

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING AND WORK SESSION
JUNE 02, 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 June 02, 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; 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 9:05 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 AND CONSENT AGENDA

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

Chairman Emerson requested that:

- 1) Item #6, Engineering Services Contracts for Group B Hydraulic Improvements and Water System Transmission Mains be removed from the Consent Agenda and deferred until a later date
- 2) Bond Refinancing added to the Regular Agenda as Item #14A
- 3) Closed Session added to the Regular Agenda to discuss potential acquisition of property

Commissioner Morgan moved, seconded by Commissioner Outz, to approve the Agenda and 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 May 19, 2003 and Work Session held May 26, 2003

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

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

1. **Buckskin Drive** 2. **Jerrys Junction**

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

3. **Tax Releases:** Consideration of a request for approval of tax releases, attached hereto and by reference made a part hereof.

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

4. **Refunds on Tax Bills:** Consideration of a request for approval of refunds on regular tax bills paid in error, attached hereto and by reference made a part hereof.

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

5. **Soil and Water Grant Acceptance:** Consideration of a request for acceptance of two grants for the Chatham Soil & Water Conservation District as follows:

- 1.) Grant made available for the closure of Craig Thomas' waste storage pond in the amount of \$7,550
- 2.) Grant made available for the closure of Charlie Suggs waste storage pond in the amount of \$8,150

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

6. ~~**Engineering Services Contracts for Group B Hydraulic Improvements and Water System Transmission Mains:** Consideration of a request to approve the Engineering Services Contracts for Group B Hydraulic Improvements and Water System Transmission Mains, attached hereto and by reference made a part hereof.~~

This item was deferred until a later date.

7. **Home and Community Care Block Grant Committee:** Consideration of a request to approve the Home and Community Care Block Grant Committee recommended budget for FY2003-2004, attached hereto and by reference made a part hereof.

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

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

"NO WAKE" ZONE

"No Wake" Zone Around Ebenezer Church Road Access Point: Public hearing to receive public comments on a request to establish a "no wake" zone around the Ebenezer Church Road access point

Jim Jablonsky, 301 Piney Woods Lane, Apex, NC, expressed concern with regard to safety of

citizens around the Ebenezer Church Road access point. He stated that the slips are heavy and that the present buoy is one hundred feet or so from the dock; that as the boats leave the dock, they throw a tremendous wake at the ramp; that one fisherman lost an expensive bass boat the day before because a wave hit him from the back and sunk his boat; that it could have been avoided; that there is a tremendous thrust of wake from the short buoy; that a petition was put together by a lot of people requesting a larger no wake area at the Ebenezer Church Road access point; that a proposal was submitted in the spring of 2002 but not received by the proper authorities; that he does not know how many accidents that there have been during that time; and that they propose that the proper authorities expedite this matter to have a larger no wake zone in the area.

Commissioner Pollard moved, seconded by Commissioner Morgan, to adopt **Resolution #2003-18 Proclaiming No Wake Zones**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

By consensus, the Board asked that the County Manager contact the Parks and Wildlife Resources Commission authorities to ask them to exercise keener enforcement of existing no wake zones.

NC DEPARTMENT OF TRANSPORTATION-DIVISION OF HIGHWAYS

2003-2004 Secondary Roads Improvement Supplement for Chatham County: Consideration of a request to present the Chatham County 2003-2004 Secondary Roads Improvement Supplement

Jeff Picklesimer, District Engineer for the North Carolina Department of Transportation, Division of Highways, introduced G. R. Kindley, Board Member for Division 8, Richard Hancock, Division Maintenance Engineer, Benny Sloan, Chatham County Maintenance Engineer, Wayne Whorton and Reuben Blakely, Assistants in his office, and presented the Secondary Roads Improvement-Highway Funds Program for Chatham County. He reviewed the 2003-2004 proposed allocations for unallocated highway funds and unallocated trust funds, a copy attached hereto and by reference made a part hereof.

Mr. Picklesimer and staff answered questions from the Board.

