

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING, SEPTEMBER 5, 1995**

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The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in regular session in the Pittsboro Town Meeting Room, Courthouse Annex, Pittsboro, North Carolina, at 10:00 AM, on September 5, 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 10:06 AM.

**AGENDA**

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

The County Attorney asked that the Resolution Authorizing Notice of Intent to Institute an Action to Condemn Property, adopted June 19, 1995 be amended to include the mortgage holder, Southern National Bank, Lumberton, NC, secured party and the trustee under its deed of trust and any other secured party be added as Item #8a to the Consent Agenda and to authorize the County Attorney to make those changes.

The County Manager asked that a discussion of County policies and procedures with regard to rescue operations, particularly as it pertains to recent incidents experienced on the Haw River, be added to the Agenda as Item #9A.

Commissioner Pollard asked that a discussion of imposed fines continuing to accrue on weekends be added to the Agenda as Item #15.

Commissioner Pollard moved, seconded by Commissioner Wilson, to approve the agenda with the above noted requests. 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 Dunlap seconded the motion. The Consent Agenda, with the 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 August 21, 1995

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

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

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

3. **Solid Waste Disposal Fees:** Consideration of a request for approval of refund of Solid Waste Disposal Fees paid in error, copies attached hereto and by reference made a part hereof.

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

4. **Resolution #95-33 for the Addition of Road - Neodak Road Extension:** Consideration of a resolution for the addition of Neodak Road Extension in the Summer Chill Subdivision to the North Carolina Secondary Road System, a copy attached hereto and by reference made a part hereof.

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

5. **Resolution #95-34 for the Addition of Roads - Hubert Herndon Road and Margaret Place:** Consideration of a resolution for the addition of Hubert Herndon Road and Margaret Place in the Herndon Woods Subdivision Phases 1 & 2 addition to the North Carolina Secondary Road System, a copy attached hereto and by reference made a part hereof.

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

6. **Resolution #95-35 for the Addition of Roads - Miles Branch Road Extension, Lauren Court, and Carson Court:** Consideration of a resolution for the addition of Miles Branch Road Extension, Lauren Court, and Carson Court in the Miles Branch Subdivision to the North Carolina Secondary Road System, a copy attached hereto and by reference made part hereof.

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

7. **North Carolina Wildlife Federation Resolution #95-36:** Consideration of a resolution proclaiming Saturday, September 23, 1995 as Hunting and Fishing Day in Chatham County, a copy attached hereto and by reference made a part hereof.

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

8. **Out-of-State Travel Request for Home Economics Extension Agent:** Consideration of a request for out-of-state travel for Glennie Beasley, Home Economic Extension Agent, to attend the National Association of Extension Home Economists (NAEHE) Conference in Dallas, TX, October 14-19, 1995

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

- 8a. **Amendment to the Resolution Authorizing Notice of Intent to Institute an Action to Condemn Property:** Consideration of amendment to the Resolution Authorizing Notice of Intent to Institute Action to Condemn Property, adopted June 19, 1995, to include Southern National Bank, secured party and the trustee under its deed of trust and any other secured party

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.

### **RESOLUTION HONORING THE SERVICE OF MS. ELVA BUTLER**

Chairman Holland read **Resolution #95-37 Honoring the Service of Ms. Elva Butler on the Occasion of Her Retirement from the Chatham County Board of Health**, attached hereto and by reference made a part hereof.

The resolution was approved by consensus.

### **EMERGENCY RESCUE DISCUSSION**

The County Manager stated that there was recently another incident where a canoeist used the Haw River for recreational purposes when the river was above its normal elevation; that rescue and emergency are operated when individuals become endangered or need assistance in the river; that the most recent incident has raised some questions regarding the County's policies and procedures and how the County might be dealing with rescue operations; that the issue has centered around, if there should be some type of prohibition on entering the river at certain flood stages and beyond that should the Board consider some type of fine or other penalty for people who warrant it; that the sheriff and Emergency Management Services (EMS), including the local fire departments, are primarily responsible for the rescue operations; and that the EMS is not adverse to rescue but are very concerned about the risk in which the emergency personnel are being placed.

Tony Tucker, Emergency Operations Director, stated that it costs approximately \$3,500 per rescue; that most of that expense is for the Fort Bragg helicopter; that a lot of the other expense is in salaries; that if a fine is imposed, it is not to help recoup costs but to hopefully help make a person think twice about entering the river.

