

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
FEBRUARY 16, 2004

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 6:00 PM on February 16, 2004.

Present: Chairman Tommy Emerson; 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

Absent: Commissioner Outz

The meeting was called to order by the Chairman at 6:17 PM.

PLEDGE OF ALLEGIANCE AND INVOCATION

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

AGENDA

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

Chairman Emerson stated that Commissioner Atwater had asked that “Redgate and Highland Forrest”, Items #14 (2 and 3) be removed from the Agenda.

Commissioner Pollard asked that a discussion of a Highway #15-501 transportation issue be added to the Agenda for discussion.

Commissioner Pollard moved, seconded by Commissioner Morgan, 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 Atwater asked that the February 02, 2004 Regular Minutes be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

Commissioner Morgan asked that Item #4, Consideration of a request by Contentnea Creek Development Company on behalf of H. H. Swann, Estate for sketch design review of “**The Estates at Windfall Creek**”, consisting of 29 lots on approximately 150 acres off SR #1716 Big Woods Road, in New Hope Township, be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

Commissioner Morgan moved, seconded by Commissioner Pollard, to approve the Consent Agenda with the noted requests as follows:

1. **Minutes:** Consideration of a request for approval of Board Minutes for regular meeting held February 02, 2004 and work session held February 02, 2004 and work session held January 13, 2004

The February 02, 2004 and January 13, 2004 work session minutes were approved as written. The motion carried four (4) to zero (0).

The February 02, 2004 regular minutes were removed from the Consent Agenda and placed on the Regular Agenda for discussion.

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

- A. **Jamie Lynn Lane**
- B. **Needmore Street**
- C. **Addie Alston Road**
- D. **Daffodil Lane**
- E. **Hunters Way**

The motion carried four (4) to zero (0).

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

The motion carried four (4) to zero (0).

4. ~~**Sketch Design Approval of "The Estates at Windfall Creek":** Consideration of a request by Contentnea Creek Development Company on behalf of H. H. Swann, Estate for sketch design review of "The Estates at Windfall Creek", consisting of 29 lots on approximately 150 acres off SR #1716 Big Woods Road, in New Hope Township~~

This item was removed from the Consent Agenda and placed on the Regular Agenda for discussion.

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

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

FEBRUARY 02, 2004 MINUTES APPROVAL

Commissioner Atwater moved, seconded by Commissioner Pollard, to approve the February 02, 2004 regular minutes with the exception of those portions of the minutes dealing with Commissioner Atwater's comments discussing compact communities. The motion carried four (4) to zero (0).

The Board is to consider approval/revision of Commissioner Atwater's comments regarding compact communities from the February 02, 2004 Board of Commissioners' minutes at their meeting on

March 1, 2004.

PLANNING AND ZONING

Sketch Design Approval of “The Estates at Windfall Creek”: Consideration of a request by Contentnea Creek Development Company on behalf of H. H. Swann, Estate for sketch design review of “The Estates at Windfall Creek”, consisting of 29 lots on approximately 150 acres off SR #1716 Big Woods Road, in New Hope Township

After discussion, Commissioner Morgan moved, seconded by Commissioner Atwater to accept the Planning Department and Planning Board recommendation and grant sketch design approval of “The Estates at Windfall Creek” with the following three (3) conditions:

1. Due to the development potential of the surrounding area and concern of connectivity to large tracts with future development potential, the Planning Department recommends that roads within the development shall be public and dedicated to the State of North Carolina. Lot design of Phase I may remain as shown at this time with Phase II design to bring overall lot average of both phases to 5 acres. Prior to submittal of Phase I preliminary plat, Phase II design shall be determined and sketch approval received in order to assure 5 acre average in both phases. If Phase II is not submitted for review, Phase I shall be redesigned to have a 3 acre minimum / 5 acre average lot size per the Chatham County Zoning Ordinance.
2. The stream lying within the WSIV-Critical Area watershed district shall have a 100-foot water hazard setback shown on the preliminary plat.
3. There shall be 100-foot buffers along each side of Windfall Creek.

