

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
JUNE 20, 2005

The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in the District Courtroom, located in Pittsboro, North Carolina, at 6:00 PM on June 20, 2005.

Present: Chairman Bunkey Morgan; Vice Chair, Tommy Emerson; Commissioners Patrick Barnes, Mike Cross, and Carl Outz, County Manager, Charlie Horne; Assistant County Manager, Renee Dickson; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

Absent: Attorney Robert L. Gunn

The Chairman called the meeting to order at 6:00 PM.

PLEDGE OF ALLEGIANCE AND INVOCATION

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

AGENDA AND CONSENT AGENDA

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

The Chairman explained that Item #23, Consideration of a request to approve budget amendments, Item #25, Consideration of a request to appoint a member to the JOCCA Board, and Item #26, Consideration of a request to appoint a member to the Jury Commission had been considered during the afternoon work session.

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

1. **Minutes:** Consideration of a request to approve Board minutes for regular meeting held June 06, 2005 and Work Session held June 06, 2005

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

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

- A Bells Chapel Road
- B. Walk N Tall Drive

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

3. **Funds Acceptance from the Family Resource Center:** Consideration of a request to accept funds in the amount of \$7,000 from the Family Resource Center (FRC) for the Health Department's Family Planning Program

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

4. **Service Agreement for Administration of Workers' Compensation Claims:** Consideration of a request to approve "Service Agreement for Administration of Workers' Compensation Claims", attached hereto and by reference made a part hereof.

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

5. **Subdivision Final Approval of "Camden Park South":** Consideration of a request by Fitch Creations for subdivision final approval of "Camden Park South, Phase One", consisting of 20 lots on 10 acres, located off SR #1812, Weathersfield, Williams Township

As per the Planning Department and Planning Board recommendation, final approval of Camden Park South was granted as submitted.

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

6. **Subdivision Preliminary Design Approval of "Cattail Creek Subdivision":** Consideration of a request by PK Chatham for subdivision preliminary design approval of "Cattail Creek Subdivision", consisting of 72 lots on approximately 172 acres, located off SR #1508, White-Smith Road, Hadley Township

As per the Planning Department and Planning Board recommendation, the road names, Rebecca Lane, Madison Court, Isabel Court, and Olivia Lane, and preliminary approval of "Cattail Creek" were approved with the following conditions:

1. No land disturbing activity shall commence until staff has received a copy of the road plan approval letter from the North Carolina Department of Transportation.
2. The final plat shall display a Voluntary Agriculture District certificate.

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

7. **Subdivision Preliminary Design Approval of "The Cottages at Stonegate II":** Consideration of a request by Pittman-Korbin, Inc. for subdivision preliminary design approval of "The Cottages at Stonegate II", consisting of 15 lots on approximately 46 acres, located at the intersection of SR #1535, Gilmore Road and SR #1534, Poythress Road, Baldwin Township

As per the Planning Department and Planning Board recommendation, the road names, Emerald Crest Court and White Pine Way, and preliminary design approval of The Cottages at Stonegate, Phase 2, were approved as submitted with the following conditions:

1. The public roadway improvement shall be provided to the northwest boundary

line of the property.

2. The final plat shall display a voluntary Agriculture District certificate.

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

8. **Subdivision Preliminary Design Approval of “Colvard Farms, Phase VII”:** Consideration of a request by Jeff N. Hunter for review of revisions to Phase VI preliminary and subdivision preliminary design approval of “Colvard Farms, Phase VII”, consisting of 26 lots on approximately 21 acres, located off Colvard Farms Road, Williams Township

As per the Planning Department and Planning Board recommendation, the road name, North Ridge Drive, and the revisions to Phase VI, preliminary design approval and approval of Colvard Farms, Phase VII and preliminary design were approved as submitted.

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

9. **Subdivision Preliminary Design Approval of Windfall Creek Subdivision, Phase I and II’:** Consideration of a request by Contentnea Creek Development Company for subdivision preliminary design approval of “Windfall Creek Subdivision, Phase I and II”, consisting of 55 lots on approximately 289 acres, located at the intersection of US Highway #64 E and SR #1716, Big Woods Road, New Hope Township

As per the Planning Department and Planning Board recommendation, the road names, Windfall Creek Drive, Ocoee Falls Drive, West Crystal Falls Circle, East Crystal Falls Circle, East Smugglers Falls Drive, West Smugglers Falls Drive, East Bridal Veil Falls Drive, and West Bridal Veil Falls Drive, and preliminary design approval of Windfall Creek, Phases I and II were approved with the following condition:

1. If required by the US Army Corp of Engineers, creek crossing permit(s) shall be furnished to staff prior to the crossing of creek(s) with roadways.

