

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
DECEMBER 11, 2000

The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in the District Courtroom, located in Pittsboro, North Carolina, at 7:00 PM on December 11, 2000.

Present: Chairman Gary Phillips; Vice Chair, Margaret Pollard; Commissioners Rick Givens, Bob Atwater, and Carl Outz; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Assistant County Manager, Paul Spruill; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Lee

The meeting was called to order by the Chairman at 7:12 PM.

AGENDA

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

The County Manager asked that an appointment to the Orange Chatham Justice Partnership be added to the Agenda Boards and Committees section as Item #16A.

Commissioner Pollard moved, seconded by Commissioner Atwater, 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.

Chairman Phillips asked that Item #7, Consideration of a request by Ricky Spoon Builders, Inc for final approval of "Bobcat Point Subdivision", Phase III, Lots 47-49, consisting of 3 lots on approximately 9.668 acres, off SR #1558 {Henderson Tanyard Road} in Hadley Township, be removed from the Consent Agenda and placed on the regular Agenda as Item #11A.

Commissioner Givens moved, seconded by Commissioner Outz, to approve the Consent Agenda.

1. **Minutes:** Consideration of a request for approval of Board Minutes for meetings held November 20, 2000 and December 4, 2000 and for Work Session held November 20, 2000

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

2. **Tax Releases:** Consideration of a request for approval of tax releases, attached hereto and by reference made a part hereof.

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

3. **Refunds on Tax Bills:** Consideration of a request for approval of refunds on regular tax bills paid in error, attached hereto and by reference made a part hereof.

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

4. **Funds Acceptance for Health Department:** Consideration of a request for approval to accept additional funds in the amount of \$58,833.23 from the FY 1998-99 Medicaid Cost Settlement for the Chatham County Health Department

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

5. **Funds Acceptance for Health Department:** Consideration of a request for approval to accept Healthy Carolinian funds in the amount of \$10,000 from the Department of Health & Human Services awarded to the Chatham County Health Department

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

6. **Private Roads:** Consideration of a request for approval from citizens for the naming of private roads in Chatham County as follows:

- | | |
|------------------------|-----------------------|
| A. Deerwood Trail | F. Knoll Ridge Lane |
| B. Forrest Trail | G. Oliver Lane |
| C. Frosty Meadow Drive | H. R. B. Drive |
| D. High Meadows Way | I. Still Waters Drive |
| E. Hillside Music Road | |

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

- ~~7. **Request for Final Approval of "Bobcat Point Subdivision":** Consideration of a request by Ricky Spoon Builders, Inc. for final approval of "Bobcat Point Subdivision", Phase III, Lots 47-49, consisting of 3 lots on approximately 9.668 acres, off SR #1558 {Henderson Tanyard Road} in Hadley Township~~

This item was removed from the Consent Agenda and added to the Regular Agenda as item #11A.

8. **Request for Final Approval of "Governors Forest":** Consideration of a request by Patrick E. Bradshaw, Attorney on behalf of Landmark Homes, Inc. t/a Sunstar Homes, for subdivision final approval of "Governors Forest in the Governors Club Planned Unit Development", consisting of 51 lots on approximately 60 acres, off SR #1726 [Old Farrington Road], in Williams Township

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

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

9. **Request for Final Approval of "Monterrane Subdivision, Phase Two":** Consideration of a request by C. A. Keisler, on behalf of Monterrane, LLC, for final approval of "Monterrane Subdivision, Phase Two", consisting of 32 lots on 151 acres, off SR #1700 {Mt. Gilead Church Road}, in New Hope and Williams Townships

As per the Planning Department and Planning Board recommendation, final approval of the plat was granted with the following conditions:

- 1) The plat not be recorded until the four (4) emergency vehicle turnarounds as shown on the plat are constructed by the developer and approved by the staff.
- 2) The plat not be recorded until the creek names shown on the plat or others have been approved by the USGS Geological Survey or streams are left unnamed.

