

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
JUNE 06, 2005

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 06, 2005.

Present: Chairman Bunkey Morgan; Vice Chair, Tommy Emerson; Commissioners Patrick Barnes, Mike Cross, and Carl Outz, County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Assistant County Manager, Renee Dickson; 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 Morgan 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 Agenda and Consent Agenda.

The County Manager clarified that Item #4, “Consideration of a request to *approve* relief of a discovery penalty on business personal property by Capital Bank in the amount of \$431.51 ” was a recommendation by the Tax Department to *deny* relief of the discovery penalty.

Commissioner Emerson moved, seconded by Commissioner Outz to approve the Agenda and Consent Agenda. The motion carried five (5) to zero (0).

CONSENT AGENDA

1. **Minutes:** Consideration of a request for approval of Board Minutes for regular meeting held May 16, 2005 and Work Session held May 16, 2005 and Budget Meeting held May 23, 2005

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

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

A. Holden Pond

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

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

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

4. **Relief of Discovery Penalty for Capital Bank:** Consideration of a request to deny relief of discovery penalty on business personal property for Capital Bank in the amount of \$431.51. A copy of the letter is attached hereto and by reference made a part hereof.

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

5. **Funds Acceptance from the NC Division of Public Health:** Consideration of a request to accept funds in the amount of \$461 in additional funds from the NC Division of Public Health awarded to the Health Department

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

6. **Refund of Overpaid Excise Stamps:** Consideration of a request by Kim W. Gallimore, Attorney, for a refund in the amount of \$19,730.00 for overpayment of excise tax. A copy of the letter is attached hereto and by reference made a part hereof.

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

7. **Renewal of EasyTech Contract:** Consideration of a request to approve three-year renewal lease of EasyTech telephone contract in the amount of \$2,356.56 per month for Management Information Systems (MIS), attached hereto and by reference made a part hereof.

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Ricky Spoon, 2475 Redbud, Pittsboro, NC, stated that approval of "Copper Ridge" was on the Board's last agenda for approval; that he thought the item was to be removed from the Consent Agenda for discussion; that he questions the waterline that is, in two years, to come down Highway #64 up Big Woods Road from The Preserve; that he has approval there for thirty-nine lots; that he thinks it will be built-out within two years; that he is going to be installing wells at approximately \$5,000 each; that in two years the wells will be obsolete with the water lines; that he would like for money to be offered in lieu of moving up the time table for running the water lines; that he has machines that can dig the water lines; that he suggests the County use his men on his time to dig the water lines; that he is a local developer who wants to help the County; that he feels that this is the perfect opportunity to "put his money where his mouth is"; that the neighbors next to the proposed subdivision need the water; that he wonders what will happen in three years if all the wells become contaminated if something happens at the S. T. Wooten plant; and that he would welcome any suggestions from the Board as how to accomplish this.

The Chairman suggested that Mr. Spoon contact the Public Utilities Director, come up with options, and meet with the Water Advisory Board for recommendation to the Board.

BOARD OF COMMISSIONERS MATTERS

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Resolution of Recognition Honoring The Northwood High School Quiz Bowl Team:
Consideration of a request to adopt **Resolution of Recognition Honoring The Northwood High School Quiz Bowl Team**

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Chairman Morgan read the resolution in its entirety. Coach Nick Winstead accepted the resolution on behalf of the team.

Commissioner Emerson moved, seconded by Commissioner Cross, to adopt **Resolution #2005-32 of Recognition Honoring The Northwood High School Quiz Bowl Team**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Resolution Honoring Ricky Spoon: Consideration of a request to adopt **Resolution Honoring Ricky Spoon**

Chairman Morgan read the resolution in its entirety.

Commissioner Cross moved, seconded by Commissioner Emerson, to adopt **Resolution #2005-33 of Honoring Ricky Spoon**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Resolution Honoring Cloyce Lassiter: Consideration of a request to adopt **Resolution Honoring Cloyce Lassiter**

Chairman Morgan read the resolution in its entirety.

