

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
MAY 19, 2003

The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in the District Courtroom, located in Pittsboro, North Carolina, at 6:00 PM on May 19, 2003.

Present: Chairman Tommy Emerson; Vice Chair Carl Outz; Commissioners Margaret Pollard, Bunkey Morgan, and Bob Atwater; 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 meeting was called to order by the Chairman at 6:01 PM.

PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Emerson invited everyone present to stand and recite the Pledge of Allegiance after which he delivered the invocation.

AGENDA

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

Chairman Emerson asked that the following be added to the Agenda:

- § Discussion of State Mental Health Hospital as Item #18A
- § Resolution Rocky River Friends Church 250th Birthday as Item #18B
- § Resolution Honoring Mrs. Eliza Hookers as Item #18C
- § Set dates for public meetings on budget as Item #18D

Commissioner Morgan moved, seconded by Commissioner Outz, to approve the Agenda with the noted requests. 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 Outz, to approve the Consent Agenda.

1. **Minutes:** Consideration of a request for approval of Board Minutes for Regular Meeting and Work Session held May 05, 2003

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

2. **Road Names:** Consideration of a request to approve a request from citizens for the naming of private roads in Chatham County as follows:

- | | |
|----------------------------|----------------------------|
| 1. Drews Hills Road | 3. Blue Grass Trail |
| 2. Paynes Road | 4. Twelve Oaks Lane |

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

3. **Preliminary Approval of "Colvard Farms Subdivision, Phase III and Recreation Center:** Consideration of a request by Jeff Hunter on behalf of Colvard Farms Development Company, LLC for preliminary approval of **Colvard Farms Subdivision, Phase III & Recreation Center**, consisting of nine (9) subdivision lots and the Recreation Center on approximately 22 acres in Williams Township

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

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

4. **Preliminary Approval of "Galloway Ridge at Fearington Village PUD:** Consideration of a request by Hugh Chapin, Chairman of the Board for Galloway Ridge, Inc., for preliminary approval of **"Galloway Ridge at Fearington Village PUD"**, consisting of approximately 1 lot on approximately 57 acres in Williams 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).

5. **Financial Guaranties Currently in Place for Monterrane, Phase II, The Preserve at Jordan Lake, Phase I, and Governors Forest and Governors Park:** Consideration of a request by Patrick E. Bradshaw, Attorney, on behalf of **Monterrane, Phase II**, Mark P. Ashness, PE, EC Group, on behalf of **The Preserve at Jordan Lake, Phase I**, and Patrick Adams, Land Development Manager, Sunstar Communities, on behalf- **Governors Forest and Governors Park** - to extend the term of the financial guaranties currently in place for one (1) additional year

As per the Planning Department and Planning Board recommendation, a one year extension of the financial guarantee for the subdivisions was granted as requested:

The Preserve at Jordan Lake, Phase I to expire September 5, 2003
 Monterrane, Phase II to expire July 15, 2003
 Governors Forest and Governors Park to expire October 20, 2003

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

6. **North Carolina Wildlife Resources Commission:** Consideration of a request to set June 2, 2003 as the date on which to hold a public hearing on establishing a "no wake" zone around the Ebenezer Church Road access point

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Carl Thompson, Robert Thompson Road, Bear Creek, NC, representing the Friends of the Southwest Park Committee, expressed gratitude for the monetary and legislative support received. He stated that he understands the tough decisions the Board has to make; that both recreation and industrial development greatly benefit County residents; that the Southwest Park will be a great asset to the community; that this park will provide a tangible benchmark for residents in that area; that the committee is intent on raising money to assist in seeing the project through to completion; and that they appreciate the dedication and work efforts of Tracy Burnett, Chatham County Recreation Director.

FISCAL YEAR 2003-2004 RECOMMENDED BUDGET

Public Hearing:

Fiscal Year 2003-2004 Recommended Budget: Public hearing to receive public comments on the Manager's Recommended Budget for FY 2003-2004; and

Gerald Totten, 108 Petty Road, Siler City, NC, speaking on behalf of the Financial Accountability for Chatham Taxpayers (FACT) organization, stated that base line (zero base) budgeting builds a budget from a base line of zero, carefully considering every mission before adding or requesting funds; that this budget does not do that but rather adds or subtracts from what happened last year inter-sprinkled with grants and hopes funds fall in place from higher authority; that a number of those grants have expired but the baggage lingers and the County continues the programs; that the "Pay-For-Performance" Plan wherein an employee can write his or her own performance goals then, if attained, receives a substantial bonus and pay increase for doing what was expected of them in the first place; that salaries budgeted for in Fiscal Year 2001 were slightly less than \$10 million dollars; that this budget asks for a 24% increase to \$12.3 million; that these figures increase while the total number of employees decreases; that State employees were granted zero raises, Pittsboro granted 2%, and Siler City 1.5%; and that Chatham County employees received an average of 6.2% even in the face of economic peril in the rest of the County.