The motion carried four (4) to zero (0).

Commissioner Morgan stated that he would like for the applicant to talk with the developers of the Preserve and the proposed Homestead regarding the possibility of connecting to their sewer systems.

PLANNING AND ZONING

Public Hearing:

Community Development Block Grant: Public hearing to receive public comments on the close out of the 2001 Community Development Block Grant

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

Commissioner Morgan suggested that housing participants be issued a special invitation to attend the next close-out of a Community Development Block Grant.

Text Amendment to Chatham County Zoning Ordinance: Consideration of a request by George Farrell for a text amendment to the Chatham County Zoning Ordinance Section 10.5 B-1 Business District, (A) Permitted Uses to add self-storage facility/mini-warehouse storage facility with related retail and services (i.e. moving truck rental)

As per the Planning Department and Planning Board recommendation, Commissioner Atwater moved, seconded by Commissioner Morgan, to approve the request to add to the Chatham County Zoning Ordinance, Section 10.5 B-1 Business District, (A) Permitted Uses the following: self-storage facility/mini-warehouse storage facility with related retail and services (i.e. moving truck rental). The motion carried four (4) to zero (0).

Highway #15-501 Transportation Issue:

Commissioner Pollard reviewed concerns with regard to the memo received from the Planning Director concerning the US Highway #15-501 improvements and traffic flow. She confirmed that one of the purposes for the widening of US Highway #15-501 is to improve travel time; that there is concern that the number of traffic signals, driveways, and median crossovers will be an impediment to an improvement of travel times; that when a conditional use permit was granted to Cole Park Plaza, one of the conditions was that the northern access, where Dry Dock Seafood is now located, be right-in and right-out only; that if a median crossover is provided at this intersection, it will allow left turns and will be close to the median crossover for the County recycling/convenience center to the north; that such a location appears that it would increase traffic congestion; that the Board has concern that if left turns are allowed it will lead to traffic accidents and congestion and will create an ongoing conditional use permit violation which will result in fines for the landowner of Cole Park Plaza.

The Chairman volunteered to meet with the Planning Director to draft a letter requesting that traffic signals be coordinated to improve traffic movement along US Highway #15-501 and requesting that the NCDOT re-evaluate the need for this cross-over and if the cross-over is provided, is such that could be designed to restrict access to right-in and right-out only turns.

Commissioner Morgan moved, seconded by Commissioner Pollard, to authorize the draft and above request to the North Department of Transportation to go out under the signature of the chairman. The motion carried four (4) to zero (0).

HEALTH DEPARTMENT

Public Hearing:

Chatham County Animal Control Ordinance: Public hearing to receive public comments on revisions to the Chatham County Animal Control Ordinance as recommended by the Chatham County Board of Health; and, consideration of a request to accept additional revenue for the Health Department for FY 2003-04 generated from the ordinance's new fee schedule

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

Commissioner Pollard moved, seconded by Commissioner Morgan, to close the public hearing. The motion carried four (4) to zero (0).

Commissioner Morgan moved, seconded by Commissioner Pollard, to adopt the proposed revisions to the Chatham County Animal Control Ordinance as recommended by the Chatham County Board of Health. The motion carried four (4) to zero (0).

RECESS

The Chairman called for a five-minute recess.

Commissioner Pollard moved, seconded by Commissioner Morgan, to take a five-minute recess. The motion carried four (4) to zero (0).

LIBRARY SERVICES

North Carolina Library Services Request to Apply for Funds: Consideration of a request to apply for funds under the State of North Carolina Library Services and Technology Act

Commissioner Atwater moved, seconded by Commissioner Pollard, to apply for funds under the State of North Carolina Library Services and Technology Act, not to exceed a matching grant of \$1,200.00. The motion carried four (4) to zero (0).