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

10. **Request for Final Approval of “Peppertree, Phase One”:** Consideration of a request by Van R. Finch, Land Surveys, P.A. on behalf of Dimension Builders, Inc. for final approval of **“Peppertree, Phase One”**, consisting of 8 lots on 14 acres off SR #1532 {Mann’s Chapel Road} in Baldwin Township

As per the Planning Department and Planning Board recommendation, final approval of Peppertree, Phase One was granted as submitted.

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

11. **Work First Plan for 2001-2003:** Consideration of a request for approval of the Chatham County Work First Plan for 2001-2003, attached hereto and by reference made a part hereof.

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

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

PLANNING AND ZONING

Request for Final Approval of “Bobcat Point Subdivision”: Consideration of a request by Ricky Spoon Builders, Inc. for final approval of **“Bobcat Point Subdivision”, Phase III, Lots 47-49**, consisting of 3 lots on approximately 9.668 acres, off SR #1558 {Henderson Tanyard Road} in Hadley Township

Chairman Phillips stated that he was concerned that the plat did not appear to reflect what he understood the ordinance required for minimum and average lot sizes.

Keith Megginson, Planning Director, stated that the Planning Board shared some of those same concerns and that in the sketch and preliminary review phases, the averages were met in the total plat.

Commissioner Givens moved, seconded by Commissioner Outz, to refer this item back to the Planning Board for a written explanation of how it meets the zoning criteria and to clarify the County’s zoning ordinance.

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

Request for Heavy Industrial Conditional Use District with Conditional Use Permit for Mining:

Consideration of a request by Wake Stone Corporation for a Heavy Industrial Conditional Use District with a Conditional Use Permit for mining, on approximately 488 acres of Gaines property, off SR #1716 {Big Woods Road}, in New Hope Township

After considerable discussion, Commissioner Pollard moved, seconded by Commissioner Givens, to deny the zoning request due to insufficient information given to substantiate the request to change to a different district. The motion carried five (5) to zero (0).

Commissioner Givens commented that Wake Stone is a great company and that there is a place in the County for them, but stated that the request was for the wrong location.

Commissioner Atwater stated that Wake Stone has set a very high standard of corporate responsibility, responsiveness, and concern for the communities with which they work.

Chairman Phillips stated that he believes it to be a consensus of the Board to support the continued zoning of the Big Woods area in the current configuration and that changes should not be made to the zoning.

BOARDS AND COMMITTEES

Community Child Protection Team Appointment: Consideration of a request to appoint a member to the Child Care Protection Team

Chairman Phillips moved, seconded by Commissioner Pollard, to appoint Dora Dianne Lee, Director of the Mary Neal Child Care Center, 2128-B Alston Chapel Road, Pittsboro, NC, to the Community Child Protection Team. The motion carried five (5) to zero (0).

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

This item was deferred until a later date.

Agriculture Advisory Board: Consideration of a request to appoint members to the Chatham County Agriculture Advisory Board

Commissioner Givens appointed Linda Harris, PO Box 207, Pittsboro, NC to the Agriculture Advisory Board.

Commissioner Phillips appointed Gary Moon, 3665 Moon Lindley Road, Snow Camp, NC to the Agriculture Advisory Board.

The Chairman suggested that the Agriculture Advisory Board be encouraged to meet as it will have all but two of its at-large members appointed to its board.

Human Relations Commission Appointments: Consideration of a request to appoint members to the Chatham County Human Relations Commission

Commissioner Givens appointed Wendy Pillars, 772 D Siler City-Glendon Road, Siler City, NC to the Human Relations Commission.

Orange-Chatham Justice Partnership Board Liaison Appointment: Consideration of a request to

name a Chatham County Commissioner to serve as liaison to the OCJP

Chairman Phillips agreed to serve on the Orange Chatham Justice Partnership Board.

Triangle J Council of Governments Delegate Appointment: Consideration to appoint a Chatham County Commissioner to serve as a delegate to the Triangle J Council of Governments

Chairman Phillips agreed to serve as the Chatham County delegate for Triangle J Council of Governments.

