

**MINUTES  
CHATHAM COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
FEBRUARY 06, 2006**

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The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Building Auditorium, 45 South Street, located in Pittsboro, North Carolina, at 9:00 AM on February 06, 2006.

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 9:00 AM.

**PLEDGE OF ALLEGIANCE AND INVOCATION**

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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.

Commissioner Emerson moved, seconded by Commissioner Outz, to approve the Agenda and Consent Agenda as follows:

1. **Minutes:** Consideration of a request for approval of Board Minutes for regular meeting held January 17, 2006 and work session held January 17, 2006

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

2. **Resolution for Addition of Road to the North Carolina System of Secondary Roads – Bradford Place in the Ferrington Subdivision:** Consideration of a request to approve **Resolution #2006-04 for the Addition of Streets or Roads to the North Carolina System of Secondary Roads – Bradford Place in the Ferrington Subdivision**, attached hereto and by reference made a part hereof.

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

3. **Resolution for Addition of Road to the North Carolina System of Secondary Roads – Hatfield in the Ferrington Subdivision:** Consideration of a request to approve **Resolution #2006-05 for the Addition of Streets or Roads to the North Carolina System of Secondary Roads – Hatfield in the Ferrington Subdivision** **Resolution for the Addition of Streets or Roads to the North Carolina System of Secondary Roads – Hatfield in the Ferrington Subdivision**, attached hereto and by reference made a part hereof.

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

4. **New Roll-Off Vehicle for Waste Management Department:** Consideration of a request to award the bid for the purchase of a new roll-off vehicle to Volvo & GMC Truck Center of Charlotte at a cost of \$116,615.83 for the Waste Management Department. The bid is attached hereto and by reference made a part hereof.

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

5. **Reappointment of ETJ Representative to the Town of Pittsboro Planning Board:** Consideration of a request to reappoint Harold Howard, 455 E. Providence Church Road, Pittsboro, NC, as the ETJ representative to the Town of Pittsboro Planning Board

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

6. **Tax Lien Advertisement:** Consideration of a request to approve the unpaid tax lien advertisement for a two-week period beginning March 1, 2006

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

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

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

8. **Fiscal Year 2005-2006 Budget Amendments:** Consideration of a request to approve Fiscal Year 2005-2006 Budget Amendments, attached hereto and by reference made a part hereof.

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

9. **Fiscal Year 2005-2006 Project Ordinance Amendments:** Consideration of a request to approve Fiscal Year 2005-2006 Project Ordinance Amendments, attached hereto and by reference made a part hereof.

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

10. **Enhanced Domestic Violence Response Grant:** Consideration of a request to accept an Enhanced Domestic Violence Response Grant

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

11. **Gang Violence Prevention Grants:** Consideration of a request to approve a "Gang Violence Prevention Grants"

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

12. **Appearance Commission Appointment:** Consideration of a request to appoint Grimsley T. Hobbs, Architect, 480 Hillsboro Street, Suite 400, Pittsboro, NC, to the Appearance Commission by the full Board with his appointment to begin in March 2006.

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

13. **Health Department Reduction in Funding:** Consideration of a request to reduce the Health Department's Health Promotion budget by \$34,017 due to statewide reduction in funding

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

14. **DSS Contracts:** Consideration of a request to approve three adoption contracts to help strengthen the adoption program in Chatham County, attached hereto and by reference made a part hereof.

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

#### **END OF CONSENT AGENDA**

#### **PUBLIC INPUT SESSION**

**Walter Harris**, PO Box 7, Bynum, NC, asked for permission to place a postal kiosk for the community of Bynum at the baseball field in Bynum. He stated that the property is located on Bynum Mill Road and is owned by the County; that the present contract post office in Bynum will no longer be operating in the Bynum General Store as the contractor there has resigned, effective March 31, 2006, and no longer wishes for the post office to be a part of his business. He asked for the Board's consideration in granting this request.

**Stephen Bennett**, Pittsboro Postmaster, stated that the size of the kiosk will be approximately twenty feet and will be similar to those located at Fearrington Village. He stated that they would not be totally enclosed as a safety factor; that the number of boxes will be approximately one hundred ten; that the parcel lockers will be included to accommodate packages received by the box holders; that a drop box will be located to collect outgoing mail; that the kiosk will continue to provide mail service to box holders, will continue to recognize the community of Bynum, and will keep the same zip code; and that a majority of the current box holders have requested that this be the case, if at all possible.

Commissioner Outz moved to grant the request.

Tracy Burnett, Chatham County Recreation Director, voiced concern about installing a postal kiosk at the ball field and the traffic congestion it would bring. She stated that the field is reserved by the Home School Association Soccer Leagues, Baseball Leagues, Jordan Lake, and sometimes the charter school; that it is used for the County organized youth softball, T-ball, and adult softball and some weekend tournaments; that while most of these are scheduled after 5:00 PM during the weekend, she feels that it may be the main time that the people will pick up their mail which would cause a lot of traffic congestion in an already tight area; that some of these events start on Saturday mornings as early as 9:00 AM, which would once again entail traffic going in and out among parked vehicles.

