

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
AUGUST 04, 2003

The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in the Agricultural Auditorium Building, 45 South Street, located in Pittsboro, North Carolina, at 9:00 AM on August 04, 2003.

Present: Chairman Tommy Emerson; Vice Chair Carl Outz; Commissioners Margaret Pollard, Bob Atwater, and Bunkey Morgan; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

The meeting was called to order by the Chairman at 9:00 AM.

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 additions, deletions, or corrections to the Agenda.

Commissioner Morgan asked that Item #4, Consideration of a request by William D. Mitchell for a Light Industrial Conditional Use District with a Conditional Use Permit for a mini-warehouse storage facility, be deferred until a later date.

- Commissioner Pollard moved, seconded by Commissioner Outz, to approve the Agenda with the noted request. The motion carried five (5) to zero (0).

CONSENT AGENDA

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

Commissioner Morgan 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 July 21, 2003

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

2. **Road Name:** Consideration of a request from citizens for the naming of a private road in Chatham County as follows:

1. **Brown Pond Road**

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

3. **Chatham County Emergency Operations Grant Acceptance:** Consideration of a request by Chatham County Emergency Operations to accept an Emergency Planning Grant from Federal Emergency Management Agency (FEMA) in the amount of \$28,665.00

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Mike Cross, 388 Cross Point Road, New Hill, NC, voiced concern with regard to Waste Industries USA waste dump proposal. He informed the Board of the largeness of the project stating that the proposal indicates multiple cells with additional future cells; that one cell would blanket all of downtown Pittsboro which is four times the height of the Chatham County Courthouse dome; that it would extend 300 yards in all directions; that from the north, it would include First Citizens Bank to the top of the hill; that from the South, it would go from Womack Street and include the fire department; that from the east, it would go to Smith Street and include all of Friendly Ford; and that from the west it would go to Rectory Street and include the Pittsboro Library.

Jackie Williams, 2725 NC #87 South, Moncure, NC, representing people on Old Sanford Highway that would like to receive County water, stated that her mother's well is dry which might have been caused from the drilling at 3M; that they would like to get County water before this happens to other people; that there is no one who lives on the road who has much water; that they would like to know if they are going to be able to get County water; and that she lives on the south portion of the road and would also like to get County water.

Shirley Dean, 1503 Old Sanford Road, Moncure, NC, stated that she also represented the Old Sanford and Chatham Church Roads; that there were a lot more people who would like to have attended the meeting but were unable to do so; that in 1995, a committee was formed from the Old Sanford Road, Chatham Church Road, and Asbury Church Road working together to retrieve information in order to get water; that Asbury now has water but the other two do not; that this is a section of road between Chatham Church and Log Barn Acres; that it is an area approximately three-four miles in length; that there have been four or five houses added to the six that were there in the 1995 survey; that most have low water yields, foul smelling water, and chemical and bacterial contamination; that another well collapsed which may be due to the 3M blasting; that they are desperately asking for water and want to know what the possibility of getting water and when it might come.

Philip Ihme, 382 Old Sanford Road, Moncure, NC, stated that they started trying to get water approximately five years prior; that they were told at that time that they would be able to get it; that nothing has happened; and that he has talked with town folks who have said that if the County can not provide water that they will be glad to do so.

Commissioner Outz moved that the Town of Pittsboro be contacted within two weeks to work out a solution.

Chairman Emerson suggested that the County Manager look into the situation and return to the Board with options with regard to what can be done to meet the citizens' water needs at the next meeting.

Chairman Emerson and Commissioner Outz are to meet with the Town of Pittsboro Board and discuss options with the County Manager then report back to the Board.

Commissioner Pollard asked that the previous water agreements be reviewed stating that there are few hook-ups in the Asbury Community and that people should know that when the line comes by, that they would be expected to hook up.

Commissioner Outz withdrew his motion.

