



Chatham County, NC

Meeting Minutes Board of Commissioners

Monday, February 17, 2014

6:00 PM

Historic Courthouse Courtroom

Roll Call

Present: 4 - Chairman Walter Petty, Vice Chair Brian Bock, Commissioner Mike Cross and Commissioner Pam Stewart

Work Session 3:00 PM Historic Courthouse Courtroom

Chairman Petty welcomed those in attendance and called the meeting to order at 3:09 PM

PUBLIC INPUT SESSION

None

14-0687

Appointment of Commissioner Bock as Chatham Transportation Advisory Committee (TAC) representative for the Triangle Area Rural Transportation Organization (TARPO).

Hillary Pace, Planner, explained that with Commissioner's Kost no longer serving on the Triangle Area Rural Planning Organization (TARPO) Transportation Advisory Committee (TAC), the Board must appoint another Commissioner to replace her seat as the elected representative for Chatham County.

Vice Chairman Bock asked where they met and how often. Ms. Pace stated they normally met every other month and typically they met at the Lee County Government center. This month, however, the meeting was in Moore County.

Chairman Petty asked if it would be possible to postpone the appointment until the Board figures out what it is going to do with the MPO.

Ms. Pace stated it was up to the Board. Staff has already submitted the County's projects, but the Board is welcome to wait on that outcome before appointing someone.

Chairman Petty asked if the Board is going to have to appoint to the MPO as well, could the Board wait to see how things work out with the MPO.

Ms. Pace stated it is always advisable to have an elected official at the meeting. The next meeting is this Thursday, February 20, 2014.

Commissioner Cross stated the TARPO is far more relevant than what the County does with the MPO and the Board should not wait to fill this appointment.

Chairman Petty asked if the Board could figure it out by the next meeting.

Ms. Pace stated the meeting on Thursday has a light agenda. She will communicate to them the Board is still considering the appointment. Staff will put the appointment on the March 17, 2014 BOC agenda.

14-0691

Board of Commissioners District 1 vacancy discussion and applicant interviews

Attachments: [Online Application](#)
 [District 1 Map](#)

Chairman Petty asked Dr. George Lucier to make comments on behalf of the Chatham County Democratic Party, Second Vice Chair and Chair of the committee to replace Sally Kost, District 1 Commissioner.

Dr. Lucier reviewed the process the Party went through to find the candidate they are recommending to the Board. The Party sought candidates through a number of different venues such as the Party website, newsletters, communications with precincts leaders, through communications with the 19th precinct and other word of mouth mechanisms. Originally three people were interested. Two candidates decided the time commitments were too much. Dr. Lucier stated the Party has one candidate, Mr. Jim Elza, who is outstanding. Dr. Luckier stated he understand Mr. Elza had also submitted an application through the Board of Commissioners' process. He was the only person, as the Party understands, by the noon deadline last Friday.

Dr. Lucier stated the Democratic Party Executive Committee met the previous night. The Executive Committee is comprised of precinct leaders, members of the party, and elected officials who are Democrats and we enthusiastically support Jim Elza as the appointment to District 1. Jim could not be at the meeting today as he is away to be with his mother who is very ill. Mr. Lucier asked if everyone had his resume. Dr. Lucier passed copies out to the Commissioners in case they did not have copies with them.

Dr. Lucier stated Mr. Elza is on the Chatham County Planning Board and has been for five years and has also served as chair. He is retired and was a planner in Iowa. He was also director of planning and development in Guilford county for 17 years. He played a lead role in developing a comprehensive land use plan and worked on Economic Development Corporation plans, major water and sewer projects, and oversight for 6 major citizen advisory groups. Jim's hallmark is he is a forward thinking guy and he is a public servant.

Dr. Lucier stated the Party urges the Board select Jim Elza for the District 1 Chatham County Board of Commissioner vacancy.

Chairman Petty asked if is he interested in filing for the November election. Dr. Lucier stated the Board would have to ask him that. He believed he was still making his decision. Dr. Lucier stated the Party's job was to find someone to serve until November and if they want to file they may do so.

Chairman Petty stated it did not make sense to appoint someone who did not have interest in serving beyond November.

Dr. Lucier stated he did not believe it was the Board's responsibility to worry about that but it was Mr. Elza's responsibility to worry about that.

Chairman Petty stated if we were to only have one candidate file to run.

Dr. Lucier stated it is called public service for a reason. He brings a lot of experience with county government and with the Chatham County Planning Board. He can help do some things that aren't getting done.

Vice Chairman Bock stated there is one other candidate that has also filed, Karen Howard. He asked if she was interested in the appointment.

