

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**FEBRUARY 03, 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 February 03, 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 9:00 AM.

**PLEDGE OF ALLEGIANCE AND INVOCATION**

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

**AGENDA**

Commissioner Pollard 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 Morgan moved, seconded by Commissioner Outz, to approve the Consent Agenda.

1. **Minutes:** Consideration of a request for approval of Board Minutes for meeting held January 21, 2003

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

2. **Tax Refunds:** Consideration of a request to approve 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).

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

A. **Mystery Lane**                      C. **Rutledge Drive**

B. **Ridge Runner** D. **Searcy Lane**

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

4. **Tax Lien Advertisement:** Consideration of a request to approve advertisement of tax liens

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.

**TAX OFFICE**

- **Appeal of Motor Vehicle Valuation:** Consideration of a request to appeal a motor vehicle valuation by Mr. Walter Harris

Mr. Harris asked that the tax value, assigned by the Chatham County Tax Office on his 1948 Rolls Royce vehicle, be reassessed and the tax value reduced.

After considerable discussion, Commissioner Outz moved, seconded by Commissioner Pollard, to set the value of the 1948 Rolls Royce vehicle at \$18,600.00.

Commissioner Atwater asked to amend the tax value of the 1948 Rolls Royce vehicle to \$20,000.00, the midpoint between the NADA values of \$18,600 (low) and \$36,900 (high). Commissioner Pollard seconded the motion.

After further discussion, Commissioner Atwater withdrew his motion to amend the motion.

Chairman Emerson called the question.

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

**PRESENTATION**

- **Lost Corners Community Presentation:** Consideration of a presentation by the Lost Corners Community asking for assistance with establishing a rural buffer between their community and the Town of Cary

Betsy Phillips, representative for the Lost Corners Community, stated that the Lost Corners Community is located two miles east of Highway #751 and one-half mile north of O'Kelly Chapel Road; that the community is bordered by Durham County to the north, Wake County to the east, and the US Army Corps of Engineers land to the west and south; that Wake Road and Grandale Drive are the main roads through the Lost Corners; that those two roads total only 7/10th of a mile in length; that there are approximately 285 acres of land in the Lost Corner of Chatham County; that at least 180 acres remain undeveloped with an abundance of indigenous animals and native plants; that there are 31 homes and an additional 6 families that own land, for a total of 37 land or homeowners.

She stated that the Town of Cary included the Lost Corners Community in the Northwest Cary Land

Plan that they developed last year; that the Lost Corner Community, including Wake and Durham County neighbors, were very involved and vocal in the land plan development process, holding several meetings in the corner with Cary planning staff and town council representatives; that the initial land plan called for their entire community to be designated for office and institutional use; that Cary's traffic analysis demonstrated that the region could not support the traffic that OI use would bring; that despite their outrage and collective efforts to attempt to have their voice heard, the final land plan does not represent the will of the community; that at present, there is only one Wake County property, or 3/10th of a mile, between the current Cary Exterritorial Jurisdiction and the Lost Corner; that Cary intends to extend its ETJ boundary into Chatham County and the Lost Corner, which may lead to involuntary annexation into Cary; that Cary's land use plan calls for clustered development in the Lost Corner, compared to Chatham County's low density development zoning; that the high-density developments already approved for this rural region of Wake County will require Cary to have major parkways to move people to RTP; that the present transportation map proposes bringing the four-lane Amberly Parkway across the US Army Corps of Engineers land into Southern Durham County through the Lost Corners; that in addition, they propose to expand Wake Road to four-lanes and extend Kit Creek Parkway from RTP to Amberly Parkway; that in speaking to Cary planners, they feel that these parkways will be necessary to "move people to the mall"; that this will create a major crossroads and perhaps a bottleneck effect in their community; that the Durham County 2020 Transportation Plan does not call for any increase in road construction on Grandale Road where Amberly Parkway will end; that those that live there and love their community believe that this major intersection will bring about the demise of their community; that according to the Cary Planning Department, the residents will have input into the path this highway will take through the Lost Corners; that Cary developed conservation overlays for areas with significant natural resources; that in order for the conservation overlay to apply in the Lost Corner, there would be a hefty compromise; that the Lost Corner would need to be included in Cary's ETJ; that State Representative Joe Hackney and State Senator Ellie Kinniard recommended a rural buffer agreement to their community at a meeting in November, 2002; that over thirty citizens from their community met with them to discuss the possibility of a bill to change the current ETJ law that allows a city to cross county lines without a citizens' vote; that it was explained to them that because of the strength of the League of Municipalities such a bill would be difficult to pass; and that they encouraged them to pursue a rural buffer agreement if they want to keep the Lost Corner rural.