BOARD AND COMMITTEES

Home and Community Care Block Grant Committee Appointment: Consideration of a request to appoint a member to the Home and Community Care Block Grant Committee by Commissioner Outz

This appointment was deferred until a later date.

Human Relations Committee Appointment: Consideration of a request to appoint a member to the Human Relations Committee by Commissioner Morgan

This appointment was deferred until a later date.

Adult Care Home Committee Appointment: Consideration of a request to appoint a member to the Adult Care Home Committee by Commissioner Outz

This appointment was deferred until a later date.

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

These appointments were deferred until a later date.

MANAGER' S REPORTS

The County Manager had no additional reports.

COMMISSIONERS' REPORTS

Water District Meeting at Harpers Crossroads:

Chairman Emerson reminded those in attendance of the Thursday, February 19, 2004 water district meeting at the Harpers Crossroads Community Center at 7:00 PM.

Economic Development Incentives Package:

Chairman Emerson asked that Commissioners Pollard, Atwater, and Morgan, through their Economic Development Corporation connections, ask that board to develop an incentive plan for small businesses which he stated were a key segment of the Chatham County economy. He asked if a tax

break could be given to anyone starting a new, small business for a limited time (i.e. year one: 60% taxes; year two: 70% taxes; third year: 80% taxes and so on) until the tax value reaches a full 100%.

The County Attorney stated that something might be crafted which the Legislature would allow.

Commissioner Pollard stated that she thinks that it is a good idea and essential to the County as, she understands, seventy-five percent of jobs come from small businesses.

The County Manager asked if the tax break would apply to farming.

By consensus, the Board agreed and asked that the matter be addressed by the Agricultural Advisory Committee.

Commissioner Morgan stated that he felt that the Economic Development Board should be asked to craft an incentive package for small businesses and that they would gladly accept the challenge.

Commissioner Morgan asked if there was any discussion with regard to Triangle Brick who decided to build their new plant in Wadesboro.

The County Manager stated that there was some discussion at that time but nothing ever developed.

The Chairman stated that the Board needs to investigate what their competitors are doing in surrounding counties.

Commissioner Pollard stated that she felt that the retiring President of Central Carolina Community College, Dr. Marvin Joyner, might be able to make suggestions with regard to any kind of help that the community college could provide in the way of biotechnology curriculum, etc.

Town of Chapel Hill Forum:

By consensus, the Board agreed to postpone setting the date for a meeting with the Town of Chapel Hill until Commissioner Outz could be in attendance.

Dialogue with Cary:

Commissioner Pollard asked about the dialogue with Cary.

The County Manager stated that the Chairman was presently in the process of working out a meeting with them.

Water Follow-Up:

Commissioner Morgan asked about dates on which to hold water follow-ups.

The Chairman stated that he felt it could be discussed at the next meeting after the final water district meeting on February 19, 2004.

Economic Development Meeting in Pinehurst:

Commissioner Morgan reminded the Board of the meeting on “Collaborating for a Competitive Edge, County Leadership in the New Economy” meeting to be held on March 18-19, 2004 at the Mid Pines/Pine Needles Country Club in Southern Pines.

Well Violations:

Commissioner Atwater stated that Hubert Oakley had brought to his attention the solid wastewater pipes over the wells on which the County has a ninety-nine year lease. He stated that there had been some suspicion raised regarding wrong doing in this matter, and that it needed to be checked out to make certain that no one had encroached upon it in any way.

Bill Lowery stated that there had been an encroachment; that it was discovered and redone as state regulations dictate; that there was a mobile home encroaching on part of the easement; and that a prior public works official authorized the placement but had no authority to do so.

Silk Hope School Water:

After considerable discussion with regard to running a water line to the Silk Hope School, Commissioner Pollard moved, seconded by Commissioner Atwater, to authorize the engineering work to run water to Silk Hope School. The motion carried four (4) to zero (0).

ADJOURNMENT

Commissioner Atwater 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 7:30 PM.

Thomas J. Emerson, Chairman

ATTEST:

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