Dr. Lucier stated he did not believe so.

Vice Chairman Bock asked if she was one of the three original people interested in the appointment.

Dr. Lucier stated she was not. She is interested in the election process.

Chairman Petty stated the Board was crucified for saying we wanted to open this up to make people aware and give people an opportunity to participate. It was not an intent to circumvent the democratic process. It may take 60 days or it may happen today. It was hoping that the general public would have an opportunity to have this position just like they do for any elected position. I feel like we need to take the remaining two weeks to make sure people know about this position because there are still people not in the loop. I have two points to make, one is I don't like the timeline and second I don't like being crucified.

Dr. Lucier stated he did not think he was part of that crucifixion process. He believed the concern was it was more of excessively fast tracking the process independently of the Democratic Party. The Board has a responsibility to consult the Democratic Party before it makes a selection.

Vice Chairman Bock stated it is the party's point of view that the time frame we have announced circumvented the democratic process.

Dr. Lucier stated the Party had adjusted to the timeline.

Vice Chairman Bock stated the Party adjusted, but its point of view is the Board has circumvented the process.

Dr. Lucier stated the Board circumvented the State statute by not consulting the Party about the timeline. He also stated former Commissioner Sally Kost was elected county wide in District 1.

Vice Chairman Bock stated he was trying to be sensitive to what Dr. Lucier and the Party were thinking and was trying to understand it. It is the Board's responsibility to appoint someone within 60 days. It did and is doing that. But the Party's position is that it is not the statute the Board is circumventing it is the process it is circumventing.

Dr. Lucier stated he was not here to argue about the newspaper article. He was here to present to the Board that Jim Elza is the person the Democratic Party would like to present as the candidate for the appointment for the District 1 Vacancy.

Chairman Petty stated there could very well be two or three others that are qualified if they had known about the seat. Not one word made it in the article about the intent for it to be open.

Dr. Lucier stated he did not have a problem with the commissioners advertising and he believed the Board should have done that. However, if the Board was worried about not having enough candidates then the Board should have lengthened the time frame for applications.

Chairman Petty stated he would like to recommend that today the Board extend the time period allowed for people to apply for the District 1 appointment be extended for the full sixty days allowed under the North Carolina Statute.

Vice Chairman Bock stated he seconded that.

A motion was made by Chairman Petty, seconded by Vice Chair Bock, that time period allowed for people to apply for the District 1 appointment be extended for the full sixty days allowed under the North Carolina Statute. The motion carried by the following vote:

Aye: 3 - Chairman Petty, Vice Chair Bock and Commissioner Stewart

No: 1 - Commissioner Cross

14-0693

Goldston Mayor, Tim Cunnup to present on Goldston Sewer Project and Septic Demolition Options

Commissioner Cross reviewed the background of the project:

Chatham County partnered with Goldston in a Community / Economic Development Improvement Effort to create a Sewer District and construction of the project is underway. Nowhere in the planning, engineering or loan application phases did the requirement for Septic Tank Demolition come up, but it is a State Requirement as verified by Ann Lowery, CC Environmental Health Director. No one saw this coming.

Affected property owners have already paid \$150 Tap Fees and are aware that they will be responsible for the estimated cost of \$1,000 per house to install/connect a sewer line from their houses to the taps...and an estimated sewerage bill of \$50 per month based on 2,000 gallons per month.

There are 181 customers under mandatory participation whose tanks will require demo and minor landscaping. Estimated cost is \$750 - \$1,000 per unit. The ongoing contract is to be complete in November, 2015. The contractor currently estimates that he will be operational in July, 2015. We can't start demolition until the sewerage system is operational. Goldston can bid the demo project as we close in on the operational date. Anne Lowry, Environmental Health Director and Goldston Mayor, Tim Cunnup, agree that 6 months following operational status is a reasonable time period to complete the demolition process (estimate late Summer / Fall of 2015).

Estimated maximum septic demolition project cost - \$181K.

Option 1: Grant Goldston up to \$1,000 per tank up to a maximum of 181 tanks.

Option 2: No Interest Loan to Goldston for up to \$1,000 per tank up to a maximum of 181 tanks. Adding \$15 per month to individual bills would take 5.5 years to recover. It would also require a billing and collection agreement with Goldston-Gulf Sanitary District for collection with sewer bills, transferring the \$15 per bill back to Goldston and Goldston making payments to Chatham County. This option would no doubt require significant administrative fees to Goldston-Gulf Sanitary District and county staff support, adding to the overall project cost.

