is highly uncalled for; that the Siler City Post Office has a bunch of high steps and cannot be accessed; that they deserve better attention; that he is confined to a wheel chair but is more blessed than other people; that the Post Office says it falls under a

historical clause and that they do not have to do anything; that they bought a lot next to the post office where they can build a ramp down the side of it so that the people of Chatham County can use the building to its fullest capabilities; that most think of the handicapped as being confined to walkers or wheelchairs, but that is not the case; that elderly and expectant mothers, people who have had strokes and broken bones and others can't open doors; that a lot is taken for granted; that he did not think about it until he was confined to a wheel chair; that he wants to make it his mission to bring these things to the attention of those who can do something about them; and that he hopes that the Board of Commissioners will take it into consideration and help do something about it.

Barbara Farley addressed the committee and stated that she was doing an "Out-to-Lunch" Program at the Cooperative Extension Service; that participants could not come without ramp accessibility; that it is also very valuable to have push button doors at the Health Department; that without them, they would have to stop what they were doing and lend assistance to those in need.

### **MONCURE AIR QUALITY**

The Division of Air Quality and DEHNR discussed the air quality study in Moncure and the next steps in the process of determining the risks to citizens of Moncure with regard to the negative air qualities. They stated their commitment to the Board to begin a modeling process to determine the potential risk to the community, particularly from particulate matter and sulfur dioxide, and then to begin, as soon as possible, a modeling process to determine the ambient air levels, or what one is likely to breathe when they are out in the community, on the levels of fluoride, hydrochloric acid, and lead levels, and to begin monitoring, using the best possible science to determine the current risks. They pledged to keep in continuous communication with the Board about the process, to meet with the businesses involved, and to determine how they can reduce any dangerous levels.

The Board stated that their goal is to support the industry that exists in Chatham County but to demand and support the safety of all Chatham County citizens; that they felt that the Division of Air Quality came with a lot of information and a strong commitment to continue the process and to work collaboratively with them and Moncure in the process.

### **WATER COMMITTEE**

**Ray Greenlaw**, asked two questions with regard to the \$500,000 allocation for the County Water System capital improvement projects: 1) Is this to be an annual allocation? 2) Will the Board make a recommendation about the use of the funds, including the Raw Water Pump Station at Jordan Lake and transmission mains extending from the County's Jordan Lake Water Treatment Plant to the Moncure area, via Pea Ridge Road thence to the area now supplied by the Siler City Water System. He asked for affirmation that the Water Committee is on the right track.

Ron Singleton, Public Works Director, stated that he had received a letter from Terry Green, Director of Public Works and Utilities for the Town of Siler City, informing him that the County had exceeded their contract water allocations for the first time ever during the past month.

By consensus, the Board agreed that they were on the same track.

Charlie Horne, County Manager, stated that there will be a "side-by-side" comparison of the small line expansion project at the August 05, 2002 Work Session.

Bill Lowery urged the Board to make a commitment to search for funds and borrow the money for water.

Commissioner Atwater stated that he would be interested in moving along the "Requests for Proposals" on how the Department of Agriculture money will be handled; that he is not interested in making a decision about this money without knowing how the other is going to go; that he feels that it will give the Board the opportunity to make sure that it counts.

### **SUPREME COURT DECISION - SWINE ORDINANCE**

The Board heard a summarization of the Supreme Court decision on the Chatham County Swine Ordinance from Attorney Nick Herman which was stricken down by the State Supreme Court. He stated that it was established that the Board could zone large hog farms as light industrial and make restrictions therein through a specific process; and that the Board of Health does have the right to limit hog farms but that they must state carefully why these rules are necessary for the health of Chatham County. Attorney Herman's memo and the actual Supreme Court decision are attached hereto and by reference made a part hereof.

