

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, APRIL 21, 1997

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 P.M. on April 21, 1997.

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

The meeting was called to order by the Chairman at 7:03 P.M.

AGENDA

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

Charlie Horne, County Manager asked Item #25, Closed Session, be removed from the Agenda and considered at the May 5, 1997 Board meeting.

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

1. **Minutes:** Consideration of approval of Board Minutes for regular meeting held April 07, 1997 and Budget Input Sessions held April 8, 1997 and April 9, 1997

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

2. **Resolution #97-19 for the Addition of Streets or Roads to the North Carolina System of Secondary Roads - Chatham Drive in the Highland Estates Subdivision:** Consideration of approval of a resolution for the addition of streets or roads to the North Carolina System of Secondary Roads - Chatham Drive in the Highland Estates Subdivision with entrance onto State Road #1532, attached hereto and by reference made a part hereof.

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

3. **Request for Sketch Design Approval - Penny Lane Subdivision:** Consideration of a request by Julie Smith for sketch design approval of subdivision currently known as Penny

Lane Subdivison, consisting of 14 lots on 28.54 acres off SR #1529 (Taylor Road) in Baldwin Township

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

4. **Request for Preliminary and Final Approval - Bush Creek (Phase IV of Section VIII), The Village of Fearington:** Consideration of a request for preliminary and final approval of Bush Creek (Phase IV of Section VIII), The Village of Fearington, consisting of 23 lots on 27.65 acres in Williams Township

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

END OF CONSENT AGENDA

RESOLUTION OF APPRECIATION HONORING JOANNE KECK

Resolution #97-20 Recognizing and Honoring JoAnne Keck for Over 26 Years of Dedicated Service to Chatham County: Consideration of Resolution Recognizing and Honoring JoAnne Keck for Over 26 Years of Dedicated Service to Chatham County, attached hereto and by reference made a part hereof.

Commissioner Wilson moved, seconded by Commissioner Holland, to approve the Resolution of Appreciation Honoring JoAnne Keck, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

The Chairman read the Resolution of Appreciation Honoring JoAnne Keck for Over 26 Years of Dedicated Service to Chatham County via telephone.

PUBLIC INPUT SESSION

Craig DeBussey, 119 Tanager, Big Woods Hills, Chapel Hill, NC, stated that his challenge to the Planning Board and the Commissioners is that of finding ways to manage growth within the County. He suggested that the Commissioners keep all options open to solve the issue of school funding, including that of impact fees. He offered suggestions for Chatham County citizens to be involved in the budget process, rewriting of the Land Use Plan, and work by the Strategic Development Committee.

Steven Sprague, 431 Polks Landing, Chapel Hill, NC, speaking on behalf of the Polks Landing Homeowner's Association, stated that after having attended County meetings during the past month that the entrance to Polks Landing was going to change dramatically; that a fixed median will be put in place which will block the left-hand turn out of the subdivision which will force residents to drive approximately 1,500 feet down the road and make a slow U-turn to go north toward Chapel Hill; that there will not be a controlled light to manage the traffic; that this will be unsafe; and that they would like for DOT to do a traffic analysis to ensure that a safe solution is put into place.

PLANNING & ZONING

Public Hearing

Public Hearing on Request by Big Woods Development L.L.C. for a Zoning District Change: Public hearing to receive public comment on a request by Big Woods Development L.L.C. for a zoning district change from RA-5 to RA-40 with a Conditional Use Permit for a Planned Unit Development of 516

dwellings on 597.894 acres owned by Harris Family Land Trust located off SR #1716 (Big Woods Road) in Williams Township

Cindy Bland, PO Box 264, Pittsboro, NC, spoke on behalf of the developer, presented additional facts relating to the proposed development. She stated that the land is very suitable for development; that the developer knows what he is doing. She addressed two issues, preserving the rural integrity of Chatham County and Astoria's positive physical impact. She emphasized that Astoria offers benefits without the burdens. She urged the Commissioners to visit the site if they have not already done so.

Judy Cox, PO Box 366, Carrboro, NC, member of the Orange Water and Sewer Authority, read a letter addressed to Chairman Pollard reviewing the Astoria subdivision and offering comments on the matter. A copy of the letter is attached hereto and by reference made a part hereof.

