

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, AUGUST 18, 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 August 18, 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 7:00 P.M.

Commissioner Dunlap entered the meeting at 7:11 PM.

AGENDA

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

Charlie Horne, County Manager, asked that a grant application to FEMA for a hazard mitigation grant be added to the Consent Agenda as Item #6; that a Declaration of Official Intent to Reimburse be added to the Consent Agenda as Item #7; that an appointment to the Town of Pittsboro Board of Adjustment and Planning Board be added to the Consent Agenda as Item #8; and that an appointment to the Personnel Advisory Committee be added to the Agenda as Item #17A.

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 Holland moved, seconded by Commissioner Wilson, 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 August 4, 1997

The motion carried four (4) to zero (0).

2. **Acceptance of Smart Start Grant Funds for Parent Education Program, Family Resource Center, We Care, De Madres a Madres, and Children’s Resource Van Projects:** Consideration to accept Smart Start Grant Funds in the amount of \$159,112 for continuation of Parent Education Program, Family Resource Center, We Care, De Madres a Madres, and Children’s Resource Van projects, **Budget Amendment #12**, attached hereto and

by reference made a part hereof.

The motion carried four (4) to zero (0).

3. **Annual Settlement of Tax Collector:** Consideration to approve the annual settlement of the Tax Collector, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

4. **Subdivision Sketch and Preliminary Approval for Price Creek Subdivision:** Consideration of a request by John McPaul for subdivision sketch and preliminary approval for Price Creek Subdivision consisting of 22 lots on 50 acres off SR #1531 (Booth Road) in Baldwin Township

The motion carried four (4) to zero (0).

5. **Naming of Private Roads:** Consideration of a request from citizens for the naming of private roads in Chatham County as follows:

- | | |
|-------------------------|------------------------|
| 1) Ashley Island Road | 6) Matthew-Amber Lane |
| 2) Brandon-Kelsey Drive | 7) Powers Country Lane |
| 3) Cassidy Lane | 8) Reneau Road |
| 4) Dustin-Kristy Road | 9) Running Deer Trail |
| 5) Fallen Oak Lane | 10) Scott's Lane |

The motion carried four (4) to zero (0).

6. **Grant Application to FEMA for a Hazard Mitigation Grant:** Consideration of a request to submit a grant application to FEMA for a hazard mitigation grant, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

7. **Declaration of Official Intent to Reimburse:** Consideration of Declaration of Official Intent to Reimburse, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

8. **Town of Pittsboro Board of Adjustment and Planning Board Appointments:** Consideration of Town of Pittsboro Board of Adjustment and Planning Board Appointments

The motion carried four (4) to zero (0).

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

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

ACHIEVEMENT IN FINANCIAL REPORTING PLAQUE

Chairman Pollard presented a plaque of "Achievement for Excellence in Financial Reporting" to Vicki McConnell, Finance Officer, and expressed appreciation from the Board for the Finance Department's excellent work in comprehensive annual financial reporting for fiscal year ending June 30, 1996.

CABLE FRANCHISE

Public Comments

Public Comments on Cable Franchise for Charter Communications II: Public comments session on a cable franchise for Charter Communications II

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

Commissioner Grimes moved, seconded by Commissioner Holland, to approve the Cable Franchise for Charter Communications, II, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

EMERGENCY OPERATIONS

Public Hearing

Public Hearing for Renaming of Farrington Road: Public hearing to receive public comment on the renaming of Farrington Road

Jim Diggs, 40 Diggs Lane, Chapel Hill, NC, asked that consideration be given to extending Old Farrington Road to Jordan Lake. He stated that an option would be to change the name from Old Farrington Road and Mt. Carmel Road down to Jordan Lake to Farrington Point Road from Jordan Lake on the Chapel Hill mail delivery district up to the intersection of Mt. Carmel Road and Old Farrington Road.

Morton Harfenist, 6406 C Farrington Road, Pittsboro, NC, stated that he had personally had no problems with the road. He asked that the change be made as minimal as possible, as in Farrington Lane, Farrington Way, etc.

