

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, AUGUST 19, 1996

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 A.M. on August 19, 1996.

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

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

AGENDA

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

Robert L. Gunn, County Attorney, asked that consideration of an “Introduction of a Bond Order” with regard to a refunding of school bonds, be added to the Agenda as Item 11A.

Commissioner Wilson moved, seconded by Commissioner Grimes, 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.

Robert Gunn, County Attorney, asked that under the Planning and Zoning issue on the minutes dated August 5, 1996 on the Consent Agenda, the words “for a variance” be added to the motion after “...to deny the request” in the second paragraph.

Commissioner Pollard moved, seconded by Commissioner Wilson, to approve the items listed on the Consent Agenda with the noted request, as read by the Clerk.

1. **Minutes:** Consideration of approval of Board Minutes for Regular Meeting held August 5, 1996

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

2. **Resolution #96-24 to Condemn the Burning and Destruction of Churches in the United States of America:** Consideration of a request to adopt a Resolution to Condemn the Burning and Destruction of Churches in the United States of America, attached hereto and by reference made a part hereof.

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

3. **Sketch, Preliminary, and Final Approval for Oak Spring Subdivision (Phase II):** Consideration of a request by David E. Bowman and Christina G. Bowman for sketch, preliminary, and final approval for Oak Spring Subdivision (Phase II) consisting of three lots on 12.89 acres off SR #1010 (Pittsboro-Goldston Road) on SR #2221 (Artis Cotton Road) in Gulf Township

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

4. **Private Roads:** Consideration of a request from citizens for the renaming of the following private road in Chatham County:

- (1) Maddox Lane to Lassiter HMSTD (Homestead) Road

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

5. **Fiscal Year 1995-96 Budget Amendments:** Consideration of a request to approve **Budget Amendments #117-124**, 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 comment.

GOVERNORS CLUB PRESENTATION

- Emil E. Malizia, Director of the Institute for Economic Development, The University of North Carolina at Chapel Hill, stated that North Carolina's Research Triangle area will continue to grow in the future at rates well above the national average for metropolitan areas; that the impacts of new development are a major concern; that the conventional wisdom would support the following three assertions about the development process:

- - 1) Commercial projects generally have positive fiscal impacts. Residential projects have negative fiscal impacts. The cost of providing local public services to households usually exceeds the local public revenues from taxes paid by households.
 - 2) Locations of new corporate facilities or expansions of existing businesses generate permanent jobs. Construction generates temporary, short-term jobs.
 - 3) Industrial development usually stimulates growth in the basic or exporting sector of the local economy. Real estate development usually responds to economic growth.

He stated that the Governors Club, a predominantly residential project located in the Research Triangle area which was underway by 1990 and should be completed by the year 2010, is an extraordinary development, and that it defies the conventional wisdom in the following three ways:

- 1) The Governors Club residential development has had and will continue to have major positive fiscal impacts on Chatham County, North Carolina. The County will continue to receive tax revenues from Governors Club in excess of the expenditures required to service the community. In 1996, Chatham County will receive at least \$960,000 more in revenues from Governors Club than it will expend to provide services to Governors Club.
- 2) Construction jobs at Governors Club will continue for about twenty years, longer than the

expected economic life of most local businesses. There will also be related jobs in real estate sales and administrative support for the twenty-year development period.

- 3) Governors Club stimulates new growth more than it responds to growth. Its economic impacts on the Research Triangle area are significant. In 1996, the earnings impact is expected to be \$28.5 million, and the employment impact should be more than 1,500 jobs. From 1990-2010, Governors Club development of both the gated residential-golf community and the adjacent Governors Village

mixed-use project are expected to generate \$354.6 million in earnings and more than 18,000 jobs.

Mr. Malizia stated that any real estate development that increases local wealth by over one-half billion dollars is likely to benefit the area; that in the case of the Governors Club, its positive fiscal impacts on Chatham County are overwhelming because assessed property values and property taxes paid by property owners are exceptionally high relative to the costs of County services provided to property owners; that the impact on County schools is especially low because most property owners do not have school-aged children; that the economic impacts of Governors Club are substantial because the value of construction is considerable, the development process extends over twenty years, local spending of resident households is very high, and at least half of all households are coming from outside the area, either to work or to retire; that the leadership in civic and economic organizations is well above average; and that business expertise and financial resources are readily available for local business and commercial estate development.