Commissioner Emerson moved, seconded by Commissioner Outz, to adopt **Resolution #2005-34 of Honoring Cloyce Lassiter**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

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PLANNING AND ZONING

Update of Fee Schedule for Payments In Lieu of Land Dedication for Recreation Facilities:
Consideration of an update of the fee schedule for payments in lieu of land dedication for recreation facilities for new subdivisions and mobile home park lots based on the 2005 tax revaluation

Commissioner Emerson moved, seconded by Commissioner Barnes, to adopt the 2005 neighborhood codes and 2005 neighborhood primary building site values to be used in calculating the subdivision and mobile home park recreation fee. The spreadsheet with the neighborhood codes and primary building site values used to calculate the subdivision recreation fee and recreation fee map are attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Impact Fee:

Chairman Morgan moved, seconded by Commissioner Emerson, to approve the ordinance to amend the Educational Impact Fee Ordinance to increase the accessory dwelling fee from \$500 to \$950, effective July 1, 2005. The motion carried five (5) to zero (0). The text of the ordinance will be presented at the June 20, 2005 Board of Commissioners' meeting for signature. The **Ordinance Amending the Chatham County**

Educational Facilities Impact Fee Ordinance is attached hereto and by reference made a part hereof.

BOARDS AND COMMITTEES

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

Commissioner Barnes moved, seconded by Commissioner Outz to reappoint Virginia Dudenhausen, 363 Fearington Post, Pittsboro, NC to the Adult Care Home Committee. The motion carried five (5) to zero (0).

Planning Board Appointment: Consideration of a request to appoint/reappoint a member to the Chatham County Planning Board by Commissioner Morgan

Chairman Morgan moved, seconded by Commissioner Emerson to appoint Martin Mason, 41 Ed Clapp Road, Siler City, NC, to the Planning Board. The motion carried five (5) to zero (0).

Board of Health: Consideration of a request to appoint a Commissioner replacement to the Chatham County Board of Health

Chairman Morgan moved, seconded by Commissioner Cross, to appoint Commissioner Patrick Barnes to the Chatham County Board of Health. The motion carried five (5) to zero (0).

Central Carolina Community College Board of Trustees:

Chairman Morgan moved, seconded by Commissioner Cross, to appoint Renee Dickson, Assistant County Manager, to the Central Carolina Community College Board of Trustees. The motion carried five (5) to zero (0).

Economic Development Board: Consideration of a request to appoint a member to the Chatham County Economic Development Board

Commissioner Barnes moved, seconded by Commissioner Cross, to appoint Jamie Nunnally, 101 Wilder Ridge, Chapel Hill, NC, to the Economic Development Board. The motion carried five (5) to zero (0).

Board of Health Appointments: Consideration of a request to appoint/reappoint members to the Chatham County Board of Health by the full Board as follows: 2 new citizens, 1 citizen appointment/reappointment, 1 veterinarian appointment, and 1 engineer appointment

As per the Board of Health recommendation, Commissioner Outz moved, seconded by Commissioner Emerson, to reappoint Danny Wimberly, 3956 Corinth Road, Moncure, NC, to the Board of Health, effective July 01, 2005 through June 30, 2008. The motion carried five (5) to zero (0).

As per the Board of Health recommendation, Commissioner Emerson moved, seconded by Commissioner Barnes, to appoint Mary Ellen Jackson, 625 East Third Street, Siler City, NC, to the Board of Health, effective July 01, 2005 through June 30, 2007. The motion carried five (5) to zero (0).

As per the Board of Health recommendation, Commissioner Emerson moved, seconded by Commissioner Barnes, to appoint William H. Browder, Jr., 25 Paul Green Road, Pittsboro, NC, to the Board

of Health, effective July 01, 2005 through June 30, 2007. The motion carried five (5) to zero (0).

As per the Board of Health recommendation, Commissioner Barnes moved, seconded by Commissioner Cross, to appoint Gregory King, 2971 Castle Rock Farm Road, Pittsboro, NC, to the professional engineer seat on the Board of Health, effective July 01, 2005 through June 30, 2008. The motion carried five (5) to zero (0).

As per the Board of Health recommendation, Commissioner Emerson moved, seconded by Commissioner Barnes, to appoint Dr. Kevin Monce, 20 Shadow Court, Moncure, NC, to the veterinarian seat on the Board of Health, effective July 01, 2005 through June 30, 2008. The motion carried five (5) to zero (0).

New Chatham County Health Director:

Carmine Rocco, new Chatham County Health Director, stated that he was happy to be in Chatham County; that he looked forward to working with the Board; that he appreciated the Board's support; and that he would be glad to assist the Board in any way possible.

MANAGER' S REPORTS

The County Manager reported on the following:

Water Policy Clarification:

The current Water Connection Policy for Subdivisions, the policy states that "The developer shall be required to pay the total of all applicable water connection charges for all lots residential or mixed use, upon the approval of the final plat for that development."; that a question has arisen as to the time of the final plat; that the final plat is not until the very end; that the clarification would read, if approved, "The developer shall be required to pay the total of all applicable water connection charges for all lots residential or mixed use, upon the approval of **a** final plat for that development."; that that means whether construction is initiated in multiple phases or a single phase; and that at the point where they begin construction, the fee has to be paid.