She further stated that they had obtained a copy of the rural buffer agreement that was successfully established by Orange County and the Towns of Carrboro and Chapel Hill; that they are in agreement that they would like to see a similar buffer established between Chatham County and the Town of Cary for the Lost Corners Community; that a twenty year agreement would protect them from involuntary annexation during that time and require Cary to create alternative transportation plans for their city; that the community understands that if a rural buffer is established, they could not seek help with any public utilities from the Town of Cary and that after twenty years could revisit the agreement and determine if it still serves their needs; that since the Lost Corners is not yet in the Cary ETJ, they meet that part of the criteria in defining a rural buffer; that the land in the Lost Corners is already zoned for low-density residential use by Chatham County, which is what the citizens want and that makes it an ideal location for a rural buffer.

Ms. Phillips listed the following reasons why the Lost Corners Community needs a rural buffer agreement:

1. The Lost Corners needs a rural buffer agreement to protect us from annexation into the City of Cary.
2. Our desire is to keep the character of our community rural in the near future and to maintain this rural community for years to come.

3. If annexed, paying city and Chatham County property taxes would force some landowners to sell their property because of the financial burden.
4. Residents have environmental concerns, including wildlife and watershed issues, in this community that has its longest boundaries contiguous with the US Army Corps of Engineers' land.
5. Wake Road and Grandale Drive are now being used by motorists to avoid the heavy traffic going into Research Triangle Park. Traffic congestion will increase with Cary's proposed parkways into the region, destroying the rural character of the Lost Corner.

She stated that they realized that this process will require negotiations between Chatham County and the Town of Cary and not through any statutory authority that the Chatham County Board of Commissioners have granted; that the citizens of the Lost Corners are hoping for support from the Chatham County Board of Commissioners to negotiate a rural buffer agreement with the Town of Cary; that regardless of whether or not the Chatham County Board chooses to assist them in the negotiations and regardless of whether they are successful in assisting them, they understand that the alternative is to band together as a community and refuse to sell their property to encroaching developers. She thanked the Board for their time.

Ms. Phillips submitted petitions to the Clerk to the Board stating that a Rural Buffer Agreement between the Town of Cary and Chatham County would be in the best interest of the citizens as landowners and protecting the rural environment of the Lost Corners Community.

By consensus, the Board agreed that Keith Megginson, Chatham County Planning Director and Scott Ramage, with the Cary Planning Department, prepare information for the Board providing the pros and cons of various actions in the format of a policy paper concerning Rural Buffer Agreements or other arrangements. The Board asked that Ms. Phillips be sent a copy of the information.

## **SHERIFF'S OFFICE**

**Reclassification of Four Positions and Creation of One Position in Sheriff's Office:** Consideration of two requests for the Sheriff's Office: 1) Reclassification of four (4) positions; and 2) Creation of a lieutenant position

Commissioner Atwater moved, seconded by Commissioner Pollard, to approve the reclassification of a Deputy Corporal position, Grade 14, to a Deputy Sheriff position, Grade 13; a Domestic Violence Sergeant, Grade 17 to a Domestic Violence Corporal, Grade 14; a DARE Sergeant position, Grade 17, to a SRO/Training Lieutenant, Grade 19; and an Investigations Captain, Grade 20, to a Special Operations Captain, Grade 21. The motion carried five (5) to zero (0).

Commissioner Atwater moved, seconded by Commissioner Pollard, to approve the creation of a Lieutenant position (Administrative Officer), Grade 19. ~~The motion carried five (5) to zero (0).~~ The motion carried four (4) to one (1) with Commissioner Outz dissenting.