MGT OF AMERICA, INC. PRESENTATION

The County Manager stated that the staff had been looking at the possibility of the management review for a while; that references from other counties had been checked in which MGT had participated; that he had found MGT to be reputable and their business work unblemished; that Hillsboro County, FL still has them on retainer to do special projects on occasion; that at this point, he is looking for direction from the Board for either continuation of the process, proceeding with what is now planned, or rejecting the review entirely.

Commissioner Pollard stated that she had given a lot of thought to this matter; that since the new budget has just been passed and the project is not an emergency, that it would not be good to go into the fund balance for an appropriation of funds; that the Commissioners would have a difficult time defending it; that she thinks the idea of management review is a good one, but wonders if a lot of this work could be accomplished through County staff.

Commissioner Pollard moved, seconded by Commissioner Dunlap, that the management review not be approved and that it be postponed and tabled for consideration at a later date. The motion carried five (5) to zero (0).

Commissioner Dunlap stated that he hoped the Manager would not consider any action taken by the Board against the management review as a personal reflection on the Manager.

PLANNING AND ZONING

Zoning Board of Adjustment

Zoning Board of Adjustment Request by Marianne P. Jones: Zoning Board of Adjustment request by Marianne P. Jones for a variance from the Chatham County Zoning Ordinance Section 10.1 C Dimensional Requirements, Minimum Required Lot Area - Three acres provided that newly created lots must average five acres”, off SR #1520 in Center Township

Commissioner Grimes moved, seconded by Commissioner Wilson, to recess as the Board of Commissioners and convene as the Board of Adjustment. The motion carried five (5) to zero (0).

Commissioner Pollard moved, seconded by Commissioner Wilson, to support the Planning Department recommendation that the request be denied for the inability to make the findings a and c. The motion carried five (5) to zero (0).

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Commissioner Pollard moved, seconded by Commissioner Grimes, to adjourn as the Board of Adjustment and reconvene as the Board of Commissioners. The motion carried five (5) to zero (0).

Zoning and Ordinance Amendments

Request by Chris Brown for a Conditional Use Business District With a Conditional Use Permit: Consideration of a request by Chris Brown for a Conditional Use Business District with a Conditional Use Permit for landscape and grading business on 1.41 acres off NC Hwy. #751 in Williams Township

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Commissioner Wilson moved, seconded by Commissioner Pollard, to support the Planning Board and Planning Department recommendation that the request be approved with the following conditions:

- 1) A 50 foot building setback be maintained along all property lines and from the 60 foot driveway easement.
- 2) The private drive be improved to a travel way width of not less than 16 feet with not less than 4 inches of crush and run stone.
- 3) The entrance of the private drive on the state right-of-way onto NC #751 shall be improved to have a minimum travel way width of 22 feet. A 10 foot by 70 foot sight triangle shall be maintained to the south. The entrance improvements shall be made prior to other land disturbing activities on the property.
- 4) The property shall not be used to conduct retail sales on site.
- 5) Landscaping shall be provided as specified on the site plan.

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

Request by Westrend Construction, Inc. for Carlyle Group, Inc. for a Revision to Existing Conditional Use Business District: Consideration of a request by Westrend Construction, Inc. for revision to existing Conditional Use Business District with a Conditional Use Permit for several businesses on 2.73 acres on the northwest side of SR #1008 (Farrington Road) and the entrance to Nature Trail Mobile Home

Park

Commissioner Grimes moved, seconded by Commissioner Pollard, that the request for vegetative screening be denied and condition 2 of the original permit remain unchanged. The motion carried five (5) to zero (0).