Commissioner Pollard moved, seconded by Commissioner Outz, to adopt **Resolution #2003-19 for Secondary Roads for the Chatham County Secondary Road Improvement Program**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

G. R. Kindley, stated that he had seen a number of good things happen during his eleven year tenure as a member of the Board of Transportation; that he thinks that the Moving Ahead Program will be one of the best things that has come along in a long time; that there are specific things for which the monies can be used, i.e. bridges (replacement, maintenance, and widening); that there are still a few roads that need to be widened; that there have been a number of requests to widen the Pittsboro-Moncure Road; that Chatham County will benefit from the Moving Ahead Program in the amount of approximately \$3-3.5 million in that type of work; that priorities are now being established; that their division should probably receive approximately \$45 million to be distributed within eight counties; that they understand Chatham County's needs; that they are trying to represent the County as best they can; that is always a pleasure to work with the County Manager; and that they stand ready, willing, and able to do what they can with the dollars that they have with which to work.

Commissioners Morgan asked about DOT/economic development funds available for roads on government-owned and developed lands.

Mr. Kindley replied that the monies are available for industrial park areas; that they will be happy to

take a look at the County's industrial park land; that funds are limited up to \$400,000.00 per industrial park; that there are certain requirements; and that if this type of assistance is needed, the Board should prepare a resolution for adoption, that he will be glad to take up the matter with the engineers and division staff in Raleigh to see if it meets the requirements.

After further discussion, Chairman Emerson moved, seconded by Commissioner Morgan, to investigate the application process and send a letter to Mr. G. R. Kindley requesting approval of funds from DOT economic development funds (Bill #1005) for Chatham County's evolving business/industrial park. The motion carried five (5) to zero (0). A copy of the letter is attached hereto and by reference made a part hereof.

PLANNING AND ZONING

Zoning Board of Adjustment:

Pilkington Appeal on Junk Yard Enforcement Actions: Public hearing to receive public comments on an appeal to the Zoning Board of Adjustment by Jimmy and Betty Pilkington on Junk Yard Ordinance enforcement actions of the Land Use Administrator on property along the Pittsboro-Goldston Road (SR #1010)

Chairman Emerson asked to be excused from voting on this matter due to a possible conflict of interest.

Commissioner Morgan moved, seconded by Commissioner Pollard, to excuse Chairman Emerson from voting on this matter. The motion carried four (4) to zero (0).

Commissioner Morgan moved, seconded by Commissioner Pollard, to recess as the Board of Commissioners and convene as the Zoning Board of Adjustment. The motion carried four (4) to zero (0).

***See Minutes of the Zoning Board of Adjustment, June 2, 2003.**

Commissioner Morgan moved, seconded by Commissioner Atwater, to adjourn as the Board of Adjustment and reconvene as the Chatham County Board of Commissioners. The motion carried four (4) to zero (0).

RECESS

The Vice Chair called for a five-minute break.

FINANCE OFFICE

Audit Contract for Fiscal Year 2002-03: Consideration of a request to approve audit contract for Fiscal Year 2002-2003

Commissioner Morgan moved, seconded by Commissioner Outz, to accept staff recommendation and approve the audit contract for Fiscal Year 2002-2003 and go out for competitive bids prior to the next fiscal year. The motion carried four (4) to zero (0).

APPOINTMENTS

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

to the Chatham County Planning Board by Commissioners Pollard, Morgan, and Outz

Commissioner Pollard deferred her appointment until after the Compact Communities Ordinance is adopted.

Commissioner Morgan deferred his appointment until the next meeting.

Commissioner Outz deferred his appointment until the next meeting.

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

This item was deferred until a later date.

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

By consensus, the Board asked that this appointment be advertised and returned to the Board for consideration at a later date.

BOARD OF COMMISSIONER MATTERS

Bond Order:

Commissioner Atwater introduced the following Bond Order which was read by the County Attorney at length.

Commissioner Atwater moved, seconded by Commissioner Morgan, adoption of **Resolution #2003-20 Bond Order Authorizing the Issuance of \$13,500,000 General Obligation Refunding Bonds of the County of Chatham**, directing the Clerk to the Board to publish the Bond Order setting the public hearing on said bond order for June 16, 2003, and directing the Finance Officer to file the debt statement, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Commissioner Atwater moved, seconded by Commissioner Pollard, to contract with Ferris, Baker, & Watts for refunding of Bond Order. The motion carried five (5) to zero (0). The contract is attached hereto and by reference made a part hereof.

