

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**NOVEMBER 03, 2003**

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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 November 03, 2003.

Present: Chairman Tommy Emerson; Commissioners Margaret Pollard, Bob Atwater, Bunkey Morgan, and Carl Outz; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

The meeting was called to order by the Chairman at 9:04 AM.

**PLEDGE OF ALLEGIANCE AND INVOCATION**

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

**AGENDA**

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

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

**CONSENT AGENDA**

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

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

1. **Minutes:** Consideration of a request for approval of Board Minutes for Regular Meeting and Work Session held October 20, 2003

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

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

- |                        |                                 |
|------------------------|---------------------------------|
| 1. <b>Rebecca Lane</b> | 3. <b>Wrong Way</b>             |
| 2. <b>Ruby Lane</b>    | 4. <b>Clarence Jordan Drive</b> |

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

3. **Chatham County Forestry Contract:** Consideration of a request to approve the Chatham County Forestry Contract, attached hereto and by reference made a part hereof.

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

### **END OF CONSENT AGENDA**

### **PUBLIC INPUT SESSION**

**Terry Dorsey**, PO Box 1520, Pittsboro, NC, voiced concern with regard to the Chatham County Animal Control and praised the benefits of a Humane Society of the United States (HSUS) evaluation. He stated that there was a group of citizens in the County meeting with the Chatham County Health Director and Animal Control Director on November 13, 2003 with regard to the operation of the shelter and addressing the following concerns: 1) Timely response to citizen complaints and concerns; 2) Immediate action to resolve situations of neglect and abuse; 3) Maintaining accessible reports and records; 3) Opportunities for public input and evaluation of shelter management and staff; 4) Parity with other NC counties for ordinance improvement and enforcement; 5) Implement AC Advisory Committee (per resolution adopted by County Commissioners in May, 1992. He stated that they were going to recommend that a Human Society of the United States study be conducted of the Chatham County Animal Control shelter; that they are trying to do this as democratically as they can; that they are concerned about the performance of the shelter and its staff and the enforcement of the ordinances with regard to neglect and abuse of animals and consequently the suffering that citizens incur as a result of it; that they are concerned with the uniformity of other counties increasing adoptions, decreasing euthanasia, spaying/neutering (establishing a low-cost spay/neuter program for County by year 2005), and advertising and providing low-cost spay/neuter programs; that licensing produces income for shelter and staff improvements and funds for spaying/neutering, supports enforcement of ordinances (including rabies control), and increases the likelihood of reuniting lost animals with owners; that the Humane Society of the United States (HSUS) evaluation is impartial and objective, using standards that have been developed and applied all across the United States; that the evaluation has been utilized by many shelters across the US and in North Carolina, including Forsythe, Wayne, and Orange Counties; that the fee for evaluation is abased on a sliding scale depending on information provided by, in this case by the Health Department Director; that HSUS provides advice and guidance in the implementation of shelter improvements, valuable shelter design and expansion recommendations; and that the study can advise on the most efficient utilization of the Animal Control budget.

Mr. Dorsey invited the County Manager, Chairman, and Commissioners to attend the meeting with the Health Director on Thursday, November 13, 2003

**Mary McClure**, 23109 Umstead, Chapel Hill, NC, spoke to the Board about broad-banding access in the County. She stated that there was an article in *The News and Observer* recently regarding linking computers and referring to the Rural Internet Access Authority; and that if the County is to go forward in its economy growing, infrastructure is needed. She asked the Board to consider, that when they are installing water lines across the County, that they add fiber optics in the same trench; that as long as the ditch is dug, why can the County not own its own fiber optic network and perhaps lease it to an internet provider that would provide broadband to all citizens of the County; that in today's global world, the County needs to have the infrastructure to go farther faster without necessarily having to drive a vehicle to get there; that broadband is one way to do it. She asked that the Board consider sending an official representative to Rural Internet Access; and that perhaps by developing a bit of an attitude, the County can get better service from the internet providers that are the County at this time.

The County Manager explained that the County already had representation on the Rural Internet Access Authority; that the County had received grant monies the prior year; and that staff is anticipating additional grants.

## **PLANNING AND ZONING**

### ***Zoning Board of Adjustment:***

**Appeal on Issuance of Home Occupation Permit:** Consideration of an appeal to the Zoning Board of Adjustment by Nate Sheaffer, President of the Hills of Haw Home Owners Association on issuance of a Home Occupation Permit by the Planning Department for property owned by Merwyn Barber located at 591 Hills of Haw Subdivision, Pittsboro, NC

Commissioner Atwater moved, seconded by Commissioner Morgan, to recess as the Chatham County Board of Commissioners and convene as the Chatham County Zoning Board of Adjustment. The motion carried five (5) to zero (0).

The Chairman administered the oath to those in attendance who wished to make public comments.

Nathan Adam Sheaffer, 441 Hills of Haw Road, Pittsboro, NC, thanked the Board for the opportunity to present the appeal stating that they feel it is a very important issue for their community and for future development in Chatham County. He distributed information to the Board of Commissioners.

Mr. Sheaffer stated that he was the current President of the Hills of the Haw Homeowners Association and introduced several community members, Lou Rosier, secretary, Larry Cox, past treasurer, Julio Alberte, past president, Dave Richardson, past president and current vice president, Mary Shubert, active community member. He stated that in the distributed packet was a petition of sixteen of the twenty community residents; that the petition outlines some of the activities that they feel are problematic on the property in question; that they see some direct conflicts; that as a summation of the conflicts, he stated that they have a residential community in which there is a very active landscaping business; that the landscaping business brings people in and out, that are employees in and out of their community, that are on their roads on a daily basis with multiple trips with multiple commercial vehicles; that they do not feel that that is the best application or use of the land and not within the zoning that is laid out by the County; that if the pages of the petition are read, they specifically speak about Sections 14.4 and 14.6 in the Zoning Ordinance, it states that no equipment or process shall be used in such home occupation which creates noise vibration, glare, fumes, and odors; that they have sixteen signatures that say that frequent dumping of trees, logs, roots, and debris hauled in from off the site, along with all the noise, is creating a nuisance; that it is creating a significant nuisance that they all object to and have been for quite some time; that Section 14.6 states that no traffic shall be generated by home occupations in greater volumes than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and other than a required front yard; that the increased road activity that is offensive is not limited to a singular daily event; that it happens in the mornings, evenings, and the middle of the day; that in the evenings, they have families that are out walking with their children on these streets. He showed photographs, (Photo A) which he stated depicted on any given day during summer high-landscaping season where Mr. Barber's company hauls in trailer and truck loads of materials; that it included roots, stumps, branches, and all manner of material which is dumped on his property; that (Photo B) shows another vehicle that frequently has equipment and debris in it; that (Photo E) shows a different vehicle loaded to the "gills" being dumped on the property; that there are dump trucks which come and go frequently to the site; that whether they are dumping material solely for the purpose for use on the property or not they do not know; that they see a lot of materials coming and going on

trailers; that (Photo C) shows four employees off-loading debris onto the property; that their community is not set up as a dump; that if Mr. Barber is charging his clients to haul away their debris, then he is getting paid to dump their material; that that is not an allowed use on that property; that furthermore, if he starts with the application that was given to the County, there are problems; that the application was signed and approved on the 23rd of September; that Item #5 states: "Describe the type of occupation to be operated from the residence. Also list any equipment to be used in the occupation."; that it lists parked trucks and trailers, lawn mowers, weed eaters, etc. and then says landscaping maintenance with green house for off-site sales; that there is another problem with this; that it sets up the tone for the entire operation; that they do not see any specific regulation in the zoning that allows for a greenhouse or off-site sales unless it is classified horticultural. He asked if this is a landscaping business or if it is horticultural.

Mr. Schaeffer continued by stating that one of the other documents that he distributed to the Board is a copy of a letter from Mr. Barber's attorney. He stated that it is in response to their September 5th letter to him requesting that they receive clarification on all the activities on his property; that in that letter, second page, he states that his property is large and beautifully landscaped; that the removable structure is commonly referred to a "cold frame" located on his property is used to grow plants for his personal use; that on his permit, it states that the greenhouse is for off-site sales; that it would indicate to him that he is employing people there to grow plants and is going to use them for off-site sales; that they have a contradictory letter from his counsel that they believe to be true; that Item #6 states: "The number of persons who do not live in the residence who will be working in the residence:"; that "zero" is listed; that it says "no on-site workshop for business"; that they have employees in a photograph (Photo C) off-loading material onto the property; that he questions whether those are not paid during that time or do they grant that time for free?; that he would consider that working on the property; that it is dumping the goods that they have been paid to carry there on the property; that he questions whether they are not employees; that another interesting note is that there is no on-site workshop for business; that Item #7 states: "Will the occupation be carried on in any other building besides the main residence? If yes, list the square footage."; that he questions what it is if it is not a workshop for the business; that it is a 1,200 square foot building that is going to be used as what; that again he comes back to the letter received from Mr. Tyndall which states that the building is used to store personal items; that his employees do not work at his home; that they arrive in the morning, pick up the trucks, store his equipment, and travel to the job site; that the building is used to store personal items; that it shows up on the application as a 1,200 square foot structure and they do not understand what that is all about; that Item #9 states: "Will extra parking spaces be needed to provide parking for customers of the occupations?"; that for customers, the answer is "no", but there are a lot of employees who show up there; that he believes that it has been mentioned to the Planning Director, Keith Megginson, that there are eight employees; that they have seen that number of employees working and showing up on the site with multiple vehicles; that because of a situation where Mr. Barber has to keep fences locked, frequently people have to park out on the street; that that is not a residential neighborhood; that they are now talking about a commercial property; that Item #11 states: "Will the occupation be advertised by a sign?"; that clearly the application states "no"; that they contend that with the number of vehicles as shown (Photo B) with the sign that is approximately 4x6 feet that is parked such that it is directly visible across the road onto Highway #64 from the property along with all the other commercial vehicles that are parked there that he has signage that does not comply with the County zoning requirements; that Item #13 states: "Will there be any noise, glare, vibration, odors, or electrical interferences associated with the home occupation?"; that the will of the community says that that is not true; that the will of the community states that they have a lot of noise and nuisance activity that is bothering them and their families; that they can't walk around the circle with their families when rolling trucks are coming in; that they will have to avoid that part of the community; that they see that as a very serious issue; that they have people in their community who have businesses; that Jackie Locklear is one of the names on those petitions; that she has a roofing supply company; that they wonder what the difference is if one day Jackie decides that she will have her roofing trucks show up on her property and have her employees show up there, park her trucks there, with the advertisement on the side, occasionally off-load and reload equipment and

materials if it will be allowed on site; that the answer is "no"; that she is not going to do it; that she has a business off-site which is a commercially zoned property where she conducts this activity; that Julio Alberte is a partner in a very successful home-building company; that his employees do not congregate at his home-site with their trucks and materials, loading and off-loading, coming and going, morning and night; that they don't do it; that they have business sites for that; that they have a property that is zoned commercially where they do all of that type of activity; that they are really at a loss as to why this information did not come out when this application was put in; that they are at a loss as to why this type of dumping did not come out when this application was put in; that they are at a loss as to why this type of dumping would be allowed when it is clearly a paid-for activity; that they have clients that are paying for removal of debris and it is winding up in their subdivision; that he doesn't understand how it can happen; that in Section 8.6 states: The listing of permitted and conditional uses in various districts in this ordinance are considered to be specific. Any use that is not specifically listed in a district shall be deemed to be prohibited."; that he does not see this type of activity described where dumping and this type of activity constantly coming and going with trucks parked, advertisements on trucks, trailers, workshops that are in some senses not used for the project at hand and in other senses when it is convenient they are used for that; that they really just do not get it; that he has been before the County before for business that he has had; that he has had to get conditional use permits; that he has had to have property looked at to see if zoning was applicable for the type of operation he wanted to perform; that he had hoops to jump through; that he currently has a landscaping issue on some Jordan Lake property which he owns; that the community is completely behind his project; that he has new tenants that have moved in; that when those tenants moved in, they had a slightly different use; that the Planning Board took the opportunity to apply some new landscape buffer rules; that he was unable to get those in; that he was fined \$50 and given a second opportunity to do it; that he is in the process of doing it and complying; that these are rules he has to live by; that when developers come in to the County and look at putting a commercial or residential development in, they have specific guidelines they have been created; that the guidelines were created for a reason...to be used, not to be twisted out of proportion such that someone can operate a business this large that annoys and aggravates so many people; that they are all hardy people who have five-acre lots and live in the country; that they are not a bunch of city wimps who get upset when someone is driving around with a truck; that its when there is this type of activity clearly stated by every single person in the community who is there, who is related to the property, that it is a nuisance; and that they do not understand how this can be permitted.

The Planning Director asked Mr. Sheaffer questions.

Angela Birchett, Chatham County Zoning Enforcement Officer, explained that she was advised of a possible violation of the Home Occupations Permit Section of the Zoning Ordinance when she returned from medical leave around September 8th; that she conducted a site visit on September 17th with Mr. Chadwick to investigate a landscaping/maintenance business; that there was an approximately 1,200 square foot building on the property; that they had permission from Mr. Barber to open the door to the building and look inside; that there was a four-wheeler, a Gator, a lawnmower, weed eaters, personal vehicle which Mr. Barber was restoring, car tools, tool chest, etc.; that there was a small green house (cold frame house) on the other side of the property that housed lots of ferns, water plants to be used for his pond that he has constructed on the property; that she asked him if he sold any of the plants on-site and was advised that he did not; that he stated that he did take some to a hardware store in Pittsboro to sell; that she informed him that under a Home Occupations permit, he would be allowed to have on-site retail sales if he chose to do so; that there was landscaping on the property, screening, fencing, but no work trucks visible at the time of her inspection on that date; that there were a couple of vehicles, other than his own truck; that there were improvements made to the property by a fill-area; that there was land clearing being done to create a pond; and that everything seemed to be in order. She stated that Mr. Barber was present and she informed him of the Home Occupations Permit within the Zoning Ordinance. She informed him that if he had any on-site retail sales, if he advertised by a sign, or if he had any non-resident employees on site, he was required by the Zoning

Ordinance to obtain a Home Occupations Permit; that she told him that she found him to be in violation, for the fact that he occasionally does have an employee there, non-resident employees on site; that he said that he wanted to do everything that he needed to do; that he would put in more screening and was very willing to do whatever he needed to do to be legal with the County; that she returned to the office to discuss everything with the Planning Director and show him the photographs; that she pulled other files which they had to compare the businesses; that there was one located on Andrews Store Road (Steve Candelori) who had a lot more equipment than Mr. Barber does; that there is one on Lystra Estates Drive (Mark Moldenhauer) and Stoneledge Landscaping (Kurt Mattocks) off Green Level Road; that there were no discrepancies to warrant not issuing a permit.

The Board asked Ms. Birchett questions.

Ms. Birchett further explained that Mr. Candelori has three trucks, two utility trailers, mowers, blowers, Bobcat, two 300-gallon fertilizer spray tanks, with all work done at customers houses except for loading and unloading of trucks and occasional equipment repairs which are done on-site; that Modenhauer has four trucks, two tractors, two trailers, miscellaneous drainage pipes, no on-site customers, three non-resident employees who work on-site periodically and office work done in his residence; that Mr. Mattocks has an office, Bobcat, trencher, two dump trucks, and one non-resident employee who works on-site; and that all have active permits.

Val Chadwick, Chatham County Environmental Enforcement Officer for Waste Management Division, stated that he was asked to visit the property around September 17th for two reasons: 1) Canine situation; and 2) Land Clearing Inert Debris (LCID) problems; that they met with Mr. Barber; that he did not see any indication that truck loads of stumps were being brought in while he was there; that that would have been an obvious violation; that LCID has to be permitted; that Mr. Barber stated, however, that he did bring in clippings and small bush clippings that he used on his property; that he told him that he would find out if that was permissible; that when he talked with State personnel, he was told that he would need a Yard Waste Permit to bring in yard clippings from other sites to his site to be used for beautification of his own property; that he did not observe any land clearing debris on the property.

Ms. Birchett stated that she had not heard from Mr. Hearn with the State with regard to their conversation; that he usually calls their office to inquire about zoning, etc. and that she has not heard from him; that he would have faxed her a copy of the Yard Clearing Permit, if one had been issued, for the file.

She further stated that on October 16th, from 8:55AM to 9:55 AM, she arrived on the property; that one vehicle was parked at the greenhouse; that two vehicles were at the workshop area; that there were no persons present on the property and no traffic generated as a result of the Home Occupations Permit; that she left and returned at 12:40 PM and stayed until 3:32 PM; that there was one more vehicle there when she returned than was there that morning for a total of three vehicles on the property other than Mr. Barbers; that at approximately 1:37 PM a white male, with white hair and dark clothes arrived on the property and entered the property through the east gate; that he got out of his vehicle, unlocked the gate, and went into the workshop area; that at approximately 3:00 PM, she moved to another location within the subdivision to do surveillance on the subdivision; that she remained until approximately 3:20 PM which is when the male that arrived was leaving the property; that she does not know what he was doing, but she did take note of the length of his visit; that at 1:57 PM she was approached by Mr. Richardson in her County vehicle who wanted to show her some photos of things that happened in the past; that she advised him that she could not discuss the case; that she told him that this would be information that he would have to bring to the hearing; that he offered the use of his property and asked if there was anything that they could do to help in the investigation; that at 3:33 PM, she left; that on October 28th, she arrived on-site at 7:15 AM; that two cars arrived on the property after her arrival, one as she was arriving and one came in after her; that there was a blue pickup

truck, a box truck, an open-bed truck stocked with pine straw, and a pull-behind box trailer were already there; that there were seven-eight employees on-site loading equipment; that at 7:30 AM, the four-door pickup with the attached box trailer left the property with four of the seven or eight employees; that at 7:42 AM, the other four-five employees left with the box truck; that there was no activity noted on the property after that time; that there were no trucks entering or leaving the property at the other three times she was on the property; and that she departed the property at 8:00 AM.

Ms. Birchett stated that if she had observed activity that was not in compliance with Mr. Barber's permit, she would have returned to the office, tried to contact the landowner, advised them that she suspected a potential violation of his Home Occupation Permit; that if she had evidence that it was a direct violation, she would issue a Notice of Violation (NOV), giving him thirty days in which to appeal or correct the action; and that the same due process would apply in any situation.

Mr. Barber's attorney made comments on behalf of his client.

Mr. Barber and Mr. Sheaffer answered questions from the Board.

The Zoning Enforcement Officer noted that the Planning Department has never received any information regarding an LCID prior to the day's date.

Commissioner Atwater asked if the Board felt that goodwill might be served if the Board did not take action at this time with the hopes that the parties involved might come to a more amicable understanding than the Board making a decision or that a subsequent decision made beyond the Board.

After considerable discussion, Commissioner Outz moved to find in favor of the actions of the Zoning Enforcement Officer and the Planning Department based on evidence presented and to deny the appeal.

The County Attorney suggested that the Board needed to make the findings of fact on whatever action is taken and to direct the County Attorney to prepare proposed findings of fact and return to the Board at the following meeting.

Commissioner Outz withdrew his motion.

Commissioner Atwater asked that as a matter of administrative convenience that the Board delay a decision on the matter until the next Board of Commissioners' meeting and ask the principal parties see if they can come to a reasonable agreement and to recess as the Board of Adjustment and reconvene as the Board of Commissioners. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

## **BREAK**

The Chairman called for a seven-minute break.

**Revision to Heritage Point Phase II Approval:** Consideration of a request to approve a revision to Heritage Point Phase II approval

Commissioner Atwater moved, seconded by Commissioner Morgan, to approve the revision to the Heritage Point Phase II approval, that no building permits be recorded, and that the seller advise the purchaser that erosion control has not been approved by the State.

The County Attorney asked what protection the lot purchaser would have.

No building permits would be issued until the Department of Natural Resources/Div of Water Quality/Erosion Control until construction of pond and pond dams. No building permits be recorded until the permits are issued

After considerable discussion, Commissioner Atwater withdrew his motion.

Commissioner Morgan withdrew his second to the motion.

Commissioner Atwater moved that no building permits be issued until the North Carolina Department of Natural Resources has approved erosion control permits for the construction of the pond and dam and that written notification be given to purchaser of any lots in the interim period advising them by the seller that the final approval of location of erosion control had not been approved by the State. Commissioner Morgan seconded the motion. The motion carried five (5) to zero (0).

### **SOLID WASTE DEPARTMENT**

**Ten-Year Solid Waste Management Plan:** Consideration of a request to adopt **Resolution Accepting and Endorsing the Solid Waste Management Plan of 2003 for Chatham County**

Commissioner Morgan moved, seconded by Commissioner Pollard, to adopt **Resolution #2003-44 Accepting and Endorsing the Solid Waste Management Plan of 2003 for Chatham County**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

### **FINANCE OFFICE**

**Fiscal Year 2003-2004 Budget Amendments:** Consideration of a request to approve Fiscal Year 2003-2004 Budget Amendments

Commissioner Morgan moved, seconded by Commissioner Pollard, to approve Fiscal Year 2003-2004 Budget Amendments, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

### **APPOINTMENTS**

**Chatham Trades Appointment:** Consideration of a request to appoint/reappoint a member to the Chatham Trades Board by the full Board

Commissioner Morgan moved, seconded by Commissioner Atwater, to reappoint Mrs. LaDone Johnson, 1107 Oxford Street, Lot #124, Siler City, NC, to the Chatham Trades Board. The motion carried five (5) to zero (0).

**Agricultural Advisory Committee Appointments:** Consideration of a request to appoint three members to the Agricultural Advisory Committee by Commissioner Atwater (2) and Commissioner Morgan (1)

Commissioner Atwater moved, seconded by Commissioner Pollard, to reappoint Clarence Durham, 470 Andrews Store Road, Pittsboro, NC, to the Agricultural Advisory Committee. The motion carried five (5) to zero (0).

Commissioner Atwater moved, seconded by Commissioner Pollard, to reappoint Charles Glosson, 9435 Highway #87 North, Pittsboro, NC, to the Agricultural Advisory Committee. The motion carried five (5) to zero (0).

Commissioner Morgan moved, seconded by Commissioner Pollard, to appoint Ennis Loflin, 499 Ronald Scott Road, Bear Creek, NC, to the Agricultural Advisory Committee to replace Cathy Jones. The motion carried five (5) to zero (0).

Commissioner Morgan moved, seconded by Commissioner Pollard, to reappoint Gary Moon, 3665 Moon Lindley Road, Snow Camp, NC, to the Agricultural Advisory Committee. The motion carried five (5) to zero (0).

**Home and Community Care Block Grant Committee:** Consideration of a request to appoint four members to the Home and Community Care Block Grant Committee by Commissioner Atwater (1), Commissioner Pollard (1), Commissioner Outz (1), and Commissioner Morgan (1)

This item was deferred until a later date.

**Solid Waste Advisory Committee Appointment** Consideration of a request to appoint a member to the Solid waste Advisory Committee by Commissioner Atwater (1)

Chairman Emerson moved, seconded by Commissioner Pollard, to reappoint Fleming Pfann, 2106 Mt. Vernon-Hickory Mountain Road, Siler City, NC, to the Solid Waste Advisory Committee. The motion carried five (5) to zero (0).

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

Chairman Emerson moved, seconded by Commissioner Outz, to appoint James Warfford, 107 Cliftwood Drive, Siler City, NC, to the Recreation Advisory Board to replace Phil Senter. 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 Outz (1)

This item was deferred until a later date.

## **BOARD OF COMMISSIONERS' MATTERS**

**Town of Siler City Water Request:** Consideration of a request to approve an agreement with the Town of Siler City for the purchase of water by Chatham County from the Town of Siler City

After considerable discussion, Commissioner Morgan moved, seconded by Commissioner Outz, to approve an agreement with the Town of Siler City for the purchase of water by Chatham County from the Town of Siler City, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

## **MANAGER' S REPORTS**

The County Manager had no reports.

## **COMMISSIONERS' REPORTS**

### **Revenue Options:**

Commissioner Morgan asked if at the submission of a subdivision request, the developer pays the \$17.50 meter user fee.

The County Manager explained that that is one of the options that will be presented to the Board, possibly at the December Board retreat.

Commissioner Morgan asked that if it was done, what the time element for application instatement would be.

The County Manager stated that it could be done anytime the Board desires.

The County Attorney stated that whatever directive that the Board adopts or the implementation of it would contain the necessary language for the transition.

The County Manager stated that applicants filing after a predetermined date would come under the new rule.

## **RECESS**

Commissioner Morgan moved, seconded by Commissioner Pollard, that the meeting be recessed to the regularly scheduled Work Session. The motion carried five (5) to zero, and the meeting was recessed at 11:03 AM.

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Thomas J. Emerson, Chairman

ATTEST:

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