Option 3: Individual Hardship Grants up to \$1,000 per tank per qualifying household. Devise and Administer a qualification form/process for low income property owners and grant their cost. Charge all other property owners at cost. This option would require full county administrative support, likely adding even more to the project cost than Option 2.

A motion was made by Commissioner Cross, seconded by Chairman Petty, to approve option one. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

ADJOURNMENT

A motion was made by Commissioner Cross, seconded by Commissioner Stewart, that the meeting be adjourned. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

End of Work Session

Regular Session 6:00 PM Historic Courthouse Courtroom

Present: 4 - Chairman Walter Petty, Vice Chair Brian Bock, Commissioner Mike Cross and Commissioner Pam Stewart

INVOCATION and PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

Chairman Petty welcomed those in attendance and called the meeting to order at 5:59 PM

APPROVAL OF AGENDA and CONSENT AGENDA

A motion was made by Vice Chair Bock, seconded by Commissioner Cross, that the agenda and consent agenda be approved:

14-0696

Vote on a request to approve the January 21, 2014 Work Session Minutes and the January 21, 2014 Regular Session Minutes.

Attachments: [012114 W FINAL](#)
 [01212014 R FINAL](#)

The Minutes were approved. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

13-0649

Healthy Communities Action Plan Training Funds

Attachments: [Agreement Addendum - Healthy Communities Action Plan.pdf](#)

The Agenda Item was approved. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

13-0658

Chatham Parks Foundation for the Active Chatham Reindeer Run Funds

Attachments: [Reindeer Funds.pdf](#)

This Agenda Item was approved. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

14-0685

Vote on a request to approve a reappointment to the Joint Committee on Nursing Homes and Adult Care Homes

This Appointment was approved. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

14-0686

Tax Releases and Refunds

Attachments: [NCVTS refunds to OCNTY-February 17, 2014](#)
[TaxReleasesandRefunds02-17-2014](#)
[VTS REPORT--FEB 17, 2014 BOC MEETING](#)

The tax releases and refunds, attached hereto and by reference made a part hereof, were approved. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

14-0688

Request by Paul Smith on behalf of Vanguard Properties of The Carolinas, LLC for subdivision sketch, preliminary, and final plat approval of "Wastewater Pump Station Lot at The Parks at Meadowview, Phase 1B", consisting of one (1) lot on .16 acres, located off S. R. 1520, Old Graham Road and The Parks Drive, Hadley Township, parcel #61935.

Attachments: [Hyperlink](#)

This Agenda Item was approved. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

14-0692

Vote on a request to approve the Chatham County ABC Board Travel Policy

Attachments: [Travel Policy](#)

This Agenda Item was approved. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

End of Consent Agenda

PUBLIC INPUT SESSION

Walter Wells, contractor with AT&T, thanked Planning staff for their hard work on the wireless facilities telecommunications ordinance. It has been a long process and they look forward to working with the county going forward.

Matthew Danielson, thanked the planning staff for their work on the wireless facilities telecommunications ordinance. He believes the ordinance is a very good compromise and it gives us a little more leeway in the industry. He also looks forward to working with the County going forward.

PUBLIC HEARING

14-0682 Public Hearing to receive public comments for CDBG Grant for Nature Trail Water Lines

Attachments: [Abstract - Public Hearing Notice - Natural Trail \(2\)](#)

Leonard McBride, Director of Water and Utilities, reviewed the specifics of the request.

The Chairman opened the hearing for public comments.

No one was signed up to speak.

The Chairman closed the hearing.

This Agenda Item was referred to the Public Works Department.

14-0689 Public hearing request by Dale & Mary Stansell to rezone approximately .328 acres out of the 4.81 acre tract of Parcel No. 5248, located at 1060 New Elam Church Rd., New Hill, from R-1 Residential to CD-NB for a boat and RV storage facility.

Attachments: [Hyperlink](#)

Angela Birchett reviewed the specifics of the request. She stated the Planning Department had no issues with the request.

The Chairman opened the hearing for public comments.

Mr. Brad Ring, 998 New Elam Church Rd. New Hill, NC 27562 submitted the following comments:

I am writing this to you as an adjacent landowner to one Dale and Mary Stansell at

1060 New Elam Church Rd., New Hill, NC 27562. It is my opinion that the site was tastefully thought out and presents no adverse impacts to my land value or myself. I do not believe that a boat and RV storage facility will have a high impact on our way of life or seem out of place, especially considering our proximity to Lake Jordan. I support him in his endeavor to start a boat and RV storage facility and wish him the best of luck.

The Chairman closed the floor for public comments.

This Agenda Item was referred to the Planning Board.