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

10. **Preliminary and Final Subdivision Approval of “Bobcat Point Subdivision, Phase IV”:** Consideration of a request by Ricky Spoon for preliminary and final subdivision approval of Bobcat Point Subdivision, Phase IV (Lots 104 –108, 111 – 118), consisting of 13 lots on approximately 58 acres, off Poplar Forest Lane, Hadley Township

As per the Planning Department and Planning Board recommendation, preliminary and final approval of “Bobcat Point Subdivision, Phase IV (Lots 104-108, 111-118) were approved with the following condition:

1. The plat not be recorded until the County Attorney has approved the financial guarantee.

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

11. **Subdivision Sketch Design Approval of “Mayfield”:** Consideration of a request by Fred Thomas Smith for subdivision sketch design approval of “Mayfield”, consisting of 11

subdivision lots and 1 exempt lot, on approximately 65 acres, located off Lonnie Fields Road, SR #2182, Gulf Township

As per the Planning Department and Planning Board recommendation, sketch design approval of "Mayfield Subdivision" was granted as submitted.

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

12. **Subdivision Sketch, Preliminary, and Final Approval of "Survey for Walter Andrew Butler":** Consideration of a request by Andy Butler for subdivision sketch, preliminary and final approval of "Survey for Walter Andrew Butler and wife Joann Johnson Butler", consisting of one (1) non-residential lot of 2 acres, located off SR #2329, Haw Branch Road, Gulf Township

As per the Planning Department and Planning Board recommendation, sketch, preliminary, and final approval of the request were granted with the following condition:

1. The commercial driveway permit be received by staff prior to issuance of a building permit for the project.

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

13. **Subdivision Sketch, Preliminary, and Final Approval of "Survey for Garry E. Wilkie":** Consideration of a request by Garry E. Wilkie for subdivision sketch, preliminary and final approval of "Survey for Garry E. Wilkie", consisting of one non-residential lot of 6.94 acres, located off SR #1745, John Horton Road, New Hope Township

As per the Planning Department and Planning Board recommendation, sketch, preliminary, and final approval of the 6.74 acre non-residential lot was granted as requested.

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

14. **Resolution for Addition of Roads to the North Carolina System of Secondary Roads – Hamlet Grove Drive and Harrison Court:** Consideration of a request to approve **Resolution #2005-37 for the Addition of Streets or Roads to the North Carolina System of Secondary Roads – Hamlet Grove Drive and Harrison Court in the Hamlet Grove Subdivision**, attached hereto and by reference made a part hereof.

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

15. **Resolution for Addition of Road to the North Carolina System of Secondary Roads – Fawn's Rest:** Consideration of a request to approve **Resolution #2005-38 for the Addition of Street or Road to the North Carolina System of Secondary Roads – Fawn's Rest in the Siler Farms, LLC Subdivision**, attached hereto and by reference made a part hereof.

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

16. **Revision to Existing Conditional Use Permit for Planned Unit Development:** Consideration of a request by Galloway Ridge at Fearington for a revision to the existing Conditional Use Permit for a Planned Unit Development (Galloway Ridge portion of the

Ferrington Planned Unit Development) on approximately 50 acres for a signage revision

As per the Planning Department and Planning Board recommendation, the requested signage revision to the existing Conditional Use Permit for a Planned United Development (Galloway Ridge portion of the Ferrington Planned Unit Development) was granted as submitted.

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

17. **Home and Community Care Block Grant Committee FY 2005-2006 Budget:** Consideration of a request to approve the Home and Community Care Block Grant Committee FY 2005-2006 recommended budget, attached hereto and by reference made a part hereof.

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

18. **Economic Development Reappointment:** Consideration of a request to reappoint Jerry Harris to the Chatham County Economic Development Board by Commissioner Emerson, to expire on June 30, 2008

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

PUBLIC INPUT SESSION

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

PLANNING AND ZONING

Public Hearing:

Public Hearing on the Closing of Certain Streets and Alleys in the Village of Bennett: Public hearing to receive public comments on the closing of various street rights-of-way and alleyways in the Bennett Community

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

The Chairman closed the public hearing.

Commissioner Emerson moved, seconded by Commissioner Outz, to adopt **Resolution #2005-39 for Order Closing Streets in Bennett**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Revision to an Existing Conditional Use Permit: Consideration of a request by George Farrell, Jr. on behalf of Kunal Enterprises LLC for a revision to an existing Conditional Use Permit (previously Andy Carlson/Handy Andy), parcel #70029, to retain the existing approved uses, *auto and truck accessory sales and installation and graphic detailing of vehicles and boats and open air sales and service of accessory buildings and gazeboes and like free-standing structure* and add the following:

- Boat, trailer and other utility vehicle sales to include camper and RV rental and sales and services including boat, RV, camper and other vehicle storage
- Bait and tackle shop
- Sporting goods sales and camping supplies

- Self Storage/mini warehouse storage facility with related retail and services (i.e. moving truck rentals)
- Vehicle and boat wash
- Rental equipment company
- Office – business, professional, and governmental

On 2.103 acres, located at the intersection of SR #1744, Bob Horton Road and Highway #64 East, New Hope Township and for review of a revised site plan for the overall project