Sam King, Bear Creek, NC, stated that as a resident of the Devil's Tramping Ground Road, he is interested in the County extending the water system that ends prior to his home; that he began by speaking to several current commissioners via telephone; that these Commissioners asked that they determine the distance needed for this water extension and the number of residents requesting County water; that after extensive research, they propose that the system be extended approximately one mile from its current location; that this extension will allow potentially twelve property owners to have access to the County water system; that they have spoken to seven owners, left messages with three and tried but failed to make contact with two others; that after contacting the seven, they feel that all seven would be committed to the extension; that their current water supply is provided by wells; that this water is of the poorest quality; that in terms of its washing abilities, the water turns their clothes a dingy gray and often leaves behind water stains; that they cannot drink the water because of its terrible limey taste; that this problem forces them to have to buy all the water they consume for drinking and cooking; that they are providing this proposition because they believe their water quality problems will be alleviated with the use of County water; and that their proposition will provide a water point for their local fire department.

PLANNING AND ZONING

~~**Request for Light Industrial Conditional Use District with Conditional Use Permit:** Consideration of 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~~

This item was deferred until a later date.

FINANCE OFFICE

Fiscal Year 2003-2004 Budget Amendments: Consideration of a request to approve Fiscal Year 2003-2004 Budget Amendments

Commissioner Morgan moved, seconded by Commissioner Atwater, to approve the Fiscal Year 2003-2004 Budget Amendments to include approval of the line item transfer from the Dare Program in the amount of \$4,190 to other youth services programs in the Sheriff's Department, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

PUBLIC WORKS

Agreement to Expand Solid Waste Feasibility Study: Consideration of a request to approve an agreement between Chatham County and HDR Engineering, Inc. to expand the Solid Waste Feasibility Study to include an exploratory study of the feasibility of a regional publicly-owned or controlled landfill

After considerable discussion, Commissioner Atwater moved, seconded by Commissioner Pollard, to approve the expansion to the agreement between Chatham County and HDR Engineering firm to include an exploratory study of the feasibility of a regional publicly-owned or controlled landfill. The motion carried four (4) to one (1) with Commissioner Outz opposing. The contract is attached hereto and by reference made a part hereof.

APPOINTMENTS

Chatham Trades, Inc. Board of Directors Appointment: Consideration of a request to appoint a replacement for former Commissioner Rick Givens on the Chatham Trades Board of Directors

Chairman Emerson moved, seconded by Commissioner Atwater, to appoint LaDone Johnson, 1107 Oxford Street, Lot #124, Siler City, NC, to the Chatham Trades Board of Directors. The motion carried five (5) to zero (0).

Chatham County Travel & Tourism Advisory Board Appointment: Consideration of a request to approve newly appointed members and renew terms for current member to the Chatham County Travel & Tourism Advisory Board

Commissioner Pollard moved, seconded by Commissioner Outz, to appoint Commissioner Patricia Perry replacing Terri Perrin (Governors Club Sales and Catering Director – Representative of Lodging); Terri Perrin is changing representation to At-Large (since Governors Club will soon no longer be a lodging facility) replacing Debby Hussey (At-Large) who is leaving for family reasons; Phil Dark replacing Doris Huneycutt (Representative of Agriculture) for health reasons; Michael Rogers (Representative of Festivals) is renewing terms (three-year). The motion carried five (5) to zero (0).

Central NC Regional Library Board Appointment: Consideration of a request to appoint a member to the Central NC Regional Library Board

Commissioner Pollard moved, seconded by Commissioner Outz, to appoint Jane Hinnant, 19 Crosswinds Estates Drive, Pittsboro, NC, to serve on the Central NC Regional Library Board. The motion carried five (5) to zero (0).

Piedmont Conservation Council Appointment/Reappointment: Consideration of a request to appoint/reappoint a member to the Piedmont Conservation Council

Commissioner Atwater moved, seconded by Commissioner Pollard, to reappoint Barbara Sheppard, 2194 Siler City-Glendon Road, to the Piedmont Conservation Council. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

The County Manager reported on the following:

Work Session:

The Board of Commissioners' Work Session will be recessed from the Ag Auditorium to the Henry H. Dunlap, Jr. Classroom immediately following the regular meeting due to a scheduling conflict.

COMMISSIONERS' REPORTS

Resolution Requesting Upgrade to the Pittsboro-Moncure Road (State Road #1012):

Chairman Emerson stated that he had received a letter from Sam Adams on the Economic Development Board requesting help from G. R. Kindley and action by the Highway Commission in upgrading a stretch of State Road #1012 (Pittsboro Moncure Road). He stated that the letter affirmed that the road was one of the negative economic development items facing the County; that the road is very narrow for almost its entire length and is not conducive to safe and reliable travel for passenger cars and trucks; that the Economic Development Board would like to join with the Board of Commissioners in routing a joint resolution to the NC Department of Transportation regarding the transportation request for upgrading this stretch of road; that Board members felt that it would be a joint effort for the two boards and that a resolution should be sent to the NC Department of Transportation, Mr. G. R. Kindley, and the Legislative Delegation respectfully requesting the Board's concurrence.