MANAGER' S REPORTS

The County Manager reported on the following issues:

Request from the Chatham County School Board to Approve the Application for Qualified Zone Academy Bond Program Funds: Consideration of a request from the Chatham County School Board to approve the application for Qualified Zone Academy Bond Program Funds for Moncure School building repairs through an interest-free \$500,000, twelve-year loan

After considerable discussion, Commissioner Outz moved, seconded by Commissioner Atwater, to approve the School Board's request to apply for a \$500,000 loan through the Qualified Zone Academy Bonds Program for Moncure School, application attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Pick Property Acceptance:

County Attorney Bob Gunn reported that since the Board of Commissioners' last discussion, the Picks have agreed to give the conservation easements to a non-profit agency that administers easements. He stated that the Picks still want to give the property to the County and that they would like to do so by the end of the year. He stated that he has reviewed the conservation easements and that they were not greatly different than were previously discussed.

Chairman Phillips stated an inherent conflict of interest in the County owning both the property and the easement was discovered after discussions with the Conservation Trust of North Carolina, and that it was felt it would be better for the County to own the property than to own the easement.

Commissioner Givens moved, seconded by Commissioner Pollard, to accept the Pick property with stipulations as set forth by the County Attorney. The motion carried five (5) to zero (0).

COMMISSIONERS' REPORTS

Award for Excellence in Financial Reporting:

Chairman Phillips read a Certificate of Achievement for Excellence in Financial Reporting presented to the County for its comprehensive annual financial report for the fiscal year ending June 30, 1999.

Finance Officer Vicki McConnell stated this was the eleventh consecutive year that the County has received this recognition.

Ms. McConnell was congratulated on her efforts and those of her staff for receiving this recognition.

New Medicare Law Affecting Payment for Non-Emergency Transport:

Commissioner Givens stated that a new Medicare law will be in effect in January that will affect the County and emergency transport provider First Health; that whenever a 911 call occurs, the cost for emergency transport will not be covered under Medicare unless the emergency room doctor certifies that it was an actual emergency which required emergency transport; that this may entail the County having to pay for the services if the patient cannot pay.

Water Allocation:

Commissioner Outz asked about the water allocation process with Cary.

County Manager Charlie Horne explained that an agreement was in the draft stage and that allocations were related to the Land Use Plan.

3M Waterline:

Commissioner Outz asked about the status of a Sanford to 3M waterline and whether water could be extended from that point to nearby Old Chatham Church Road.

The Chair suggested that water issues discussion be put on the agenda for the work session in January.

Commissioner Atwater expressed his appreciation for the negotiations of the water allocations with Cary and asked for names of those responsible for the hard work efforts.

Appreciation Letter:

Commissioner Pollard moved, seconded by Commissioner Atwater, to send letter of appreciation to Mr. Jim Diggs, for his service on the Chatham County Water Advisory Board and to immediately notify Mr. Gary Cox that he has been appointed to the Water Advisory Board. The motion carried five (5) to zero (0).

Silk Hope Ruritan Club Deer Meat Dinner:

Chairman Phillips voiced his appreciation for the Silk Hope Ruritan Club's deer meat dinner to be held in Siler City at Best Foods.

Removal of Consent Agenda Item:

Ricky Spoon, 2475 Redbud, Pittsboro, NC, asked the Board for an explanation of why Item #7, Request by Ricky Spoon Builders, Inc., for final approval of **"Bobcat Point Subdivision", Phase III, Lots 47-49**, consisting of three lots on approximately 9.668 acres, off SR #1558 {Henderson Tanyard Road} in Hadley Township, was removed from the Consent Agenda.

Commissioner Givens explained that the Board felt that there might have been some inconsistency in the way the minimum lot sizes were interpreted; that by doing the project piecemeal, that it might not conform to the intent of the regulations; that the Board wanted further Planning Board review; and that the matter would be returned to the Board of Commissioners if it conforms.

Chairman Phillips explained that the Board was confused and asked for a written clarification of its

decision from the Planning Board.

Mr. Spoon requested respectfully reconsideration of his request. He stated that he would like to be informed in the future if he needs to be at the meeting to explain anything to the Board.

ADJOURNMENT

Commissioner Givens moved, that there being no further business to come before the Board, the meeting be adjourned. Commissioner Phillips seconded the motion. The motion carried five (5) to zero (0), and the meeting was adjourned at 7:58 PM.

Gary Phillips, Chairman

ATTEST:

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