She stated that her other concern is that she does not know the size of the kiosk nor its proposed location. She stated that the ball field is divided at the entrance by a six foot wide high fence with an entrance gate; that some cars park outside this fence because of the crowded conditions inside; that if the kiosk is proposed in that area, she anticipates many recreation spectators parking in front of the kiosk because of no other place to park; that this would probably upset those customers wanting to retrieve their mail; that the park lies on twenty-three acres of land which are not all cleared; and that the cleared acreage is developed with recreation facilities.

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

Commissioner Emerson suggested that the matter be placed in staff's hands to work with postal officials and the citizens of Bynum. He stated that if it was necessary, a telephone conference call could be placed to consider recommendations.

The County Attorney stated that it was important to know where the kiosk is to be located and how it fits in with other facilities located there; that he thinks that the land for the ball field was purchased with a housing grant and grant monies and later turned over to the County; that there may be restrictions to prohibit the placement of a kiosk; and that he will check into the matter.

Commissioner Outz moved, seconded by Commissioner Barnes, to ask staff to research the matter and return to the Board with a recommendation with a specially called meeting, if necessary. The motion carried five (5) to zero (0).

**George Lucier**, 628 Redbud, Pittsboro, NC, stated that he was present to seek participation in a public forum regarding the renewal of power generation. He stated that the forum is to be held on March 30, 2006 at Horton Middle School from 7:00-9:30 PM; that they will have a great list of speakers; that the purpose of the forum is to encourage the design of energy efficient buildings; that Chatham County is an attractive place; that this is a great opportunity; that the Board approved Chatham County as the Solar Capital twenty-five years ago; that the Board of Commissioners will be invited; that they hope that the Board will participate and encourage others to do so; and that more information will be forthcoming.

**Robert Eby**, 19 East Madison; Pittsboro, NC, representing Chatham Citizens for Effective Communities, stated that he is amazed how the Board of Commissioners makes changes in long-standing County procedures, seemingly at the proverbial drop of a hat; that at their previous meeting, with no previous notification or new written procedure in place, the Board imposed a radically different set of rules for holding public hearings on rezoning and conditional use permits; that the changes separated Chatham's citizens' input into two distinct steps: 1) A legislative process for the rezoning and a quasi-judicial process for the CUP; that the changes that were announced put great restrictions on any citizen of Chatham who wished to give sworn testimony in the quasi-judicial hearing; that applicants, on the other hand, were permitted to present their case exactly as they had previously; that they could mix opinions and factual evidence as they pleased, thus telling the best story possible.

He stated that he e-mailed the Board on this topic the next day; that the Chairman replied that he hoped that the County's Attorney and the staff would have a written version of the new procedure before the next scheduled public hearing date in March; that he feels that the new procedures will be complicated; that it is involved enough to require two months of effort to work them out; that at the January public hearing, such new rules were imposed verbally, apparently on a few hours' notice; that he would like to ask, "Why this helter-skelter rush to make changes that are obviously quite complicated and have significant consequences?"; that the Board has a wide discretion on how they carry out quasi-judicial hearings; that he would like for the Board to reconsider their plan for changing these procedures and leave them as they have been; and that he feels the board should allow all citizens to speak out with their factual information.

Commissioner Cross asked the County Attorney to pay particular attention to what leeway the Board has in deciding who can speak during the quasi-judicial process. He stated that many developments being considered for the County; that he attended the Institute of Government and brought suggestions to the Planning Department; that they were briefed as a Board prior to the January night meeting; and that he is concerned about how this will go on the agenda.

## **BOARDS AND COMMITTEES**

**Recreation Advisory Board:** Consideration of a request to appoint a member to the Recreation Advisory Board by Commissioner Barnes (1)

Commissioner Barnes moved, seconded by Commissioner Emerson to appoint Andrew Allden, 77 Lily McCoy Lane, Pittsboro, NC, to the Recreation Advisory Board. The motion carried five (5) to zero (0).

**Child Fatality Prevention Team:** Consideration of a request to appoint a member to the Child Fatality Prevention Team by Commissioner Barnes (1)

Commissioner Barnes moved, seconded by Commissioner Outz to appoint Becky Barnes, 274 McCoy Road, Apex, NC, to the Child Fatality Prevention Team. The motion carried five (5) to zero (0).

**Mid Carolina Workforce Development Board:** Consideration of a request to appoint a member to the Mid-Carolina Workforce Development Board by Commissioner Outz (1)

This appointment was deferred until a later date.

**Appearance Commission:** Consideration of a request to appoint one (1) member to the Appearance Commission by the full Board

This appointment was deferred until a later date.

### **MANAGER' S REPORTS**

The County Manager asked for a Closed Session in which to discuss potential litigation.

### **CLOSED SESSION**

- Commissioner Emerson moved, seconded by Commissioner Barnes, to go out of Regular Session and convene in Closed Session for the purpose to discussing potential litigation. The motion carried five (5) to zero (0).

### **REGULAR SESSION**

- Commissioner Emerson moved, seconded by Commissioner Cross, to adjourn the Closed Session and reconvene in Regular Session. The motion carried five (5) to zero (0).

### **COMMISSIONERS' REPORTS**

There were no Commissioners' reports.

### **RECESS**

Commissioner Emerson moved, seconded by Commissioner Outz, to recess the regular meeting to the scheduled work session in the Henry H. Dunlap, Jr. Classroom. The motion carried five (5) to zero (0), and the meeting was recessed at 10:21 AM.

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Bunkey Morgan, Chairman

ATTEST:

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