Commissioner Pollard moved, seconded by Commissioner Outz to adopt **Resolution #2003-25 Requesting an Upgrade to the Pittsboro-Moncure Road (State Road #1012)**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Resolution Requesting Upgrade to the Goldston-Carbonton Road:

The Chairman explained that the Goldston-Carbonton Road (State #2306) needs an upgrade; that it is heavily traveled by school buses and other vehicles; that he has previously written to the NC Department of Transportation from whom he received a letter stating that there are no funds available for an upgrade; that after riding the road, it appears that the worst part of the road is from Indian Creek Bridge to Carbonton; that this would shorten the project from a cost perspective; that he proposes the Board adopt another resolution asking them to look at improvements to the shorter section of the road.

Commissioner Morgan moved, seconded by Commissioner Atwater, to adopt **Resolution #2003-26 Requesting an Upgrade to the Goldston-Carbonton Road (State Road #2306)**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

ABC Board:

Commissioner Outz asked if members of the ABC Board had been given a raise as per the letter received from Roy Siler on the ABC Board stating that they had not received a raise in five years.

The County Manager explained that the matter was discussed sometime in the past in a work session; that it was unclear as to whether the salary adjustment was done by their board or the Board of Commissioners.

Woodall Matter:

Commissioner Outz asked about the Woodall situation in Moncure.

The County Attorney explained that he would present the Consent Judgment to the Judge for approval on Monday, August 11, 2003 after which he will make his presentation to the Board of Commissioners.

Health Insurance for County Employees:

Commissioner Outz asked how much health insurance increased for County employees. He voiced

concern that this increase was in addition to employees raises received.

NC Sports Arena:

Chairman Emerson stated that the County Manager, County Attorney, Sheriff Webster, and he met to discuss the on-going problem with the NC Sports Arena. He stated that the County Attorney is researching potential options and the Sheriff is working on recommendations; that there is a follow-up meeting scheduled where a report will be available for the Board of Commissioners at their next meeting.

Privilege License:

Commissioner Atwater stated that in reviewing the last Board of Commissioners' minutes, he had taken a good look at Commissioner Morgan's comments with regard to the privilege license; that Commissioner Morgan had pointed out that the fee could be used for a number of things beneficial in this type of situation; and that he hopes the County Attorney will give consideration to the privilege license when looking at the NC Sports Arena.

County-Line Signs:

Commissioner Atwater stated that while traveling around the County, he had noticed that the County line-signs are different from most other counties; that usually a statement is made about the county, perhaps a slogan; that he feels that this needs to be taken under consideration; that he thinks a statement needs to be made every time possible about Chatham County; that he has been thinking about the slogan, "Our future is your future."; and that he wonders how the other members of the Board feel about looking into it.

Chatham County Flag:

Commissioner Morgan stated that after going through the process of getting a Chatham County flag, he can find no picture of the flag anywhere. He asked that the issue of the "missing Chatham County flag" or a picture of one be addressed.

County-Line Signs:

Commissioner Atwater readdressed the "slogans" on County-line signs and asked that staff look into the slogan issue stating that it cuts across several areas including Economic Development, Travel & Tourism, and the Board of Commissioners; and that staff return with a proposal as to how to best address and establish the process.

Woodall Issue:

Commissioner Atwater asked the County Attorney if the Woodall issue was a matter of where he negotiates a consent agreement with the other attorney representing Mr. Woodall.

The County Attorney explained that a tentative agreement was reached in court-ordered mediation; that it is subject to approval by the judge; that it is scheduled for August 11, 2003; that it will be approved or disapproved by the judge at that time.

RECESS

- Commissioner Morgan moved, seconded by Commissioner Outz, that there being no further business

to come before the Board, the meeting be recessed to the regularly scheduled Work Session in the Henry H. Dunlap, Jr. Classroom. The motion carried five (5) to zero, and the meeting was recessed at 10:12 AM.

Thomas J. Emerson, Chairman

ATTEST:

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