

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
JUNE 03, 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 June 03, 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 10:12 AM.

AGENDA

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

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

1. **Minutes:** Consideration of a request for approval of Board Minutes for Regular Meeting held May 20, 2002 and Budget Input Sessions held May 13, 2002, May 21, 2002, and May 28, 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:

- A. **HJ Williams Road**
- B. **Hayes Run Road**
- C. **Mansfield Lane**
- D. **Lindas Meadow Lane**
- E. **Twilight Lane**

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

3. **Funds Acceptance for the Health Department:** Consideration of a request to accept additional funds in the amount of \$74,516.06 awarded to the Health Department from the FY 00-01 Medicaid Cost Settlement

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

3. **Home and Community Care Block Grant Committee Budget:** Consideration of a request to approve the Home and Community Care Block Grant Committee Recommended Budget for FY 2002-2003 in the amount of \$344,919, a copy attached hereto and by reference made a part hereof.

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

5. **Request to Set a Date for a Public Hearing on Implementation Date for Recreation Fees:** Consideration of a request to set June 17, 2002 as the date on which to hold a public hearing to consider a revision to the implementation date for recreation fees for new subdivision lots from July 1, 2002 to September 1, 2002 or a specific later date

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

6. **Auditing Services Contract:** Consideration of a request to approve "Contract to Audit Accounts" for the Chatham County Finance Department, attached hereto and by reference made a part hereof.

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

7. **Change of Board of Commissioners' July Meeting Date:** Consideration of a request to change the Board of Commissioners' meeting date from July 8, 2002 to July 15, 2002

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Dick Huffman, 500 Cedar Lake Road, Chapel Hill, NC, stated that as a resident and taxpayer of north Chatham County, he appreciated the opportunity to speak with the Board; that no matter what direction one approaches Chatham County, the County feels different and exudes an agreeable rural agricultural charm nearly lost altogether in the other counties in the Triangle; that it is inevitable with UNC-Chapel Hill expansion that the apparently unplanned mercurial growth of Chapel Hill will spill over and engulf north Chatham County and especially Baldwin Township where he lives in Cedar Village; that in order to preserve the rural personality of the County, it is desirable that the inevitable rapid urbanization be contained in well-planned high density compact communities; that this would be far better than destroying what the County has now; that this can be accomplished by good planning by County government; that planned compact communities, with a variety of housing including affordable housing, duplexes, town houses, and adequate green space, still surrounded by the unspoiled rural agricultural landscape is a lot better than copying the urban sprawl that now exists in Wake County; that on-site sewage utilization is most logical for these new planned compact communities; that it is better to make use of modern technology to use rather than waste purified wastewater for irrigation and fertilization of the soil with valuable nutrients rather than letting this same water pollute our streams and rivers as is done by sewage disposal plants throughout North

Carolina; that to waste water, including sewage wastewater, is inexcusable in this drought ridden part of the State; that water is the resource necessary for the sustenance of human life; that it is more valuable than petroleum responsible for both significant pollution of the environment and degradation of air quality; that if Chatham County is successful, the rest of North Carolina will look to Chatham as leaders in the preservation rather than destroying the beautiful rural environment for which this County is famous; that as to the relatively small size of the capable Chatham County Administration as compared to the giant debt ridden North Carolina State Government, bigger is not necessarily better; that when he visited the General Assembly in Raleigh during the Special Legislative Session on May 15, many legislators agreed with him; and that several other legislators were favorably impressed that Chatham County is not raising taxes and has good fiscal management obviously lacking in North Carolina State Government.

Hubert Oakley, 256 Oakleys Peak, Chapel Hill, NC, stated that he appreciated the vote on the Briar Chapel development. He expressed concern with regard to the amount of deer invading his property which are eating the things he raises in his garden to sell at the Farmer's Market, shrubbery, rose bushes, etc.

Chris Ketchel, 921 Silverberry Road, Pittsboro, NC, stated that he has a client in the Silk Hope area who has property for sale that represents development potential; that the property falls within the newly proposed ETJ boundaries in Siler City; that he is concerned that an approval by the Board for an extension of the ETJ as being a courtesy or something that should come up as a public hearing; that according to the Land Use Plan's goals and objectives, the County wants to cooperatively control its own destiny; that that means working closely with the towns with regard to mutual decision making; that the differences between the towns and the County may or may not result in protection of rural character, rural values, and land use planning in these areas; that if the towns ordinances include specific implementation of land use plans that are more restrictive on developers or have some requirements that lead to more urbanized types of development in areas that the County may see as being rural character that it will fall within the County's wishes of having the area protected in a rural nature; that it is this actual transfer of control over specific land use development planning that he is asking the Board to open up to the public for more input, the Planning Board, and the Town of Siler City, to work together on defining exactly where the boundaries should be drawn; that his client's property is actually four miles out from the incorporated boundary of the Town of Siler City; that the State approval for the Town of Siler City to request an extension of their ETJ was for three miles; and that he feels that it extends too far from the city limits.