He stated that other personnel costs have likewise risen by 24% to cover the costs of a liberal employee benefit package including life insurance, medical and dental care; that the employee pays for his own dependents while the taxpayers pick up the entire employee costs; that County taxpayers also pay employee retirement and savings plan (401K) premiums and contributions, a portion of which are mandated by the State; that while government and industry are generally reducing benefit packages because of economic conditions, Chatham continues to propose higher and higher; that FACT strongly believe that "Pay-For-Performance" Plan should be abolished as a bad experiment; that they further believe salary scales should be based on similar populated counties with similar tax bases; that this plan was created largely to reduce employee turnover by making the economic benefit bar high enough that the incentive to leave would be reduced; that the results for 2001 were a turnover rate of 24% and the next year 27%, a three percent increase; that the anticipated rate for the current year is 22%; and that none of these rates would be acceptable for any other employer this size.

Mr. Totten continued by stating that they remain concerned fiscal matters are too easily placed into the "catch-all" Consent Agenda where they may or may not be adequately reviewed before the funds are spent;

that the use of the two enterprise fund systems (water and waste management) should be called into question and the proposed increase in the waste management fee should be reexamined; that the budget does not address economic development; and that just because the tax rate remains constant does not excuse inflated costs for programs. He thanked staff for their prompt response to financial questions and to the Board for their consideration.

Tommy Edwards, 306 South Dogwood Avenue, Siler City, NC, representing the Chatham County Arts Council, stated that the Chatham County Arts Council (Chatham Arts) has received financial support from the County for over ten years; that because of the significant economic and quality of life impact of the arts in Chatham, the Board earmarked approximately \$10,000 per year initially to be budgeted from the occupancy taxes received; that since the inception of this County support, changes have occurred and an office for Travel and Tourism (recently named the Pittsboro-Siler City Convention and Visitors Bureau) was established; that the current operating procedure is that these funds must be applied for annually as a grant award from the Pittsboro-Siler City CVB; that this year, the income from occupancy taxes have declined and another decline is anticipated this coming year due to 36% loss of revenue; that the recommendation of the Pittsboro-Siler City CVB is for a 100% cut of all arts council funds from the County of which they have been notified; that approximately \$80,000 of the council's budget is redistributed back into the Chatham County economy, which constitutes a 660% return on the dollar for the County's investment of \$12,100; that Statewide and beyond, Chatham is known primarily for two outstanding characteristics, agriculture and arts/culture; that The Chatham Open Studio Tour has brought statewide and national recognition and given Chatham County the identity as a leader in the visual arts in the Southeast; that their newly developed festivals are bringing recognition for their performing arts culture; that the Arts Council is an economic engine for Chatham County; that their database is growing monthly; that they have over two hundred artists whose work in the arts contribute to the economic base of Chatham; that they are expanding the Studio Tour's marketing across the Southeast to bring more tourists and growing the ClydeFest and Heart of Carolina Festival into regional events; that The Chatham Open Studio Tour, in its eleventh year, brings an estimated 4,000 people into artists studios over the first and second weekend of December; that the Tour generates business income for the individual artist and the County's revenue through its year-round events leading up to the tour in addition to actual dollars spent in the County the weekends of the Tour.

He asked that the Board of Commissioners reconsider their approval of the recommendation and instate a line item for funding of the Chatham County Arts Council (Chatham Arts) as they consider how important the existence of the Arts Council is to Chatham County and propose a budget allowance accordingly.

Joe Glasson, 11408 Governors Drive, Chapel Hill, NC, stated that he is a member of the Board of Directors for Chatham Habitat for Humanity; that their mission is to help people move from sub-standard housing to affordable housing, teaching them accountability, about paying their mortgage, getting their credit straight, and changing lives; that that they hope that the Board will continue funding.

