

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING, FEBRUARY 19, 1996**

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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 7:00 PM, on February 19, 1996.

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

The meeting was called to order by the Chairman at 7:10 P.M.

**AGENDA**

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

Commissioner Holland asked that a Proclamation Recognizing March as Trio Programs Month be added to the Agenda as Item #12A.

County Attorney/Interim County Manager Robert Gunn asked that consideration of approval of an extension of the Franchise Ordinance for Cencom Cablevision be added to the Agenda as Item #18A and consideration of approval for the Sheriff of Chatham County to apply for a grant from Crime Control and Public Safety be added as Item #18B.

Commissioner Wilson moved, seconded by Commissioner Dunlap, to approve the Agenda with the 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, seconded by Commissioner Dunlap, to approve the items listed on the Consent Agenda as read by the Clerk. 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 January 22, 1996; Special Budget Meeting Minutes for January 23, 1996; Special Budget Meeting Minutes for January 25, 1996; Special Budget Meeting Minutes for January 29, 1996; and Special Budget Meeting Minutes January 30, 1996

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

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

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

3. **Solid Waste Disposal Fees and Regular Tax Bills Paid in Error:** Consideration of a request for approval of refunds for Solid Waste Disposal Fees and Regular Tax Bills paid in error, copies attached hereto and by reference made a part hereof.

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

4. **Tax Lien Advertisement:** Consideration of a tax lien advertisement as required by G. S. 105-369

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

5. **Out-of-State Travel to Attend Southeast Compact Commission Meeting:** Consideration of an out-of-state travel request for Mary MacDowell to attend Southeast Compact Commission meeting in Atlanta, GA and Mississippi in which they will be asked to fund \$6 million in additional funds for radioactive site studies

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

6. **Declaration of Official Intent to Reimburse:** Consideration of adoption of "Declaration of Official Intent To Reimburse", a copy attached hereto and by reference made a part hereof.

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

7. **Bad Debt Write-Off for the General Health Services and Home Health Divisions of the Health Department:** Consideration to approve bad debt write-off for the General Health Services and Home Health Divisions of the Health Department, a copy attached hereto and by reference made a part hereof.

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

8. **Contract and Agreement Between the Department of Social Services, Donald J. Whitt, Sheriff of Chatham County, and Chatham County:** Consideration of a contract and agreement between the Department of Social Services, Donald J. Whitt, Sheriff of Chatham County, and Chatham County for services as a process server and other services as necessary for the agency to operate a Child Support Enforcement Unit, a copy of the contract attached hereto and by reference made a part hereof.

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

9. **Sketch Design Approval for Brittany Woods Subdivision:** Consideration of a request by George Farrell, Jr., for sketch design approval for Brittany Woods Subdivision consisting of 16 lots on 22.40 acres off S./ R. #1532 (Manns Chapel Road) in Baldwin Township

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

10. **Sketch Design Approval for Hickory Haven Subdivision:** Consideration of a request by James Associates for sketch design approval for Hickory Haven Subdivision consisting of 21 lots on 125.89 acres off S. R. #2176 (Dewitt Smith Road) in Hickory Mountain Township

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

11. **Sketch Design Approval for Pickard's Meadow Subdivision:** Consideration of a request by Mark Langley for sketch design approval for Pickard's Meadow Subdivision consisting of 50 lots on 65.94 acres off S. R. #1354 (Teague Road) in Albright Township

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

12. **Private Roads:** Consideration of a request from citizens for the naming of private roads in Chatham County

- |    |               |    |                    |
|----|---------------|----|--------------------|
| 1) | Oakridge Lane | 4) | R. R. Wilson Drive |
| 2) | Obler Road    | 5) | Wild Azalea Lane   |
| 3) | Kelly Lane    | 6) | Woodside Trail     |

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

## END OF CONSENT AGENDA

## PUBLIC INPUT SESSION

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

## RESOLUTION PROCLAIMING MARCH AS TRIO PROGRAMS MONTH

The Chairman read a resolution recognizing March as Trio Programs Month. Commissioner Grimes moved, seconded by Commissioner Wilson, to adopt **Resolution #96-4 Proclaiming March as TRIO Programs Month**, a copy attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

## PLANNING AND ZONING

### Zoning and Ordinance Amendments

**Amendments to the Chatham County Subdivision Regulations:** Consideration of approval of proposed amendments to Section 4 of the Chatham County Subdivision Regulations to allow preliminary review to consist of soils evaluation by certified soil scientist

Commissioner Pollard moved, seconded by Commissioner Wilson, to accept the Planning Department and Planning Board recommendation that the proposed wording of text be adopted as follows:

