

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, AUGUST 4, 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 10:00 A.M. on August 4, 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 10:01 A.M.

AGENDA

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

Charlie Horne, County Manager, advised the Board that Item #9, Pilot Area (Farrington Village) Demonstration by American Geographic would be held in the Agriculture Auditorium.

Commissioner Holland asked that the July 21, 1997 minutes be changed to show the spelling of Farrington as Farrington.

Commissioner Wilson moved, seconded by Commissioner Holland, 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 Holland, 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 July 21, 1997 and Budget Session Minutes for meeting held June 26, 1997

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

2. **Medicaid Reimbursement Rates Change Notification:** Notification of changes in Medicaid reimbursement rates effective July 1, 1997 for skilled nursing visits in the Home Health Division of the Chatham County Health Department

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Ray Greenlaw, 2 Jordan Drive, Chapel Hill, NC, thanked the Commissioners for their time, energy, and thoughts put into the budget process. He praised County staff for their support and stated that as he observed the exchanges that took place during the last budget session, he noted that there was still not effective communication between the Board of Education and the Board of Commissioners. He encouraged the Commissioners to reach out to the Board of Education by taking the initiative to establish and maintain a permanent dialog during the next

few months so that communication will not come to a crashing halt during the eleventh hour budget session. He stated that he felt that it is particularly important to focus attention on outcomes by those people who have the great experience of being exposed to our public education system; and that the true test is the ability of everyone to function better in our society.

Chairman Pollard stated that because there was a lot of hard work done on the budget and many difficult decisions were made, Mr. Greenlaw's comments were very much appreciated.

Cindy Bland, PO Box 147, Pittsboro, NC, stated that there is an idea in the making to use the former hatchery building as a safe, supervised, educational, recreational, facility for middle-school-age children after school. She stated that they will come before the Commissioners with a budget request at a later date. She thanked the Commissioners for their attention and future consideration of the project.

ECONOMIC DEVELOPMENT

Public Hearing

Community Development Block Grant (CDBG) Program: Public hearing to receive public comment on the first of two public hearings required for the Community Development Block Grant (CDBG)

Oli Devaud, Economic Development Director explained that the Community Development Block Grant Infrastructure Grant Program allows Chatham County and eligible local governments to sponsor business loans to new and expanding businesses and to apply for 75% matching grants for infrastructure development to encourage business and community development. He explained that in order to move forward with any Community Development Block Grant Business Loan or Infrastructure Grant, two public hearings are required; that the first is a general explanation of the process whereby public comment is received concerning ideas and comments on Chatham County applying for such funding; that the second is project specific and may follow once discussions are held with a particular company for Community Development Block Funding.

There was no one present who wished to make public comment.

BOARDS AND COMMITTEES

Appearance Commission Appointment: Consideration of an appointment to the Chatham County Appearance Commission

Commissioner Wilson moved, seconded by Commissioner Grimes, to appoint Neil Flynt to the Appearance Commission. The motion carried five (5) to zero (0).

Jury Commission Appointment: Consideration of a Jury Commissioner appointment

Commissioner Holland moved, seconded by Commissioner Wilson, to reappoint Thelma Turner to the Jury Commission. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

Easement Across County Property: Consideration of a request for an easement across County property

Robert Gunn, County Attorney, explained that granting a perpetual easement is an interest in property, and that procedures must be followed which are set forth in the General Statutes for disposal of County property; that in addition, it needs to be determined what affect the easement requested would have on the County's property and the present and future use of the property; that if an easement is granted for roads, it needs to be determined who will main-

tain the roads; that this request is from Mr. Larry Crum for an easement across certain parcels of the County's property in Bynum near its waste water treatment plant; that Mr. Crum says that he owns property just beyond the County property where the County's treatment plant is located in Bynum and that a road crosses the County's property serving as access to his property, but that there is no recorded easement for it; that it is the Attorney's recollection that the County has owned the property for at least twenty years; that Mr. Crum states his desire is to build a personal residence on his property for his own use, but that he needs a recorded easement as a condition of the easement; that the easement he is requesting runs by the County's sewage treatment facility; that he should be responsible for a portion of the easement short of the sewage plant; that the Public Works Director has indicated that he doesn't know of any future County use that would interfere the use; that whatever use is made of the property, it be made in such a manner that would not create some degradation of the County's property as in extensive grading, ditching, etc.; that an appraisal may need to be done to determine the value of the land; that an easement could not be given to Mr. Crum as it would constitute a giving away of County property; that because there has been a road across the easement for some time needs to be taken into consideration.

Commissioner Grimes moved, seconded by Commissioner Wilson, to adopt a policy for easements across County property to include the items as follows:

- 1) No easement should be considered which would interfere with or restrict the County's present use, or intended use of its property in the foreseeable future.
- 2) An easement is an interest in land and the County should follow the laws regarding disposing of County property in dealing with such issues. This would include compensation to the County, and purchase and contract laws must be followed.
- 3) No easement should be considered unless the intended use is in accordance with the applicable land use plan, and applicable zoning and subdivision rules and regulations.
- 4) No easement should be considered if the intended use would in any way damage the county's property or tend to reduce its value.
- 5) No easement should be considered without adequate provision for maintenance of roads or utilities to be constructed on the easement.