Sanford Friedman, 35 Pioneer Path, Chapel Hill, NC, summarized statements of those opposing the proposed Astoria development as follows: 1) The proposed development is inconsistent with the Land Development Plan; 2) Zoning is more than an administrative responsibility of the County; 3) At least two of the five findings, (#3 and #4), necessary for a Conditional Use Permit cannot be affirmed; 4) The land can be profitably developed within the existing RA-5 zoning; 5) While their concerns with Astoria are substantial, many of them are even more concerned with what will follow, in that adjacent to the proposed site for Astoria on Big Woods Road is another undeveloped 570 acre site and further south is a 150 acre site already for sale; 6) The developers are stating that development will increase the County's revenues a lot more than it costs the County; 7) Astoria's revenue to expense ratio will be different than Governors Club, in that the lots and homes in Astoria will not be nearly as expensive or exclusive as those in Governors Club, Astoria's golf course is public, not private, Astoria will be in a rural environment, 13 miles from the nearest hospital and city, and Astoria does not have a gate to provide security and its roads are not private and will be maintained at County expense; 8) The proposed development would require the County to spend millions of dollars on a new school just to handle the children in this area alone; 9) The intense use of carcinogens and toxic substances so close to a major water source for the region is dangerous; 10) Astoria is too close to the lake, the soils too thin, and the grades too steep for a golf course adjacent to a major drinking and recreation resource and within feet of private wells; 11) The developers report is filled with errors, misleading statements, and inaccuracies. He stated that their opposition stems from their deep and sincere concern for Jordan Lake and for maintaining what is best about Chatham County.

Joyce Baird, 370 Gallup Road, Chapel Hill, NC, spoke on behalf of her eight-year old daughter's opposition to the proposal. She presented the Commissioners with her daughter's \$90 in savings, (which was returned), and asked that the proposal be rejected.

Craig DeBussey, 119 Tanager, Big Woods Hills, Chapel Hill, NC, stated that he did not understand how the proposed development, built the way as planned, at the proposed location, serves the best interest of everyone in the County. He expressed his concern regarding low-pressure septic systems and their failure rates. He asked that when a vote is taken on the proposed development, that each Commissioner give his/her reason for voting in that particular way and if they have good evidence to support the reason.

Liz Cullington, 420 Thompson Street, Pittsboro, NC, stated that she opposes the proposed Astoria development; that Jordan Lake is a "gem" because it is not surrounded by houses that would cause pollution; and that the bulk of Astoria will not preserve the land.

Carrie H. Bolton, 2726 Alston Chapel Road, Pittsboro, NC, stated that she was concerned about the environmental issues which have been raised by the proposed development. She asked that time be spent

addressing these issues rather than trying to rush approval.

Dr. Charles Peacock, 4912 Liles Road, Raleigh, NC, addressed issues of golf course design and management, turfgrass management, water quality concerns, and those of proper management. He answered questions from the Commissioners, Planning Board, and citizens in the audience.

Dr. Robert Bordon, 5017 Theys Road, Raleigh, NC, addressed surface and ground water quality. He answered questions from the Commissioners, Planning Board, and citizens in the audience.

RECESS

The Chairman called for a five minute recess.

MOMENT OF SILENCE FOR MR. RAY TAYLOR

The Chairman announced the death of former Chatham County employee, Mr. Ray Taylor and asked that a moment of silence, thanksgiving, and gratitude be observed in his memory.

Zoning and Ordinance Amendments

Request by Frank Bolton for a Revision to his Existing Conditional Use Heavy Industrial District: Request by Frank Bolton for a revision to his existing Conditional Use Heavy Industrial District with Conditional Use Permit for a truck terminal, repair shop, hauling, and storage yard and recycling industry on 15 acres of the John R. Callaway, Sr. property on the north side of SR #1011 in Cape Fear Township to include automobile (new and used) and accessory sales and sales of forestry products, forestry equipment (i.e. logging equipment and parts), tractors, lawn mowers, etc. and a garden center

Commissioner Wilson moved, seconded by Commissioner Holland, to approve the request with the condition that provisions be made to safely separate the processing and manufacturing operation from the area involving retail customers. The motion carried five (5) to zero (0).