Consideration of a request to set dates on which to hold public meetings on the Fiscal Year 2003-2004 Recommended Budget:

Commissioner Morgan moved, seconded by Commissioner Outz, to hold a public meeting to receive public comments on the budget at the Siler City Town Hall on May 22, 2003 at 7:00 PM with another date for a second meeting to be determined at that time. The motion carried five (5) to zero (0).

PLANNING AND ZONING

Public Hearing:

Conditional Use B-1 Business District with Conditional Use Permit for Patton's Rest Home Property: Public hearing to receive public comments on a request by Mike Hubbard for a Conditional Use B-1 Business District with a Conditional Use Permit for a catering operation and other uses as follows: Appliance sales and service, bicycle sales and service, camera shops, churches, gift shops, heating, plumbing, electrical, cabinet and similar shops, interior design shops, jewelry sales and service, goldsmith, landscape design business, landscaping and grading business, office – business, professional and governmental, office – engineering supply and similar services, public and private schools, training and conference centers, repair shops, retail stores and personal service shops, on 2.00 acres [formally Patton's Rest Home property], off East Cotton Road [SR #1712], in Baldwin Township

The Chairman administered the oath to those in attendance who wished to make public comments.

Alfred C. Perry, 1113 East Main Street, Raleigh, NC, stated that his family had lived in the area for many, many years and that he was concerned that the scope of the request was very broad. He stated that they did not want anything that would hurt the residential area or their offspring.

Edward Burnette, 187 East Cotton Road, Pittsboro, NC, stated that he did not receive notice that the hearing was scheduled; that he was concerned about being not being informed; and that he is also concerned about rezoning in this area.

Light Industrial Conditional Use District with a Conditional Use Permit for Mini-Warehouse Storage Facility: Public hearing to receive public comments on a request by William D. Mitchell for a Light Industrial Conditional Use District with a Conditional Use Permit for a mini-warehouse storage facility (6 buildings), on 5.43 acres, off Vickers Road [SR #1719], in Williams Township

Ken Hoyle, 51 Bynum Road, Pittsboro, NC, stated that he owned a business directly across from the proposed storage units; that if these units are approved, it will be the fifth one from the County line to Andrews Store Road; that the County does not need another storage unit; that on August 2, 1999, a similar request was made and one of the Commissioners moved to deny the request. He stated that he hopes history will repeat itself.

Warren Mitchell, 317 Severin Street, Chapel Hill, NC, stated that his father owns ABC Storage next to Countrywide Antiques; that his current storage units are not climate controlled; that this request is for climate-controlled storage units; that this site was chosen in conjunction with the Department of Transportation's plans for widening of Highway #15-501; that it meets the watershed requirements; that they have taken into account the recommendations of the Appearance Commission; and that they will leave a full buffer on Highway #15-501.

Mitch Barron, 31 Hillsboro Street, Pittsboro, NC, stated that he represented Newland Communities. He urged the Board to review the specifics of this project asking that the business complement the existing character of the nearby homes and businesses.

Hubert Oakley, Pittsboro, NC, stated that when Highway #15-501 was widened, that it took more of Vickers Road, making it closer to Wanda Pender's house.

Wanda Pender, 51 Vickers Road, Pittsboro, NC, stated that they have experienced much devastation

to her property due to road construction and road widening; that Vickers Road is a residential road; that there is a development at the end of the road; that the current storage buildings are clearly visible; and that their front porch will now face storage buildings instead of woods.

EMERGENCY OPERATIONS

Requests for Proposals for Upgrade of Communication Center Computer Aided Dispatch: Consideration of a request by the Enhanced 911 Committee to send out Requests for Proposals (RFPs) for the upgrade of the Communication Center Computer Aided Dispatch (CAD) System

Commissioner Morgan moved, seconded by Commissioner Outz, to proceed with the Request for Proposals process for the replacement of the Computer Aided Dispatch (CAD) System. The motion carried five (5) to zero (0).

Consultant Contract to Assist with CAD Replacement Project: Consideration of a request by the Enhanced 911 Committee to contract with a consultant to assist the County with the CAD Replacement Project

Commissioner Atwater moved, seconded by Commissioner Morgan, to approve the contract with RHJ Associates, Inc. to assist the County with the CAD Replacement Project, not to exceed \$80,000.00, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Replacement of Three Computers that Control County Emergency Radios: Consideration of a request by the Enhanced 911 Committee to replace three (3) of the computers that control all of the County's emergency radios

Commissioner Atwater moved, seconded by Commissioner Pollard, to approve the replacement of three radio system computers at a total cost of \$55,700.00. The motion carried five (5) to zero (0).