PLANNING AND ZONING

Request to Set a Public Hearing on Development Moratorium: Consideration of a request to set a date on which to hold a public hearing to consider a resolution for a moratorium on major residential subdivisions in the county jurisdiction for a period of six months beginning June 17, 2002 in order to provide time for the development of regulations that address compact communities and related economic centers

After considerable discussion, this item was deferred for further review until the afternoon work session.

Request for Expansion of Siler City Extra-territorial Jurisdiction: Consideration of a request by the Town of Siler City for an expansion of their ETJ (extra-territorial jurisdiction)

Commissioner Pollard moved, seconded by Commissioner Givens to support the Town of Siler City request for an expansion of their ETJ (extra-territorial jurisdiction). The motion carried five (5) to zero (0).

PUBLIC WORKS

Wastewater Reuse Project – Letter of Understanding: Consideration of a request to approve a Letter of Understanding between Chatham County and the Town of Pittsboro regarding the “Wastewater Reuse Project”

Commissioner Givens moved, seconded by Commissioner Pollard, to approve the Letter of Understanding, attached hereto and by reference made a part hereof, and authorize the Chairman to execute same. The motion carried five (5) to zero (0).

Wastewater Reuse Project Study Phase Engineering Services Agreement: Consideration of a request to approve a Wastewater Reuse Project Study Phase Agreement for engineering services with the firm of Diehl & Phillips, PA

Commissioner Outz moved, seconded by Commissioner Givens, to approve the agreement for engineering services with the firm of Diehl & Phillips, PA, in the amount of \$23,700.00, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Wastewater Reuse Project Study Phase Engineering Services Agreement: Consideration of a request to approve a Wastewater Reuse Project Study Phase Agreement for engineering services with the firm of Hydrostructures, PA

Commissioner Outz moved, seconded by Commissioner Givens, to approve the agreement for engineering services with the firm of Hydrostructures, PA, in the amount of \$18,240.00, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

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

This item was deferred until a later date.

Human Relations Commission Appointments: Consideration of a request to appoint members to the Chatham County Human Relations Commission by Commissioners Givens

This item was deferred until a later date.

Adult Home Care Advisory Board Appointments: Consideration of a request to appoint three members to the Adult Home Care Advisory Board by the Full Board

Chairman Phillips moved, seconded by Commissioner Atwater, to appoint Virginia Dudenhausen, 363 Fearrington Post, Pittsboro, NC, Lonnie West, 106 Dumont Court, Apex, NC, and Holly Brooks, 1005 Driftwood Drive, Siler City, NC, to the Adult Home Care Advisory Board. The motion carried five (5) to zero (0).

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

This item was deferred until a later date.

Orange Person Chatham Area Board Appointments: Consideration of a request to appoint

members to the Orange Person Chatham Area Board

This item was deferred until a later date.

MANAGER' S REPORTS

The County Manager reported on the following:

Carolina Meadows:

Kim Horton, Chatham County Tax Administrator, reported that their office had been working with the Property Tax Commission to settle an appeal with Carolina Meadows filed with the 2001 evaluation notices. She stated that Carolina Meadows has agreed to accept the County's offer at \$64.5 million; and that the matter should be settled by the end of the week.

Old Chatham Golf Club Water:

The Manager explained that the Old Chatham Golf Club has again made a request to withdraw 450,000 gallons of water per day from the B. Everett Jordan Dam and Lake Project for irrigation purposes.

Commissioner Atwater moved, seconded by Commissioner Pollard, to approve the request to withdraw up to 450,000 gallons of water per day from Jordan Lake for irrigation purposes. The motion carried five (5) to zero (0).

Clarification of Small Line Extension Policy:

The Assistant County Manager stated that at the last meeting, the Public Works Director had explained the financing of availability fees for people who participated in the small line extension policy. He stated it was their understanding that only a portion of those availability fees could be subject to the financing benefit; that after checking with the Finance Officer and because they wish to make the incentives as strong as possible for citizens to participate, they see no reason why the entire amount of availability fees could not be subject to the financing opportunity; and that they wanted to clarify staff's interpretation of the way the policy was written.

Reminder of Work Session Agenda:

The County Manager reminded the Board of the Work Session to follow and the items listed on the Agenda.

COMMISSIONERS' REPORTS

Joe Burke Resolution:

Chairman Phillips asked that a resolution be prepared honoring Joe Burke, Principal of North Chatham School.

Tony DiMao Resolution:

Commissioner Givens asked that a resolution be prepared honoring Tony DiMao for years of service to Chatham County Law Enforcement.

Law Enforcement Benefit:

Commissioner Givens stated that the law enforcement benefit featuring Elvis impersonator Keith Henderson was great.

RECESS

Commissioner Pollard moved, seconded by Commissioner Atwater, to recess the meeting to the Henry H. Dunlap, Jr. Classroom for the scheduled work session. The motion carried five (5) to zero (0), and the meeting recessed at 11:15 AM.

Gary Phillips, Chairman

ATTEST:

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