Request by Governors Club Limited Partnership for a Revision to their Existing Conditional Use Permit: Request by Governors Club Limited Partnership for a revision to their existing Conditional Use Permit to add 11.534 acres (Noell Tract) to Governors Club Planned Unit Development (PUD), to delete requirement for periodic traffic studies and to allow three-story apartment buildings provided sprinklers are included

Commissioner Holland moved, seconded by Commissioner Wilson, that the five findings be made and the request be approved with the following conditions:

1. The Noell tract be added to the planned unit development according to the design proposed.
2. The interval of traffic studies be extended from nine (9) months to three (3) years.
3. The heights of the buildings may be increased above 35 feet as requested provided one of the three options listed below is followed:

- (a) The three story buildings can be built with a dry sprinkler system in the attic crawl space area
- (b) The three story buildings can be built with an antifreeze sprinkler system in the attic crawl space area
- (c) The three story buildings can be built with approved access to the crawl space from below, access doors in the crawl space between individual units, and floor material to provide secure footing

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

Miscellaneous Request or Required Action

Resolution on Proposed Moratorium on Telecommunications Towers: Consideration to adopt a resolution on proposed moratorium on telecommunications towers

Commissioner Grimes moved, seconded by Commissioner Wilson, to adopt the moratorium as written with the corrections suggested by the County Attorney to eliminate the following language from Article II at the end of the draft: "could pose a detrimental effect on the

aesthetic quality of the county, thus threatening the long term economic health of the county's tourist, second home, and retirement economies.", attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0). (See May 19, 1997 Minutes.)

Scheduling of Public Hearing on Proposed Moratorium on Telecommunications Towers: Consideration to schedule May 19, 1997 as the date on which to receive public comments on the proposed telecommunications towers moratorium

Commissioner Wilson moved, seconded by Commissioner Holland, to set May 19, 1997 as the date on which to schedule a public hearing on the proposed moratorium on telecommunications towers.

CHATHAM TRANSIT NETWORK

Vehicle Replacement Schedule Update by Chatham Transit Network: Consideration to approve vehicle replacement schedule by Chatham Transit Network

Commissioner Grimes moved, seconded by Commissioner Wilson, to approve the vehicle replacement schedule, a copy attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Local Capital Funding for Equipment Purchase by Chatham Transit Network: Consideration to approve local capital funding for purchase of equipment by Chatham Transit Network

The Commissioners asked that the Chatham Transit Network request be submitted for review during the budget process.

COUNCIL ON AGING

Senior Games Committee Presentation: Presentation by Senior Games Committee

Mrs. Judy Autry and Mr. Jim Schoonard stated that the Senior Games started as a project of the Chatham County Council on Aging in 1995 with sanctioned games beginning in 1996; that the games are run by volunteers as is "Celebrate Senior Citizen!", which is an event designed to raise awareness of older adults in Chatham County; and that the Council on Aging staffs the volunteer committees.

They presented the Commissioners and staff present with beautifully, designed "Chatham County Senior Games" shirts and coffee mugs.

Home and Community Care Block Grant County Funding Plan: Consideration of approval of Home and Community Care Block Grant County Funding Plan

Commissioner Wilson moved, seconded by Commissioner Holland, to approve the Home and Community Care Block Grant Funding Plan as recommended by the Home and Community Care Block Grant Committee. The motion carried five (5) to zero (0).

SHERIFF'S DEPARTMENT

School Resource Officers Presentation: Presentation of the School Resource Officer's Program by the Chatham County School Resource Officers

Sgt. Jimmy Bowden (Jordan Matthews High School), Sgt. Joe Edwards (Northwood High School), and Deputy Dan Phillips (Chatham Central High School), Chatham County School Resource Officers, explained how each of the three Chatham County high schools are patrolled inside the buildings and outside in the parking lots each day school is in session. They distributed handouts outlining charges and crime statistics in each of the three schools.

The Commissioners applauded the Officers efforts.

BOARDS AND COMMITTEES

Community Child Protection Team Community at Large Member Appointment: Consideration of appointment to the Community Child Protection Team Community at Large Member

Commissioner Wilson moved, seconded by Commissioner Holland, to appoint Rev. Carrie Bolton to the Chatham County Community Child Protection Team, effective May 1, 1997. The motion carried five (5) to zero (0).