Relocation of Graves:

Relocation of Graves: Consideration of a request to approve the relocation of graves from a parcel of land located south of Mann's Chapel Road and adoption of **Resolution Giving Consent to the Disinterment, Removal, and Reinterment of Graves on Land Previously Owned by Thomas Bland on US Highway #15-501 Approximately 0.5 Mile South of Its Intersection with Mann's Chapel Road**

Commissioner Morgan moved, seconded by Commissioner Outz, to adopt **Resolution #2003-21 Giving Consent to the Disinterment, Removal, and Reinterment of Graves on Land Previously Owned by Thomas Bland on US Highway #15-501 Approximately 0.5 Mile South of Its Intersection with Mann's Chapel Road**, to include placing a future notice in the next publications of the Durham-Chapel Hill Herald, Chapel Hill News, and the News and Observer newspapers and that both family names, Cheek and Cole, be advertised. The motion carried five (5) to zero (0). The resolution is attached hereto and by reference made a part hereof.

MANAGER'S REPORTS

The County Manager reported on the following:

Enterprise Funds:

The Work Session on Enterprise Funds will be held in the Henry H. Dunlap Classroom immediately following the Board of Commissioners' meeting.

COMMISSIONERS' REPORTS

State Mental Hospital Vote:

Chairman Emerson stated that the House Finance Committee will vote on the three bills for placement of the state mental hospital on June 3, 2003 and it would behoove all Board members to be in attendance at the Fifth Floor Legislative Building, Room 544, Raleigh, NC.

Goldston Water System:

Commissioner Outz asked for further information about the Goldston water situation.

The County Manager stated that they were still waiting on a letter from the Board of Directors of the Goldston Water District which has not yet been written.

Bill Lowery stated that contact had been made with their chairman on Tuesday who will render a decision.

Recreation Fees:

Commissioner Outz asked how much money had been collected in recreation fees.

The Finance Officer responded that approximately \$40,000-50,000 had been collected.

CLOSED SESSION

Commissioner Pollard moved, seconded by Commissioner Atwater, to recess the Regular Session and convene in Closed Session for the purpose of discussing a potential land acquisition involving rights-of-way for the Stockyard Road Sewer project. The motion carried five (5) to zero (0).

REGULAR SESSION

Commissioner Pollard moved, seconded by Commissioner Outz, to adjourn the Closed Session and reconvene in Regular Session. The motion carried five (5) to zero (0).

LUNCH RECESS

The Chairman called for a one-hour lunch recess.

WORK SESSION

Work Session Agenda

1) Enterprise Funds

The Chairman called the Work Session to order at 1:15 PM.

Commissioner Morgan moved, seconded by Commissioner Outz, to adopt **Resolution #2003-22 for Property Acquisition for Wastewater Treatment Easements for Stockyard Road Project**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

ENTERPRISE FUNDS

Solid Waste:

Bob Holden, Solid Waste Manager, reviewed a modified plan including fees, if hours at recycling centers are reduced and towns are charged a solid waste collection fee.

By consensus, the Board agreed to extend the disposal contract until it can be reviewed and put out for bid during the next fiscal year.

After considerable discussion, Commissioner Morgan moved, seconded by Commissioner Pollard, to approve Option #4:

Town households would be charged a new fee of \$45.00

Unincorporated with a private hauler would have a \$70.00 fee increase to \$115.00

Unincorporated without a private hauler would have a \$15.00 fee increase to \$115.00

and to give staff flexibility in operation hours, but asked that the hours be reduced as little as possible to maintain the current level of service. The motion carried five (5) to zero (0).

By consensus, the Board asked that the County Manager, County Attorney, and Finance Officer research options for those receiving the Homestead Exemption to (1) determine if it is legal to discount solid waste bills and (2) see what affect it would have on elderly people with limited incomes if a tax break was given to those who qualify for tax relief. The motion carried five (5) to zero (0).

Water:

After considerable discussion, Commissioner Morgan moved, seconded by Commissioner Atwater, to accept staff recommendation to approve a ten percent increase in water fees and set expenditures for water utility at \$3,302,300. The Board of Commissioners, in approving the budget, directed the County Manager to reduce fund balance by \$5,517. The motion carried five (5) to zero (0).

Work Session:

By consensus, the Board agreed to hold a work session on the afternoon of June 16, 2003 prior to the regularly scheduled Board of Commissioners' meeting beginning at 5:00 PM to include a Closed Session.

ADJOURNMENT

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Commissioner Pollard moved, seconded by Commissioner Morgan, that there being no further business to come before the Board, the meeting be adjourned. The motion carried five (5) to zero, and the meeting was adjourned at 3:00 PM.

Thomas J. Emerson, Chairman

ATTEST:

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