### **RECREATION ITEMS**

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#### **Canoe Access:**

Paul Spruill, Assistant County Manager, explained that Cleo Smith had proposed that the Board entering into an arrangement on a piece of property at the pedestrian bridge in Bynum; that it is very similar to the arrangement that the County already has on the canoe access on Highway #64 at the four-lane bridge; that the difference between the two is that the County leases the property on Highway #64 from the Department of Transportation (DOT) and that the County has an informal agreement with the Carolina Canoe Club to maintain the Bynum property; that the County is responsible for the public use of the canoe access point; that the opportunity presented to the Board by Mr. Smith was basically replicating the same thing at the pedestrian bridge in Bynum with the difference being that instead of a lease, the County would own the property; that the added benefit would be that the Triangle Land Conservancy has helped Carolina Canoe Club raise \$8,000 to be put in a trust fund specific to this new access point that they are willing to give the County free of charge to be used to maintain the site; that they had met with all parties involved; that the County Manager had three issues: 1) That the County be allowed to spend not only the interest, but also the principal off the \$8,000; 2) That if the County enters a three-part agreement, one for maintenance with Carolina Canoe Club identical to the maintenance of the site on Highway #64, the transfer of land from the NC Conservation Council who currently owns the property, and the transfer of money from Triangle Land Conservancy; and 3) Attorney's fees, that if they could not be paid for in any other way, they be allowed to take the money from the \$8,000 or another grant on which Mr. Smith is working; that they have also given permission to not only allow the County to spend the principal on this sight but allow the County to generalize the principal to the other sites i.e. the access on Highway #64.

Mr. Smith stated that the Alamance County website advertises the Haw River; that they would like to promote the Haw River in Chatham County by adding Chatham's access areas to their brochure; and that the grant mentioned will be \$1,000 used as needed.

Commissioner Givens moved, seconded by Commissioner Pollard, to accept the canoe access in Bynum from the Triangle Land Conservancy. The motion carried five (5) to zero (0).

### **American Tobacco Trail:**

Tracy Burnett, Chatham County Recreation Director, summarized the events leading to the present American Tobacco Trail Master Plan. She asked for direction and guidance from the Board with regard to the next steps of the process of creating the twenty-three mile regional trail by negotiating a lease with the Department of Transportation to take the 4.9 Chatham County mile portion.

Mr. Bill Bussey updated the Board on the current American Tobacco Trail process in Durham and Wake Counties.

Commissioner Atwater moved, seconded by Commissioner Pollard, to begin the process of negotiation for the lease on the trails. The motion carried five (5) to zero (0).

### **HEALTH DEPARTMENT**

**Hiring of Public Health Nurse II Above Mid-Point Range:** Consideration of a request to approve the hiring of a Public Health Nurse II above the mid-point range to be negotiated between \$48,000 and \$49,000 to fill the crucial position of communicable disease nurse

Commissioner Givens moved, seconded by Commissioner Outz, to approve the hiring of a Public Health Nurse II above the mid-point range to be negotiated between \$48,000 and \$49,000 to fill the crucial position of Communicable Disease Nurse. The motion carried five (5) to zero (0).

**Division of Full Time Position Into Two Part Time Positions:** Consideration of a request to divide one currently funded full-time Environmental Health Specialist Position into two 50% part-time positions

Commissioner Givens moved, seconded by Commissioner Atwater, to approve the division of one currently funded full-time Environmental Health Specialist Position into two 50% part-time positions. The motion carried five (5) to zero (0).

### **HOMELESS EDUCATION FUNDING**

**Homeless Education Funding Request:** Consideration of a request for Homeless Education Funding in the amount of \$15,000 from Mary B. Harris, Homeless Project Director

Commissioner Atwater moved, seconded by Commissioner Givens, to approve funds in the amount of \$15,000 for the Chatham County Homeless Education and that the request be made a part of the school system budget in the future. The motion carried five (5) to zero (0).

### **CLOSED SESSION**

Commissioner Atwater moved, seconded by Commissioner Pollard, to go into Closed Session for the purpose of discussing litigation. The motion carried five (5) to zero (0).

### **REGULAR SESSION**

Commissioner Givens moved, seconded by Commissioner Outz, to go out of Closed Session and reconvene in Regular Session. The motion carried five (5) to zero (0).

**RECESS**

Commissioner Atwater moved, seconded by Commissioner Pollard, that the meeting be recessed to the regularly scheduled Board of Commissioners' meeting in the District Courtroom. The motion carried five (5) to zero (0), and the meeting was recessed at 6:51 PM.

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Gary Phillips, Chairman

ATTEST:

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