As per the Planning Department and Planning Board recommendation, Commissioner Barnes moved, seconded by Commissioner Outz, to approve the request for a revision to an existing Conditional Use Permit (previously Andy Carlson/Handy Andy), parcel #70029, to retain the existing approved uses, auto and truck accessory sales and installation and graphic detailing of vehicles and boats and open air sales and service of accessory buildings and gazebos and like free-standing structure and add the following:

- Boat, trailer and other utility vehicle sales to include camper and RV rental and sales and services including boat, RV, camper and other vehicle storage
- Bait and tackle shop
- Sporting goods sales and camping supplies
- Self storage/mini-warehouse storage facility with related retail and services (i.e. moving truck rentals)
- Vehicle and boat wash
- Rental equipment company
- Office – business, professional and governmental

And approval of the revised site plan, (revision date 05-23-05) was granted as submitted.

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

Revision to Existing Office and Institutional Conditional Use District with Conditional Use Permit: Consideration of a request by Terry Otto and Anna Cassilly for a revision to an existing Office and Institutional Conditional Use District with a Conditional Use Permit for:

- Hotels, motels and inns including accessory eating and drinking and personal service facilities when located in the principal structure, specifically for an inn
- Public and private schools, training, and conference centers

located off SR #1941, Seaforth Road, on approximately 16 acres, New Hope Township, to request the removal of the time limit on the permit

As per the Planning Board recommendation, Commissioner Emerson moved, seconded by Commissioner Cross, to approve no time limit on any internal improvement to the existing facility (commercial kitchen) and a 60 month time period to obtain a building permit for building B (as shown on map entitled, Attachment A: Otto/Cassilly site in original application approved 6-07-04; and if a building permit is not obtained within the 60 month period, applicant must receive a revision to the Conditional Use Permit for a time extension prior to beginning construction. Expiration of the 60 month time period shall not nullify the remaining conditions of the permit. The motion carried five (5) to zero (0).

Revision to Existing Office and Institution Conditional Use District with Conditional Use Permit: Consideration of a request by D. D. W., Inc. d/b/a David Daniel Construction Company for a

revision to an existing Office and Institution Conditional Use District with Conditional Use Permit for general and professional offices, on 5.7 acres, off SR #1008 (Mt. Carmel Church Road), in Williams Township, to add an office building and associated parking area

As per the Planning Department and Planning Board recommendation, Commissioner Cross moved, seconded by Commissioner Barnes, to approve the request for a revision to an existing Office and Institution Conditional Use District with Conditional Use Permit for general and professional offices *to add an office building and associated parking area* with the following conditions:

1. A row of evergreen plants 3-4' in height be planted on the west side of the proposed parking lot to facilitate more shielding of the R-A property further to the west. Plants shall be installed at the next optimum-planting season after the certificate of occupancy for the structure has been received. Planning Department staff shall be notified of completion of plantings in order to check for compliance.
2. No additional above ground lighting is approved with this application. Any new landscape lighting shall conform to the Draft Lighting Ordinance.
3. No new signage is approved with this application except for directional signage within the property.

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

FINANCE OFFICE

Budget Amendments: Consideration of a request to approve budget amendments

Action was taken on the budget amendments during the afternoon work session.

BOARD OF COMMISSIONERS' MATTERS

Budget Ordinance: Consideration of a request to adopt Fiscal Year 2005-2006 Budget Ordinance

Commissioner Barnes moved, seconded by Commissioner Cross, to accept the Capital Projects Status Report as presented, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Commissioner Outz moved to set the tax rate at 58 cents.

After considerable discussion, the motion died for lack of a second.

Commissioner Barnes moved, seconded by Commissioner Cross, to approve the FY 2005-06 Budget Ordinance as presented, attached hereto and by reference made a part hereof. The motion carried four (4) to one (1) with Commissioner Outz opposing.

BOARDS AND COMMITTEES

JOCCA Appointment: Consideration of a request to appoint a member to the JOCCA Board

Action on this item was taken in the afternoon work session.

Jury Commission Appointment: Consideration of a request to appoint a member to the Jury Commission by the full Board

Action on this item was taken in the afternoon work session.

MANAGER' S REPORTS

There were no Manager's reports.

COMMISSIONERS' REPORTS

Budget Hard Copies:

Ray Greenlaw, 2 Jordan Drive, Pittsboro, NC asked that hard copies of the newly adopted budget be placed in at least two of the County libraries.

Seminars:

Commissioner Barnes encouraged all Board members to make a special effort to attend the 98th Annual Conference to be held at The Westin Charlotte, in Mecklenburg County, NC from August 25-28, 2005.

Budget Preparation:

Commissioner Cross expressed appreciation for a job well-done on the newly adopted budget.

ADJOURNMENT

Commissioner Outz moved, seconded by Commissioner Cross, that the meeting be adjourned. The motion carried five (5) to zero, and the meeting was adjourned at 6:42 PM.

Bunkey Morgan, Chairman

ATTEST:

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