Sections of the County Subdivision Regulations proposed for revision:

- \* Page 25 Section 4.4 a. Chart Overview of the Major Subdivision Plat Review Process 8.  
~~Preliminary Review Health Department~~

**Statement of Reasonable Design  
Certified/Licensed Soil Scientist**

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- 2. \* Page 28 Section 4.4 B. (3) Step 8. The subdivider is responsible for having the site and the preliminary plat reviewed and **signed by a certified/licensed soil scientist concerning the reasonableness of the design (see Appendix A Form 1).** The plat submitted shall exhibit a **statement of reasonable design** or be accompanied by a letter from the Division of Environmental Management (DEM) signifying approval (issuance of a discharge permit and permit to construct).
- 3. \* Page 30 Section 4.4 B. (15) Step 19. **It is recommended that the developer have the local Health Department do a site inspection of the soil scientist's work prior to commencing with land disturbing activity.** In this step the developer makes site improvements.....(remaining text as stated).
- 4. \* Page 33 Section 4.7 B. (2) The approval of the preliminary plat by the Planning Board and the Board of County Commissioners serves as permission to begin construction according to the plans and as a basis for preparation of the final plat. **It is recommended that the developer have the local Health Department do a site inspection of the soil scientist's work prior to commencing with land disturbing activity. Preliminary approval** does not constitute acceptance or approval of the final plat.
- 5. \* Page 38 Section 5.2 C.  
~~Percolation Tests~~  
-  
~~Percolation tests or other forms of soil investigation shall be performed for all subdivisions unless a central sewage disposal system is proposed. Tests may be performed by the Health Department or persons approved by the Health Department to perform such tests or investigation.~~  
-  
**A soils evaluation shall be performed by a certified/licensed soil scientist or persons approved by the Health Department to perform such evaluations or investigations. Such evaluations shall be performed unless a central sewage disposal system is proposed.**
- 6. \* Page 61 Form 1

~~CERTIFICATION OF PRELIMINARY APPROVAL BY COUNTY HEALTH DEPARTMENT~~

~~I hereby certify that the plans and related information required meet the specifications for preliminary approval by the Chatham County Health Department.~~

I \_\_\_\_\_ have reviewed the property shown hereon and the lot sizes and plat design is reasonable for the existing soil conditions.

Name	Title	Date

- 7. Acknowledgment of Health Department Review Procedure  
  
This is to acknowledge that I am aware that preliminary plan approval is based on a soils investigation by my consulting soil scientist and lots are subject to change following review by the County Health Department. I am aware that I am required to have lots and suitable soil areas surveyed and that the County Health department will evaluate said locations prior to final plat approval by the county.

- |     | Signature                                                                                                                                                                                                                                                                                      | Date |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 8.  | Page 25 Section 4.4 A<br>Overview of the Major Subdivision Plat Review Process.                                                                                                                                                                                                                |      |
|     | <b>Add Step 4</b><br><b>Soil Scientist prepare soils map</b><br><b>Re-number existing steps beginning with 5</b>                                                                                                                                                                               |      |
| 9.  | Page 28 Section 4.4 B (1-20)<br><b>Re-number steps 4-29</b>                                                                                                                                                                                                                                    |      |
| 10. | Page 28 Section 4.4 B (1) Step 4-7<br>The sketch design review is required on proposed subdivisions with new roads, but is optional on other subdivisions. The information required on a sketch design map is described in Section 5.2, Section 5.2A, Section 5.2 B, <b>and Section 5.2 C.</b> |      |
| 11. | Page 38 Section 5.2 C<br><b>A soils map showing the location of suitable soils and a letter of explanation shall be submitted.</b>                                                                                                                                                             |      |

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

**Preliminary Plat Review**

**Preliminary Approval for Daniel Ridge East Subdivision:** Consideration of a request by Randy Voller for subdivision preliminary approval for Daniel Ridge East consisting of 6 lots off Stonehill Road in Baldwin Township

- Commissioner Pollard moved, seconded by Commissioner Wilson, to accept the Planning Department and Planning Board recommendation that the plat be granted preliminary approval as submitted with the condition that the proposed amendments to the Subdivision Regulations are approved. The motion carried five (5) to zero (0).

**RESOLUTION FOR CENCOM CABLE**

- Robert Gunn explained that the proposed resolution was prepared by the County's consultants that work in the cable area; that it indicates that the County's present franchise with Cencom, which operates in the Siler City area, expired in January, 1996; that they are recommending and have prepared an ordinance that extends the provision of the franchise until January 7, 1997 until the same terms and conditions as before.