Chatham Transit Network (CTN) Board of Directors Appointments: Consideration of appointments to the Board of Directors of Chatham Transit Network (CTN)

Commissioner Wilson moved, seconded by Commissioner Holland, to appoint Joseph Mueller and Mary Hayes Holmes to the Board of Directors of Chatham Transit Network (CTN). The motion carried five (5) to zero (0).

Central Carolina Community College Board of Trustees Reappointments: Consideration of two reappointments to the Central Carolina Community College Board of Trustees

Commissioner Holland moved, seconded by Commissioner Wilson, to reappoint Bill Dudenhausen and Thomas Edwards to the Central Carolina Community College Board of Trustees. The motion carried five

(5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

Contract to Collect Bad Debts for Emergency Medical Services: Consideration of approval of contract with National Revenue Corporation to collect bad debt for Emergency Medical Services

Commissioner Grimes moved, seconded by Commissioner Wilson, to approve the Tandem Program Service Agreement with National Revenue Corporation. The motion carried five (5) to zero (0).

Board of Education Budget Request: Consideration of Chatham County Board of Education request

Commissioner Grimes moved, seconded by Commissioner Dunlap, to ask the Chatham County Board of Education to seek necessary funding within their own budget. The motion carried five (5) to zero (0).

JOCCA Request for Supplemental Funding: Consideration of a supplemental funding request by JOCCA

Commissioner Grimes moved, seconded by Commissioner Wilson, to not approve the mid-year supplemental funding request from JOCCA. The motion carried five (5) to zero (0).

Scheduling of Public Hearing Dates Required for FY 1997-98 Budget: Consideration to set dates for required public hearing on the FY 1997-98 Budget and budget workshops for the month of May

Commissioner Wilson moved, seconded by Commissioner Grimes, to set May 19, 1997 at 7:00 PM in the District Courtroom, Courthouse Annex, Pittsboro, NC on which to hold a public hearing on the FY 1997-98 budget and to set the dates for budget workshops as follows:

Tuesday,	May 27, 1997	5:00 PM
Thursday,	May 29, 1997	9:00 AM
Tuesday,	June 10, 1997	9:00 AM

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

MANAGER' S REPORTS

The County Manager informed the Commissioners of the following:

EMS and Medical Insurance Items: There are two other budget items to be scheduled for Commissioner consideration at the next Board of Commissioners' meeting, Emergency Medical Services contract and medical insurance.

Airplane Accident at Jordan Lake: The airplane which crashed into Jordan Lake carried only a forty-six gallon tank so the fuel loss was minimal; that the crash was approximately 3/4 mile from the County's fuel intake; and that the fuel is lighter than water.

COMMISSIONERS' REPORTS

Commissioner Holland informed the staff that her agenda packet had arrived on Saturday night as opposed to the usual delivery of Wednesday or Thursday and asked that the staff check into the cause of the delay.

Commissioner Wilson stated that the Summit meeting went well. She stated that she would like for the Commissioners to meet with other governments on a regular basis approximately two to three times per year.

Commissioner Pollard stated that the meeting with the delegation at the Perry Harrison School went well and that she was impressed with the amount of interest shown by the delegation for asking for a turning lane into the school and by having stop signs erected for safety measures. She stated that the DOT has already decided to have Lystra Church Road and Polks Landing to intersect so that those living at Polks Landing will not have to travel to Fearrington to turn around. She also stated that she thought a resolution requesting that direction signs not be discontinued might be helpful in keeping the signs, and that a resolution in support of the low level radioactive waste site being discontinued would be helpful.

Commissioners were appreciative of a job well-done on the permitting process.

Commissioner Wilson asked the time and date of the Thorough Fare Plan meeting which is scheduled for Thursday, April 24, 1997 at 7:00 PM. She also reminded Commissioners that the final CCHIP meeting is on Friday, April 25, 1997, from 9:00-11:30 AM at the Family Resource Center.

ADJOURNMENT

- Commissioner Wilson moved, seconded by Commissioner Grimes, 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 9:50 PM.

Margaret Bryant Pollard, Chair

ATTEST:

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