**\*The above motion was amended to accurately reflect the correct vote as per the March 17, 2003 Board of Commissioners' Minutes.**

## **LIBRARY**

**Alternatives for Reduction of Hours at Libraries:** Consideration of a request to discuss alternatives for reduction of hours at the Pittsboro and Siler City Libraries

Commissioner Atwater moved, seconded by Commissioner Outz, to approve the revised hours for Wren and Pittsboro Memorial Libraries. The motion carried five (5) to zero (0).

## **BOARD AND COMMITTEES**

**Mid-Carolina Workforce Development Board Appointment:** Consideration of a request to appointment an organized labor representative to the Mid-Carolina Workforce Development Board

Commissioner Pollard moved, seconded by Commissioner Morgan, to appoint Ms. Judy Elliott, PO Box 99, Moncure, NC, to fill the organized labor representative slot for Chatham County on the Mid-Carolina Workforce Development Board. The motion carried five (5) to zero (0).

**Ag Advisory Board Appointment:** Consideration of a request to appoint a member to the Ag Advisory Board by Commissioners Outz and Emerson

This item was deferred until a later date.

**Economic Development Board Appointment:** Consideration of a request to appoint a member to the Economic Development Board by Commissioner Atwater

This item was deferred until a later date.

**Board of Equalization and Review Appointments:** Consideration of a request to appoint members to the Board of Equalization and Review

Commissioner Outz moved, seconded by Commissioner Atwater, to appoint John Cooper replacing Joe Burke and Gerald Totten as an alternate replacing John Cooper to the Board of Equalization and Review. The motion carried five (5) to zero (0).

Commissioner Pollard moved, seconded by Commissioner Morgan, to reappoint Wallace Jones to the Board of Equalization and Review. The motion carried five (5) to zero (0).

Commissioner Atwater deferred his appointment until a later date.

## **MANAGER' S REPORTS**

### **Work Session:**

The Manager asked if the Board would like to have a short work session, time permitting, at the conclusion of the regular meeting and prior to the luncheon with the Cooperative Extension Service in the Henry H. Dunlap, Jr. Classroom.

By consensus, the Board agreed to hold a brief work session.

### **NACo Legislative Conference:**

The Manager reminded the Board of the 2003 NACo Legislative Conference to be held in

Washington, DC beginning February 28, 2003 through March 4, 2003 and asked if anyone was interested in attending.

Due to budgetary constraints and other issues, no member of the Board is planning to attend the NACo Conference.

## **COMMISSIONERS' REPORTS**

### **Industrial Park:**

Commissioner Outz stated that he had received a telephone call regarding the Industrial Park land and that they had asked that the Board let him know at least 30-60 days in advance before anything is done with the land so that he can move his cattle. He also stated that before a decision is made with regard to the property, it needs to be walked over to determine the most suitable building sites.

## **RECESS**

Commissioner Morgan moved, seconded by Commissioner Outz, to recess the meeting to the Henry H. Dunlap, Jr. Classroom. The motion carried five (5) to zero (0), and the meeting was recessed at 10:52 AM.

## **WORK SESSION**

### **Future Work Session:**

Commissioner Pollard moved, seconded by Commissioner Atwater, to hold a work session on Monday, March 10, 2003 at 9:00 AM on which to discuss school capital projects. The motion carried five (5) to zero (0).

### **Fuel Usage Review:**

A discussion was held with regard to what type of fuel County vehicles use on a regular basis.

### **Capital Improvements Plan:**

The Assistant County Manager reviewed the Capital Improvements Plan for the County.

## **RECESS FOR LUNCH WITH COOPERATIVE EXTENSION SERVICE**

**Cooperative Extension Service Luncheon and Annual Report:** Luncheon with the North Carolina Cooperative Extension Service and consideration of Annual Report

Commissioner Morgan moved, seconded by Commissioner Atwater, to recess the meeting for lunch with the North Carolina Cooperative Extension Service and for presentation of their Annual Report. The motion carried five (5) to zero (0), and the meeting was adjourned at 11:53 AM.

## **ADJOURNMENT**

Due to the time, Commissioner Morgan moved, seconded by Commissioner Pollard, to adjourn the

meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 2:16 PM.

---

Thomas J. Emerson, Chairman

ATTEST:

---

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