- Commissioner Wilson moved, seconded by Commissioner Pollard, to approve **Resolution #96-5 Extending the Cable Television Franchise By 12 months Between Cencom Partners, L.P. and Chatham County, NC-0655** and to authorize the Chairman and Clerk to the Board to execute the resolution. The motion carried five (5) to zero (0). A copy of the resolution is attached hereto and by reference made a part hereof.

**GRANT FROM CRIME CONTROL AND SAFETY FOR SCHOOL RESOURCE OFFICERS**

- Robert Gunn explained that the Sheriff has learned recently that there may be funds available through the State Department of Crime Control and Public Safety; that the Sheriff's Department wishes to apply for

funds to place a school resource officer in each of the high schools, hopefully to hold down crime; that the major portion is eligible for grant funds; that if the grant is approved as written, it will still require approximately \$40,000 for the upcoming fiscal year 1996-97; that it is an application for a two-year grant; and that the second year would require approximately a \$30,000 grant.

Don Whitt, Chatham County Sheriff, stated that he feels there is a great need for the resource officers to teach good habits on violence, to keep drugs and guns out of the schools, and be visible in the school halls. He stated that this request has been placed in his upcoming budget.

After further discussion, Commissioner Pollard moved, seconded by Commissioner Wilson, to permit the Sheriff's Department to apply to the North Carolina Department of Crime Control and Public Safety for a grant to fund three resource officers to work in the three public high schools and authorize the Interim County Manager to execute the application. The motion carried four (4) to one (1) with Commissioner Grimes dissenting.

## PUBLIC WORKS

### Water/Sewer Issues

**Contract for Wastewater Treatment System:** Consideration of award of contract for Wastewater Treatment System to be constructed at the Jordan Lake Water Treatment Plant

Commissioner Pollard moved, seconded by Commissioner Wilson, to award a contract to Midway Plumbing & Grading, Pittsboro, NC in the amount of \$20,348.50 and to authorize the Chairman to execute necessary contract documents upon review and approval of the County Attorney and the Public Works Staff. The motion carried five (5) to zero (0).

**Sewer Service for Proposed New School:** Consideration to provide the new proposed K-8 school at the intersection of Hamlet's Chapel Road and Mann's Chapel Road sewer service by allowing the wastewater to be pumped from the school to the wastewater collection and treatment system at Bynum

Commissioner Pollard moved, seconded by Commissioner Wilson, to approve the Board of Education to "tap" onto the Bynum sewer collection and treatment system by constructing a sewage pumping station and a sewage pressure main to the Bynum sewer collection system, contingent upon the Board of Education bearing all costs associated with study processes, design of plans and specifications, approval processes, and the capital cost of construction and placing into operation; and further that any future capital costs associated with the pumping station, pressure main and treatment works, which are directly related to the school's impact on the facilities, will be borne by the Board of Education and that the motion is subject to obtaining all necessary regulatory approvals by DEM. The motion carried five (5) to zero (0).

**Award of Contract for Water System Extensions:** Consideration of an award of contract for Water System Extensions to serve the new K-8 school at the intersection of Hamlet's Chapel Road and Mann's Chapel Road

Commissioner Wilson moved, seconded by Commissioner Grimes, to award a contract to Terry's Plumbing & Utilities, Inc. for \$259,120 and to authorize the Chairman and the Clerk to the Board to execute the contract documents upon review and approval of the County Attorney and the Public Works Staff. The motion carried five (5) to zero (0). The motion carried five (5) to zero (0).

**Approval of Contract to Purchase Bennett Water Tank Site:** Consideration of approval of contract to purchase Bennett Water Tank Site

Robert Gunn, County Attorney, explained that he had special negotiations with the owner of the lot in the Town of Bennett that the Public Works Director previously advised was a satisfactory location for a water tank in that area which is badly needed for fire protection. He stated that after extended negotiations, that it has been determined that the County will be able to enter into an agreement to purchase the site for \$14,000.

Commissioner Grimes moved, seconded by Commissioner Pollard, to approve a contract to purchase the Bennett Water Tank Site from Wanda Beck, owner of the property in the Town of Bennett, for \$14,000, the contract attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

### **BOARDS AND COMMITTEES**

**Water Advisory Committee Appointments:** Consideration of appointments to the Water Advisory Committee

Commissioner Grimes moved, seconded by Commissioner Pollard, to reappoint Rudy Johnson to the Chatham Water Advisory Committee. The motion carried five (5) to zero (0).

Commissioner Holland moved, seconded by Commissioner Pollard, to reappoint Thomas Ward to the Chatham Water Advisory Committee. The motion carried five (5) to zero (0).

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

**Personnel Policy Update:** Presentation of updated Personnel Policy

Kim Bush, Human Resources Manager, stated that for a long time, the Interim Assistant to the County Manager, Renee Dickson, the Personnel Committee, and she had been working on a revised County personnel policy. She stated that there had been many problems with the current policy, including convoluted disciplinary procedures, lack of flexibility, poor wording, etc.; that the staff believes the proposed new policy will meet the needs of the County and its employees much better than the current policy. She reviewed the old and proposed policies and highlighted the major changes as follows: 1) Significant changes to the wording (but not the intent) of the section on disciplinary action to streamline procedures and the way which employees appeal these actions, including dismissal; that under the current policy, appeals are made to the Board of Commissioners; that under the new policy, the County Manager would have the final say on these actions, but employees would have the option of a hearing before a personnel advisory committee to be appointed by the Board of Commissioners; that the committee would then make a non-binding recommendation to the County Manager concerning the proposed disciplinary action. 2) The new policy includes a complete grievance procedure, in which employees can appeal disciplinary actions and other conditions of employment. 3) Several types of leave have been eliminated or reduced, including elimination of voluntary donated leave, reduction and clarification of educational leave policy, reduction of family and medical leave from one year to six months. 4) In part to compensate for these eliminations and reductions, the vacation leave accrual has been increased by two to four days per year for each classification of leave accrual.

Ms. Bush reviewed significant changes in more depth and answered questions from Commissioners.

The Commissioners complimented Ms. Bush on her method of putting together the changes to the proposed personnel policy and for her outstanding presentation.

**W. K. Kellogg Foundation Grant:** Consideration of approval of the W. K. Kellogg Foundation

Grant in the amount of \$17,000 to build community organizations' capacity to promote needed changes in public health education and improve the public's health and well-being

This item listed on the Agenda was not discussed.

### **INTERIM MANAGER' S REPORTS**

Robert Gunn informed the Commissioners that JOCCA would like to come before the Board on Wednesday, February 21, 1996 at their Budget Workshop for a short presentation.

The Board agreed by general consensus to allow JOCCA to make a short presentation at the Commissioners Budget Workshop to be held on Wednesday, February 21, 1996.

### **COMMISSIONER'S REPORTS**

Commissioner Wilson congratulated two local recipients of the Girl Scout Gold Award, Leah Margaret Tilden and Ashley Lynn Collins. She stated that the girls were only the third and fourth recipients of the award in Chatham County; that the award is the highest award given by Girl Scouts, which is comparable to the Eagle Boy Scout Award; that the girls were chosen for their high achievements and strong moral character; and that they will be receiving letters of recognition from the President, Governor, Senators/Congressmen, and NC Legislators from their district. She asked that commendations letters be sent from the Chatham County Board of Commissioners recognizing their accomplishments.

Commissioner Wilson moved, seconded by Commissioner Pollard, to send letters of commendation from the Chatham County Board of Commissioners to Leah Margaret Tilden and Ashley Lynn Collins in recognition of their accomplishments. The motion carried five (5) to zero (0).

### **CLOSED SESSION TO DISCUSS PERSONNEL AND PROPERTY ACQUISITION**

Commissioner Pollard moved, seconded by Commissioner Grimes, to go into Closed Session for the Purpose of Discussing Personnel and Property Acquisition. 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.

Commissioner Pollard moved, seconded by Commissioner Wilson, to increase the Administrative Assistant Position, held by Ida Pharr, and the Interim Chief Inspector Position, held by Thomas Peace, in the Inspections Office by two steps, retroactive to the date of Bob Strowbridge's departure from the County. The motion carried five (5) to zero (0).

Commissioner Pollard moved, seconded by Commissioner Wilson, to approve \$3,000 for a Master of Public Administration (MPA) Intern from the University of North Carolina at Chapel Hill. The motion carried five (5) to zero (0).

While reviewing the upcoming Commissioner schedule, the following meetings were noted:

Budget Workshop - Wednesday, February 21, 1996

Byrd's Classroom

4:30 PM until (no later than) 7:30 PM



Manager References Review -Wednesday, February 28, 1996  
Manager's Conference Room  
4:30 PM - 7:30 PM

Strategic Plan Development Committee Meeting - Thursday, February 29, 1996  
Byrd's Classroom  
6:30 PM - 9:00 PM

Legislative Delegation Meeting - Tuesday, March 12, 1996  
Farrington House Restaurant  
7:00 PM

**ADJOURNMENT**

- Commissioner Grimes moved, seconded by Commissioner Dunlap, that there being no further business to come before the Board, the meeting be adjourned. The motion carried five (5) to zero (0) and the meeting was adjourned at 9:15 PM.

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Uva R. Holland, Chairman

ATTEST:

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