**Paul Ferguson**, 4916 Grinnell Drive, Raleigh, NC, Safety and Training Director of the Carolina Canoe Club, stated that he had canoed the river for the past twenty-three years; that he contacted the City of Richmond who has an ordinance; that he recommends charging for rescue and putting up high level warning signs.

Commissioner Wilson moved, seconded by Commissioner Pollard, to instruct the County Attorney and County Staff to investigate the possibility of an ordinance or some control of the frequent rescues on all Chatham County rivers. The motion carried five (5) to zero (0).

### **BOARDS AND COMMITTEES**

**Regional Aging Advisory Council Appointment:** Consideration of an appointment to the Regional Aging Advisory Council

Commissioner Pollard moved, seconded by Commissioner Wilson, to recommend the appointment of Hermenia Green to Chick Krautler, CEO of Triangle J Council of Governments to the Regional Aging Advisory Committee. The motion carried five (5) to zero (0).

**Industrial Facilities and Pollution Control Financing Authority Appointment and Reappointments:** Consideration of an appointment and two reappointments to the Industrial Facilities and Pollution Control Financing Authority

Commissioner Wilson moved, seconded by Commissioner Pollard, to appoint Joy Phillips and reappoint Rueben C. Warfford and James L. Brewer to the Industrial Facilities and Pollution Control Financing Authority, terms to commence immediately and expire July 1, 2001. The motion carried five (5) to zero (0).

### **BOARD OF COMMISSIONERS' MATTERS**

- **Purchase of Property by Orange-Person-Chatham MH/DD/SAS Authority:** Consideration of approval of purchase of property by Orange-Person-Chatham MH/DD/SAS Authority

Commissioner Wilson moved, seconded by Commissioner Grimes, to approve the request by Orange-Chatham-Person MD/DD/SAS Authority to purchase and own the property at 316 West Third Street, Siler City, to be used as a residential Substance Abuse recovery program known as Oxford House, Inc. The motion carried five (5) to zero (0).

### **JUNK YARD ORDINANCE**

Commissioner Pollard stated that she had been contacted regarding the Junk Yard Ordinance regarding a person who was several days out of compliance with the junk yard ordinance. She stated that this person wanted the Commissioners to review their policy with regard to charging for weekends and holidays when someone was out of compliance with the ordinance.

**Carlyle Holder**, Moncure, NC asked that the fines charged for being out of compliance for Saturdays, Sundays, and holidays be rescinded. He stated that he was not opposed to paying for weekdays when he was out of compliance but did not feel that paying for weekends and holidays was fair because of not being able to find anyone to take his cars on those days.

The County Attorney advised that the Commissioners consult with the appropriate staff, look at the ordinance, and if the Board feels that it needs to be amended, do so;

Commissioner Dunlap moved, seconded by Commissioner Wilson, to have the County Manager and/or Staff study the junk car ordinance and come back with a report and a recommendation to the Commissioners. The motion carried five (5) to zero (0).

### **CLOSED SESSION FOR THE PURPOSE OF DISCUSSING PERSONNEL**

Commissioner Wilson moved, seconded by Commissioner Dunlap, to go into Closed Session to discuss a personnel matter. The motion carried five (5) to zero (0).

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

Commissioner Pollard moved, seconded by Commissioner Wilson, to excuse Commissioners Grimes and Dunlap from the Tour of the Chatham County Water System and new Siler City Health facility. The motion carried five (5) to zero (0).

### **TOUR OF CHATHAM COUNTY WATER SYSTEM AND NEW SILER CITY HEALTH FACILITY**

Commissioners Wilson, Pollard, and Holland were escorted by the Public Works Director, James Stewart, on a tour of the new Siler City health facility, the Southwest Chatham County water system, as well

as the area in and around Caribton that has petitioned for water services.

**ADJOURNMENT**

Commissioner Wilson moved, seconded by Commissioner Pollard, that there being no further business to come before the Board, the meeting be adjourned. The motion carried three (3) to zero (0) and the meeting was adjourned at 4:50 P.M.

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Uva R. Holland, Chairman

ATTEST:

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Sandra B. Lee, Clerk to the Board