Proposed Amendments to the Chatham County Zoning Ordinance: Consideration of proposed amendments to the Chatham County Zoning Ordinance to revise the RA-5 district to allow family subdivisions of two acre lots to be in conformity with recently adopted amendments to the County Watershed Protection Ordinance

Commissioner Pollard moved, seconded by Commissioner Wilson, to adopt the revisions as proposed:

Page 8 Section 7.2 Definitions - Add the following:

“Family Subdivision - Family subdivision means one or more divisions of a tract of land (a) to convey the resulting parcels, with the exception of parcels retained by the grantor, to a relative or relatives of direct lineage, or to the surviving spouse, if any, of any deceased lineal descendant, as a gift or for nominal consideration, but only if no more than one parcel from such tract is conveyed by the grantor to any one relative or such relative’s surviving spouse; or (b) to divide land from a common ancestor among tenants in common, all of whom inherited

by intestacy or by will. This provision shall apply only where the grantor or descendent already owned the land so divided upon the effective date of this ordinance”.

Page 22 Section 10.1 C. - Revise to read as follows:

Minimum Required Lot Area - Family subdivisions may have lots a minimum of two acres in size. Existing lots of ten acres or less may be divided provided that no resultant lot is smaller than three acres. New lots other than these previously described must average five acres in size with no lots smaller than three acres; lots larger than ten acres shall not be included in the averaging.

FINANCE

Introduction of Bond Order

Robert Gunn, County Attorney, explained that of the \$15 million school bond referendum that passed, \$6.1 million worth of bonds were issued a year ago at the request of the school system. He stated that because of the fluctuation in interest rates, it is believed that by refunding those bonds and by issuing new bonds at a lower interest rate, money to pay off the \$6.1 million will be obtained, and the County will save approximately \$15,000 per year. He further stated that if a sufficiently favorable interest rate is not received to save the County some money, the refunding will not be done.

Commissioner Grimes introduced a “Bond Order Authorizing the Issuance of \$6,100,000 General Obligation Refunding Bonds of the County of Chatham” which was read in its entirety by the County Attorney.

After the Bond Order was read by the County Attorney, Commissioner Pollard moved, seconded by

Commissioner Wilson, to adopt **Resolution #96-24A**, attached hereto and by reference made a part hereof, setting a public hearing upon said bond order for September 3, 1996, 10:30 AM, in the District Courtroom, Courthouse Annex, Pittsboro, North Carolina; directing the publication of a notice of said hearing and directing the County Finance Officer to file a statement setting forth the debt incurred or to be incurred, the appraised value of property subject to taxation in the County and the net debt of the County. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

NC Regional Library Appointment: Consideration of an appointment to the North Carolina Regional Library Board

Commissioner Grimes moved, seconded by Commissioner Wilson, to appoint Sandy McSween to the current Chatham County Library Board to the Central North Carolina Regional Library Board with the term expiring on June 30, 1999. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

E-911 Committee Member Addition: Consideration to add an additional member to the E-911 Committee

Commissioner Pollard moved, seconded by Commissioner Wilson, to approve the addition of the Fire Marshal's Office to the E-911 Committee. The motion carried five (5) to zero (0).

MANAGER'S REPORTS

Charlie Horne, County Manager, reminded the Commissioners of their meeting with Cary Town Officials to discuss Cary's water plans with Chatham County. He asked if the Commissioners would like to set a time and date to have a work session regarding this issue.

By consensus, the Commissioners agreed to set August 29, 1996, 5:00 P.M., in the Pittsboro Town Hall, Courthouse Annex, Pittsboro, North Carolina, for a work session.

The Commissioners also set Wednesday, October 23, 1996 and Thursday, October 24, 1996, 9:00 A.M. till 5:00 P.M. as retreat dates, place to be decided, by consensus.

The Manager gave an update on the water treatment plant. He stated that after the major water leak, the building has been made safe, and that engineering reviews are being done to assess the damage. He stated that the plant should be back on line, in terms of water production, by the next day, August 20, 1996 and that damage assessments will continue with regard to damage and warranties, etc.

COMMISSIONER'S REPORTS

- There were no Commissioner reports.

ADJOURNMENT

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Commissioner Grimes moved, seconded by Commissioner Wilson, 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 8:07 P.M.

Uva R. Holland, Chairman

ATTEST:

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

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