14-0690

Public hearing request by Walter Lewis dba The Extra Garage to rezone Parcel No. 74879 and 5131 totaling approximately 11.46 acres, located at 41 W H Jones, Rd., New Hill, from R-1 Residential to CD-NB for a boat and RV storage facility.

Attachments: [Hyperlink](#)

Angela Birchett reviewed the specifics of the request. She stated the Planning Department had no issues with the request.

The Chairman opened the hearing for public comments.

Mr. Walt Lewis, spoke on behalf of William Hood. He read two letters into the record. One from Mr. Mike Poe and one from Mr. James Frazier.

Mr. James Frazier submitted the following comments:

My name is James Frazier and I live on Pea Ridge Road New Hill, NC. My home is located approximately 200 yards from the proposed development site of The Extra Garage Self Storage Center III (TEGIII). I would like to speak positively on behalf of the rezoning request for the facility. As I mentioned my house is just down the road from the parcel. I am an avid boater and I specifically utilize the New Hope Boat Ramp. I believe this proposed facility at the entrance to this boat ramp would be great for Chatham County and the Jordan Lake boaters. There is no other facility in the surrounding area for customers who want to have a safe and secure location for boat and RV storage. I have looked at the other two Extra Garage locations and believe the facilities are outstanding. This location would provide a much needed service for the Southern customers using Jordan Lake and the State recreational areas. I support this project and think it would be a positive step for Chatham County. I would personally use the first class storage services and know it would be a very positive project next door to the entrance of the New Hope Boat Ramp.

Mr. Mike Poe submitted the following comments:

My name is Mike Poe and I live on Bob Horton Road Apex, NC. My house is two houses down the road from The Extra Garage Self Storage Center I (TEGI). TEGI provides Covered Boat and Motor Home storage services for customers who come to the Jordan Lake State Recreational Area. It has been a positive experience over the last 6 years and I would consider TEGI to be an asset to the area. The building is well constructed and looks good for the surrounding neighbors. It is nicely landscaped and very well maintained. Additionally, I have known Walt Lewis (owner) for approximately 7 years. He has always been very professional and dedicated to running a first class facility. I believe he strives to accommodate the neighbors while providing a great service for his customers. I am in support of additional facilities such as this in Chatham County. Should you have any questions and need additional information I would be happy to help.

The Chairman closed the hearing.

This Agenda Item was referred to the Planning Board.

BOARD PRIORITIES

13-0332 A request by the Board of Commissioners for the adoption of the proposed new Wireless Telecommunications Facilities Ordinance.

Attachments: [Hyperlink](#)

Hillary Pace, Planner, reviewed the specifics of the request.

Ms. Pace stated the Planning Board recommended unanimous approval at their December 2013 meeting.

A motion was made by Vice Chair Bock, seconded by Commissioner Cross, that the Wireless Telecommunications Facilities Ordinance, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

13-0582 A request by the Chatham County Board of Commissioners to amend sections 10.13, Table of Permitted Uses; 12.6, Applicability; and 7.2 Definitions of the Zoning Ordinance to further clarify telecommunication tower regulations and definitions, broaden the use table requirements based on telecommunication tower height, and clarify landscaping requirements for telecommunication support equipment.

Attachments: [Hyperlink](#)

Hillary Pace, Planner, reviewed the specifics of the request.

The Board had no questions for staff.

A motion was made by Vice Chair Bock, seconded by Commissioner Cross, that the amendments to sections 10.13, Table of Permitted Uses; 12.6, Applicability; and 7.2 Definitions of the Zoning Ordinance, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

MANAGER' S REPORTS

None

COMMISSIONERS' REPORTS

Commissioner Cross asked a question of the Planning Department. He stated he had received several emails about a rock crush quarry of an unzoned area in the

County. He wanted to know what the zoning process would be.

Jason Sullivan, Planning Director, stated the Planning Department had also received information of someone interested in opening a rock quarry. They have a pre-app meeting this week. He stated they could forward the Board the preliminary information. The applicant is submitting to the state and they are several years out.

Mr. Sullivan stated the portions that are in the unzoned part of the county do not require approval by the BOC. The eastern portion of the property would require Board action. The applicant would have to comply with the outdoor lighting requirements.

Commissioner Cross stated because the Board does not control this issue it needs to know about any public hearings.

Mr. Sullivan stated staff would send the Board the State Mining Commission information and where they can send their comments. He added there is also watershed information that would not require the Board's approval.

ADJOURNMENT

A motion was made by Commissioner Cross, seconded by Commissioner Stewart, that this be adjourned. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart