

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING, APRIL 10, 1995**

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The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in regular session in the District Courtroom, located in the Courthouse Annex, Pittsboro, North Carolina, the regular place of meeting, at 10:00 AM, on April 10, 1995.

Present: Chair Uva Holland, Vice Chair Betty Wilson; Commissioners John Grimes, Margaret Pollard, and Henry Dunlap; County Manager Ben Shivar; County Attorney Robert L. Gunn; and Clerk to the Board Sandra B. Lee

The meeting was called to order by the Chairman at 10:05 AM.

**AGENDA**

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

County Manager Ben Shivar asked if the Commissioners, due to the short agenda, would like to take a tour of the newly completed Emergency Operations Center and the Water Plant which is under construction.

Commissioner Wilson moved to approve the agenda as presented. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

**CONSENT AGENDA**

The Chairman directed the Clerk to the Board to read the Consent Agenda.

Commissioner Wilson moved to approve the items listed on the Consent Agenda as read by the Clerk. Commissioner Grimes seconded the motion. The Consent Agenda, with a vote on each item is as follows, and was read verbatim by the Clerk to the Board.

1. **Minutes:** Consideration of approval of Board Minutes for Regular Meeting held March 27, 1995; Special Legislative Meeting Minutes for meeting held March 14, 1995; and Public Hearing Minutes for meeting held for March 29, 1995

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

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

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

3. **Vickers Road Resolution #95-17:** Consideration of a request for approval of resolution in support of speed reduction on Vickers Road

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

## **END OF CONSENT AGENDA**

### **PUBLIC INPUT SESSION**

There was no one who wished to speak during the Public Input Session.

### **PRESENTATION BY HARRIET McNEILL**

**Grave Relocation Request:** Request by Harriet McNeill to relocate several graves on property located in Chatham County

**Felecia Owen**, 1609 Ebb Drive, Wilmington, NC, spoke on behalf of Harriet McNeill and as co-owner of the property. She stated that she and Ms. McNeill purchased the 9 1/2 acres of residential property located on Lot #4, Forest Lane of New Hope Trails on Jordan Lake, a subdivision in Chatham County, in November, 1992; that the graves were located approximately ten months later when they were trying to find a suitable building location; that there were no graves identified on plats in the Register of Deeds Office; that they have taken every approach that they know to get out of the purchase contract; that this was not acceptable to the former land owners; that they are now working with the title insurance company; that as residential property, the graves will have to be moved; that Garrow & Associates, an archeological firm, has been hired to study the property and has identified thirty-two graves on the site; that the state archeological society has been contacted to determine if there is any archeological or historical value to the property; that if grave removal does occur, the funeral director has to be involved; that Phillip Ellen & Associates, Inc. will actually do the removal and relocation of the graves; that reinterment would be in Markham Gardens; that they have submitted a notice of publication to acknowledge any unknown relatives; that they would like to have the support of the Board and County; that there is no value as residential property now with thirty-two grave sites located on it; that the insurance company may accommodate the owners by purchasing the property and if so, the insurance company would retain ownership of the land; that the insurance company is now in the process of doing a final evaluation of degradation and value of the property.

**Will Heiser**, Chairman of the Chatham County Historical Association Cemetery Committee, presented the Commissioners with a North Carolina Cemetery Survey, a form filed with the State Archives in order to record cemeteries. He stated that he had visited the site and determined that there are at least thirty graves marked with small field stones; that he had made an extensive survey of property deeds to determine who owned the property; that he found a plat dated 1964 when the property was owned by the J. Lonnie Copeland Estate which was subsequently sold to Robert Harrison and the present property owners; that there were three deeds referred to on this plat; that one was for a transfer of 43 acres, which was a part of the parcel, from Monroe Poe to J. L. Copeland, dated March 14, 1942 except for 1/2 acre for the graveyard; that further investigation revealed that Monroe Poe inherited the property from Texana Poe, believed to be his mother; that he found a deed dated February 28, 1884 from Lemuel Ellis to Texana Poe; that the Lemuel Ellis deed did not refer to a cemetery located on the property; that on the plat dated 1964, there was no cemetery shown as is normally done by property surveyors; that there is no way of knowing whose cemetery this one was; that he doesn't believe that there are any Copelands living who can supply information on the cemetery nor were they connected with the cemetery; that he does believe the Ellises living are descendants of the earlier Ellises; that the only thing left to do is to try to find out from whom Lemuel Ellis bought the property in 1884, but that he doesn't hold much hope since it has been over 100 years, and he has found no one living who can supply information; that he concurs

with the County Manager's recommendation to appoint the Health Director to supervise and direct the disinterment, removal, and reinterment of the gravesite on the property; and that proper reporting forms should be filed as required by the State Health Department and the Register of Deeds.