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

The County Attorney explained that Mr. Crum has talked with the County's Public Works Director whose letter outlined certain conditions which must be met if he is to obtain County water and sewer for the intended improvements and that he would recommend the same.

Commissioner Grimes moved, seconded by Commissioner Holland, to approve the request by Mr. Crum with the following conditions:

- 1) Mr. Crum furnish, at his own expense, a recent and accurate recordable survey showing the centerline of any easement, and pay any costs incurred by the County in connection with the easement.
- 2) That Mr. Crum be responsible for all costs of maintaining any road and utilities to be constructed on the easement
- 3) That any easement be "non-exclusive" and for the purpose of serving only one single-family residence.
- 4) That no change in drainage be created on Mr. Crum's property which would increase the burden on the County property and that in development all applicable laws and regulations be followed, including environmental regulations.
- 5) That any such easement terminate upon use of the property for a purpose other than one single-family residence.
- 6) That Mr. Crum pay to the County the appraised damages and that the County follow the usual procedures for disposal of County property.

After further discussion, Commissioner Grimes withdrew his motion after Commissioner Holland had withdrawn her second to the motion.

Commissioner Grimes moved, seconded by Commissioner Holland, to have an appraisal done on the property before a final decision is made to grant the easement. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

- 1) **Extended Area Telephone Service:** Extended area telephone service for east Chatham County will initiate September 20, 1997.
- 2) **Renaming of Ferrington Road:** It has been learned that Durham County will not consider renaming of their portion of Ferrington Road. A public hearing will be held on August 18, 1997 to allow public comment regarding the renaming of this road.
- 3) **Joint Meeting of Board of Commissioners and Planning Board:** A joint meeting of the Chatham County Board of Commissioners and the Chatham County Planning Board will meet on August 28, 1997 at 6:30 PM in the Conference Room of the Central Carolina Community College, Building #2,

764 West Street, Pittsboro, NC.

- 4) **Recreation:** The Manager stated that the overture in which Cindy Bland spoke about recreation for middle school students is timely and one that is on the minds of a lot of people in the County; that work is now being done with a community relations group; that one of the focal points is how to address the social climate in bringing people together through recreation, particularly young people; that one of the things they have been talking about for quite a while is trying to generate enough interest for a boys and girls club in Siler City and possibly Pittsboro; that the point of Ms. Bland's conversation fits nicely with major concerns of a lot of people in the County and that broaches a lot of diverse groups such as African-Americans, Hispanics, and Caucasians.
- 5) **Privatizing County Fuel System:** A couple of options are being researched; that one of the best one seems to be going to private providers; that for what it costs the County plus maintenance requirements, environmental considerations, purchase, and the advantage of private contracting is that the County can go to multiple stations which allow employees to refuel in different parts of the County instead of having to come to Pittsboro or Siler City to refuel; and that there will be more information forthcoming in the near future.

COMMISSIONERS' REPORTS

Commissioner Wilson reported that she has been attending the Zero Tolerance Coalition meetings for the Family Violence Programs. She stated that they have received a large grant; that they are working to end violence in relationships in Siler City; and that the organization has grown to include more than ninety members from more than forty organizations. She distributed brochures explaining the program and plastic bags stating, "There's No Excuse For Abuse".

RECESS

Commissioner Grimes moved, seconded by Commissioner Holland, to recess the meeting to the Agriculture Building Auditorium for the demonstration by American Geographic. The motion carried five (5) to zero (0).

Commissioner Wilson moved, seconded by Commissioner Grimes, to reconvene the meeting. The motion carried five (5) to zero (0).

TAX ADMINISTRATION

Pilot Area (Farrington Village) Demonstration: Consideration of a demonstration by American Geographic on the pilot area of Farrington Village

Ken Joyner, Tax Administrator, Mr. Connie Wester, and Mr. John McMoran demonstrated the new GIS system and showed computer print outs of the Farrington Village area.

COMMISSIONER WORK SESSION

Agenda:

1:00 PM **North Chatham Extension** – Project update and presentation of design options for Commissioner review and approval by Jeff Hughes and Michael Koonce

1:15 PM **Master Plan** – Update of activities and presentation of preparation process for Commissioner review and approval by Jeff Hughes, Hobbs & Upchurch, and Pat Davis, Triangle J Regional Council of Governments Water Specialists

Commissioner Grimes moved, seconded by Commissioner Wilson, that all community water systems must meet County standards before they will be accepted by the County. The motion carried five (5) to zero (0).

Commissioner Grimes moved, seconded by Commissioner Wilson, to approve the contract with Phillips & Jordan, Inc. for the burning of stumps and debris at a cost of \$235,115 to be taken from fund balance with the expectation of reimbursement from Federal Emergency Management Agency (FEMA). The motion carried five (5) to zero (0).

2:10 PM **Water Advisory Committee** – Discussion of water advisory committee

2:45 PM **Open Discussion** - General discussion of on-going projects, preliminary thoughts on Guiding Principles, Policies and Objectives, etc.

LUNCH

- Commissioner Grimes moved, seconded by Commissioner Wilson, to recess for lunch. The motion carried five (5) to zero (0).

RECONVENE WORK SESSION

Commissioner Wilson moved, seconded by Commissioner Grimes, to reconvene the work session. The motion carried five (5) to zero (0).

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 4:15 PM.

Margaret

Bryant Pollard, Chair

ATTEST:

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