Request to Place New Fire, Sheriff, and EMS Radio Equipment on UNC-TV: Consideration of a request by the Enhanced 911 Committee to place new fire, sheriff, and EMS radio equipment on the UNC TV Tower

Commissioner Pollard moved, seconded by Commissioner Outz, to approve the purchase and placement of new fire, sheriff, and EMS radio equipment on the UNC-TV Tower at a cost of \$31,000.00. The motion carried five (5) to zero (0).

911 Centerline Addressing – Photo Project: Consideration of a request to approve the Centerline File Contract with Mapping Resource Group

Commissioner Morgan moved, seconded by Commissioner Atwater, to approve the Centerline File contract with Mapping Resource Group at a cost of \$193,000.00 and research the possibility of using 911 Funds for the photo part of this project and if 911 funds can be used, leave the \$40,000 earmarked from General Fund in Fund Balance. The motion carried five (5) to zero (0). The contract is attached hereto and by reference made a part hereof.

APPOINTMENTS

Chatham County Housing Authority Board Appointment: Consideration of a request to reappointment Betty Wilson to the Chatham County Housing Board

Commissioner Pollard moved, seconded by Commissioner Morgan, to reappoint Betty Wilson, 268 Log Barn Road, Pittsboro, NC, to the Chatham County Housing Board. The motion carried five (5) to zero (0).

Chatham County Planning Board Appointment: Consideration of a request to appoint members to the Chatham County Planning Board

Commissioner Atwater moved, seconded by Commissioner Pollard, to reappoint Cecil Wilson, 489 Holland's Chapel Road, Apex, NC, to the Chatham County Planning Board. The motion carried five (5) to zero (0).

Commissioner Morgan deferred his appointment until a later date.

Ag Advisory Committee Appointment: Consideration of a request to appoint a member to the Chatham County Ag Advisory Committee

Commissioner Outz moved, seconded by Commissioner Pollard, to appoint Kent Dickens, 2501 Corinth Road, Moncure, NC, to the Chatham County Ag Advisory Committee. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONER MATTERS

Relocation of Graves: Consideration of a request to approve the relocation of graves from parcel of land located south of Mann's Chapel Road

Mr. Greg Hamilton, Project Engineer, stated that they are requesting to relocate approximately twenty-six graves located on a parcel of land owned by Spicewood Services, Inc. on US Highway #15-501 approximately 0.5 miles south of the intersection of US Highway #15-501; that the identity of the deceased to be disinterred and interred are unmarked and unknown at this time; that in accordance with NC General Statutes, they are filing a notice to be run in the Chatham News and Record for four weeks asking those who may have interest in the graves contact their office; that upon the approval of the Board of Commissioners regarding their request to disinter and inter the deceased from the site, a resolution be approved in accordance with the NC General Statute Chapter 65-13G. He reviewed a plat showing the present and proposed locations of the graves.

The County Attorney explained grave removal procedures according to the General Statutes. He read a draft of a proposed resolution permitting graves to be removed under due legal process.

Commissioner Morgan suggested that Mr. Will Heiser, an expert on Chatham County grave locations, now living in Durham, be contacted for further information with regard to graves identification.

Commissioner Atwater asked that Pat Ladd Horton be contacted as she had expressed an interest in locating relatives.

Commissioner Pollard asked that additional information be provided for the next meeting on this item.

Commissioner Morgan moved, seconded by Commissioner Outz, to table the matter until the June 2, 2003 Board of Commissioners' meeting. The motion carried five (5) to zero (0).