Commissioner Barnes moved, seconded by Commissioner Emerson, to approve the clarification to the Water Connection Policy for Subdivisions as follows:

"The developer shall be required to pay the total of all applicable water connection charges for all lots residential or mixed use, upon the approval of **a** final plat for that development."

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

COMMISSIONERS' REPORTS

American Moulding & Millwork Company:

Chairman Morgan stated that in order for American Moulding & Millwork Company to increase their number of employees, they will have to construct a holding tank system for the "pump and haul" to allow up to one hundred employees; that the engineering firm recommended two five-thousand gallon tanks instead of one large ten-thousand tank; that the cost estimate of the tanks is approximately \$23,852.57; that Goldston is participating in this endeavor; that this can be done within thirty days with Board approval; and that by

September, 2005, they can employ up to one hundred people.

Commissioner Outz asked about Rufus' Restaurant getting some help with their waste disposal.

The County Manager explained that the restaurant was located in an incorporated municipality; that the County could not just step in and usurp their authority; that the County could partner with them to help them secure it if they had the desire, but that it is ultimately the responsibility of the Town of Goldston to get that infrastructure in place.

Chairman Morgan moved, seconded by Commissioner Emerson, to authorize an expenditure of \$23,852.57 to assist in construction of a holding tank system for American Moulding & Millwork Company and send a letter to Mr. Lloyd Kent, President informing him of the Board's action. The motion carried five (5) to zero (0). A copy of the letter is attached hereto and by reference made a part hereof.

Southern Supreme:

Chairman Morgan stated that an application for a grant is being processed to apply for funding in the amount of \$250,000 for Southern Supreme through the Commerce Department; that the information will be forthcoming soon; that they employ approximately twenty five employees during this time of the year; that during their busy season they will employ up to one hundred fifteen employees; that they are now in the process of enlarging their facility.

Chairman Morgan moved, seconded by Commissioner Barnes, to authorize appropriate funding from necessary sources to provide water to Southern Supreme on Hoyt Scott Road from the existing line on Ronald Scott Road, connecting new water customers along the route and that the new line would eventually become part of the Southwest Water District. The motion carried five (5) to zero (0).

Western Wake Regional Wastewater:

The Chairman stated that Wake County is performing a Western Wake Regional Wastewater Study; that he attended the first meeting approximately five years ago; that representatives from the County were Ray Greenlaw, Ron Singleton, and he; that it has been narrowed to three sites; that the one located in Chatham County is the least desirable; that many citizens heard about it only a couple of days before the public hearing; that the estimated completion date for the facility is 2011; that Chatham County has not been asked for its opinion nor to participate in it; that many knew that a site close to the County line was being considered, but did not know that consideration was being given to the placement in Chatham County; that the decision to return the wastewater to Jordan Lake is also being considered; that he was unsure when the decision will be reached.

Commissioner Barnes stated that the primary site is in New Hill; that the second site is at the intersection of Highways #64 and #751; that the least desirable was in Chatham County; that the line from New Hill will be run to Corinth and around Harris Lake; that the input lines will come from Durham through Morrisville, Apex, Cary, and possibly Fuquay and Holly Springs; that it is his understanding that they have decided not to return the waste to Jordan Lake; and that it originally started as five municipalities to make up the Western Wake Regional Facility.

The Chairman stated that in order to be effective, he feels that one must start with the beginning of a project; and that as he learns more, he will keep the Board informed.

Commissioner Emerson stated that he felt the only thing to be done at this point was to monitor it.

County Flag:

Commissioner Cross stated that he had received a telephone call from a former Appearance Committee member who was dismayed that the County flag was not being flown.

The County Manager is to check into this matter.

“Welcome to Chatham County” Signs:

Commissioner Cross also asked about the “Welcome to Chatham County” signs that were being stored in a warehouse waiting to be put up.

The County Manager stated that the County was waiting on the Department of Transportation to put up the signs.

BREAK

The Chairman called for a short break.

RECESS

Commissioner Emerson moved, seconded by Commissioner Cross, to recess the regular meeting to the scheduled work session. The motion carried five (5) to zero (0), and the meeting was adjourned at 10:07 AM.

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Bunkey Morgan, Chairman

ATTEST:

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