Commissioner Grimes moved to table any action on this matter until further study can be done and to find out what is going to happen with the title insurance. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

Commissioner Grimes moved to appoint the Health Director to supervise and direct future disinterments, removals, and reinterments of gravesites pursuant to NC General Statute 65-13. Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

## **PUBLIC WORKS**

### **Solid Waste/Recycling Issue**

#### **Crutchfields Crossroads Convenience Center:**

The County Attorney explained that at the Siler City Convenience Center, it was agreed that the County would assume the cost of the revenue stamps at \$42.00. He stated that the cost of the transfer of land use taxes is approximately \$140 for which Mr. Bowling has asked the County to pay.

Commissioner Pollard moved that the County assume the cost of land use taxes on the property. Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

**Solid Waste/Recycling Collection Center Engineering Services:** Consideration to award a contract to McKim & Creed, Cary, NC to perform engineering services for design of Plans and Specifications for Solid Waste/Recycling Collection Centers at the Siler City and Crutchfield Crossroads sites

Commissioner Wilson moved to pass a resolution to award a contract to McKim & Creed for \$3,400 for the Crutchfield Crossroads site and \$5,600 for the Siler City site for the design of the Plans and Specifications, including site layout, grading, drainage, water and sewer facilities, obtaining state and federal approvals as required and preparation of construction bid documents. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

### **Water/Sewer Issues**

**Contract Award for Engineering Services:** Consideration of a request to award contract for engineering services for Design Plans and Specifications for water system extensions on Old US #64 west of Siler City

Commissioner Pollard moved to adopt **Project Ordinance Concerning the Old US #64 Water Line Extension**, a copy attached hereto and by reference made a part hereof, in the amount of \$156,000 and retain the services of King Engineering Services, Inc., Elon College, NC to design the Plans and Specifications, including field work, mapping, plans, specifications, and obtaining State approvals for Water System Extensions on Old US #64, west of Siler City, for the amount of \$5,650.00. Commissioner Grimes seconded the motion. The motion carried five (5) to zero (0).

## **REGISTER OF DEEDS**

**Replacement of Plat Reader/Printer:** Consideration of a request by the Register of Deeds to replace the existing plat reader/printer now in use due to the safety of the employees, public and building

Commissioner Pollard moved to transfer money from one line item to another to trade-in existing plat reader/printer in the Register of Deeds Office and purchase a new Minolta RP 609Z Plat Reader/Printer and to approve **Budget Amendment #37**, a copy attached hereto and by reference made a part hereof. Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

## **PARKS AND RECREATION**

### **Application to Parks and Recreation Trust Fund (PARTF) and Request to Hold Public Hearings:**

(1) Consideration of a request to pursue and apply for the Parks and Recreation Trust Fund (PARTF) and/or the Land and Water Conservation Fund (LWCF) and (2) Consideration of a request to hold public meetings to receive public input suggestions, concerns, and locations

Commissioner Wilson moved to consider this request during the budget process and render a decision no later than July 1, 1995. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

## **BOARD OF COMMISSIONERS' MATTERS**

**Occupancy Tax Task Force:** Consideration of a name change from Occupancy Tax Task Force to Travel and Tourism Advisory Board and enlargement of the Board to include a Chamber of Commerce representative

Commissioner Wilson moved to rename the Occupancy Tax Task Force to the Travel and Tourism Advisory Board. Commissioner Grimes seconded the motion. The motion carried five (5) to zero (0).

Commissioner Wilson moved to enlarge the Board to include a Chamber of Commerce representative to be selected by the Chamber of Commerce. Commissioner Grimes seconded the motion. The motion carried five (5) to zero (0).

## **MANAGER' S REPORTS**

The Manager had no reports to come before the Board.

## **COMMISSIONER'S REPORTS**

Commissioner Pollard stated that she planned to meet with the Water Board at their next meeting in order to begin discussion regarding the University Lake issue.

## **CLOSED SESSION**

- Commissioner Grimes moved to go into Closed Session to discuss the price of land for the Cole Park Convenience Center. Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

Commissioner Pollard moved to go out of Closed Session and into Regular Session. Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

### **STRATEGIC PLAN COMMITTEE**

- Howard Stier, Chairman of the Strategic Plan Committee, asked for time with the full Board to review the process for the Strategic Plan Committee.

The Board asked that this be done on April 24, 1995 at 6:00 PM prior to the regular Board of Commissioners meeting.

Commissioner Dunlap asked to be excused from the meeting.

### **ADJOURNMENT**

Commissioner Pollard moved that there being no further business to come before the Board, the meeting be adjourned. Commissioner Wilson seconded the motion. The motion carried four (4) to zero (0) and the meeting was adjourned at 11:53 AM.

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Uva R. Holland, Chairman

ATTEST:

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Sandra B. Lee  
Clerk to the Board