- **State Mental Hospital:**

- Chairman Emerson stated that he had letters from the Randolph Board of Commissioners and Lee County Board of Commissioners fully endorsing the siting of the State Mental Hospital in Chatham County. He explained that in communicating with Representative Joe Hackney, he stated that the issue would most likely be addressed by the House Finance Committee this coming Tuesday; that the committee will consider Chatham, Granville, and Wake Counties' bills on the siting of the hospital; that Representative Hackney suggested that the Chatham County Board do all it can to talk about the matter with the members of the House Finance Committee within the next several days; that he advised that it may be helpful for the Board to hire a consultant or lobbyist to assist him in the legislative process; that he recommended a gentleman that has a good record but charges a high price for his services; that he also talked with a lady who has Chatham County connections who would also help in this matter whose price is more reasonable; that Representative Hackney has experience in working with the gentleman but none in working with the lady; that the gentleman wants \$25,000 to follow the issue through until its completion; and that the Siler City Town Board has been supportive in this matter and is meeting tonight at which time they will discuss the matter;

The County Manager stated that he had talked with Joel Brower, Town Manager, with regard to firming up the dates and the range based on the information that the County has.

Commissioner Atwater stated that this is a high roll game; that with Representative Hackney's recommendation and the atmosphere that, although it is not great, there is a more favorable circumstance now than at any other time, it is key that the leadership has not made a decision; and that he will take the risk.

After considerable discussion, Commissioner Atwater moved, seconded by Commissioner Pollard, to approve funds, not to exceed \$25,000.00, to hire a lobbyist, at the discretion of the Chairman, to assist in the County's efforts to site the State Mental Hospital in Chatham County, funds to come out of Fund Balance with any additional contribution to be accepted from the Town of Siler City. The motion carried five (5) to zero (0).

A discussion ensued with regard to taking funds from the Economic Development budget for this purpose.

Paul McCoy voiced concern about funds being removed from the Economic Development budget. He stated that the Central Carolina Community College returned \$25,000 to the Economic Development budget; that they do not have anything to work with in their budget; that the building is about to fall down; that he hates to leave with the Board thinking that Economic Development can spare \$25,000 out of their budget; that they are making progress, but don't have extra monies with which to work; and that he would appreciate it if the Board would consider not taking funds from the Economic Development budget.

The Board opted to uphold their motion and take the funds for the lobbyist from Fund Balance.

Resolution Celebrating Rocky River Friends Church:

- Commissioner Pollard moved, seconded by Commissioner Morgan, to adopt **Resolution #2003-14 Celebrating Rocky River Friends Church Upon the Occasion of their 250th Anniversary**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Resolution Honoring the Life of Ms. Eliza Hooker:

Commissioner Morgan moved, seconded by Commissioner Atwater, to adopt **Resolution #2003-15**

Honoring the Life of Ms. Eliza Hooker , attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

The County Manager reported on the following:

Special Revenue Accounts:

Special revenue accounts for the fire districts and other areas will be available later in the afternoon.

Small Line Policy:

The County has had a Small-Line Policy for the last three to four years which allows citizens, who meet certain criteria, to be hooked up to County water for a portion of the cost. Because of staff changes affecting the County, it has been suggested that the policy be suspended until staff can get better established on the capability to meet them and have a more clear definition on what size lines and other criteria needs to be established.

Commissioner Atwater moved, seconded by Commissioner Morgan, to suspend the Small-Line Policy for an indefinite period with a report back to Board. The motion carried five (5) to zero (0).

COMMISSIONERS' REPORTS

"Welcome to Moncure Community of Artists" Signs:

Commissioner Pollard explained that she had been contacted about the signing issue in Moncure; that there is some confusion as to the original request; that the original request to sign Moncure on US Highway #1 utilizing "Area of Artists" was denied; that their proposal was to all signing on Old US Highway #1 and perhaps Pea Ridge Road at its intersection with Old US Highway #1; that the sign would be the standard "Welcome to Moncure" sign with the slogan "Community of Artists"; that the Board previously adopted a resolution which needs to be amended with a new resolution before NC DOT can move forward; and that the NC DOT policy places all costs associated with these types of signs on the requester.

Commissioner Pollard moved, seconded by Commissioner Atwater, to adopt **Resolution #2003-16 Requesting Installation of "Welcome to Moncure, Community of Artists" Signs**, correcting the technical difficulties of the previous resolution, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Goldston Water:

Commissioner Outz asked if anyone had heard anything from Goldston about water.

Chairman Emerson stated that he had talked with representatives the previous night and that communications continue.

Industrial Site Development:

Commissioner Morgan asked if everyone had received a copy of proposed land development on the industrial site. He stated that after the budget meetings, it needs to be addressed.

ADJOURNMENT

Commissioner Atwater moved, seconded by Commissioner Outz, 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 8:32 PM.

Thomas J. Emerson, Chairman

ATTEST:

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