Ed Wheeler, 6917 Farrington Road, Pittsboro, NC, stated that Farrington Road needs to be changed. He recommended changing the road name to Farrington Point.

Norma Diggs, 40 Diggs Lane, Chapel Hill, NC, stated that "Farrington" remain a part of the new road name. She stated that she preferred the name change Old Farrington Road.

Shirley Wheeler, 6917 Farrington Road, Chapel Hill, NC, state that she would like "Farrington" kept in the name of the road. She recommended the name Farrington Point.

Brodie Horton, (no address given), stated that his mail gets mixed up, but that he feels changing the name of the road would add to the confusion; that there is no problem finding the road, but that the numbers to the houses on the road seem to be the problem. He recommended the name Old Farrington if the road name has to be changed.

Clyde Clemmons, 6003 Farrington Road, Chapel Hill, NC, stated that he would like for the name of the road to stay the same; that he has just gone to the expense of having new business cards printed and he preferred that the road name stay the same.

Effie Washington, 7429 Farrington Road, Chapel Hill, NC, stated that she recommends keeping Farrington in the name and prefers Farrington Point as the name of choice.

Jim Diggs, 40 Diggs Road, Chapel Hill, NC, stated that he had not previously gotten into the problems that Farrington Road had been having; that most people probably did not realize that Farrington Road also runs through Durham County and that is the reason there is such a problem on the road with mail delivery.

Robert McClain, Chapel Hill Postmaster, stated that mail is delivered by the address; that with up-coming machine automation, the address problem has to be solved; that both Chatham and Durham Counties have to change; that emergency rescue could be affected if the rescue team responded to or could not find the correct address.

Tony Tucker, Chatham County Emergency Operations Director, stated that he appreciates all of the input and suggestions regarding the change in the road name. He further stated that there had been no problems with rescue services with regard to the road name/numbering; that the main problem lies in the delivery of the mail; and that the road system has always operated with the theory that there can not be the same road name with two different state road numbers.

PLANNING & ZONING

Final Subdivision Approval of Hickory Haven – Phase III: Consideration of a request by James Associates for subdivision final approval of Hickory Haven – Phase III consisting of 5 lots on 37.93 acres off Dewitt Smith Road (SR #2176) in Hickory Mountain Township

Commissioner Wilson moved, seconded by Commissioner Holland, to approve the plat as submitted with acceptance of the financial guarantee. The motion carried five (5) to zero (0).

Final Subdivision Approval for Windham Subdivision: Consideration of a request by Eric Schwartz and Don McCarl for subdivision final approval for Windham Subdivision consisting of 10 lots on 51.8 acres off SR #1700 (N. Pea Ridge Road) in New Hope Township

Commissioner Wilson moved, seconded by Commissioner Holland, that the subdivision be granted final approval with acceptance of the financial guarantee. The motion carried five (5) to zero (0).

Conditional Use B-1 Business District with Conditional Use Permit for Landscape Nursery: Consideration of a request by Jeffrey H. Cosgrove for a Conditional Use B-1 Business District with a Conditional Use Permit for a landscape nursery on a 3 acre tract of land (owned by Paul W. Goodwin) to be an addition to an existing 12 acre B-1 Business District located on the south side of Hwy. 64 East in New Hope Township

Commissioner Grimes moved, seconded by Commissioner Wilson, that the three (3) acres requested be added to the existing conditional use business district and conditional use permit for a landscape nursery with the approved conditions listed as follows:

- 1) Provide a 30 foot access easement along US #64 eastward to the access at Bob Horton Road (SR #1744). The easement is to be a minimum of 50 feet from the right-of-way of US #64.
- 2) Maintain a 50 foot un-disturbed buffer along the front property line except for the driveway access and easement to the east.
- 3) Hours of operation not to exceed 7:00 A.M. to 8:00 P.M.
- 4) Lights shall be shielded from direct glow upward to the sky and from adjacent property and the road.

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

Proposed Amendment to Section 301: Consideration of a proposed amendment to Section 301. (Establishment of Watershed Area), D. (WS-IV Watershed Areas-Critical Area, WS-IV-CA, (1). Allowed Uses, (d). Non-residential development of the Chatham County Water Supply Watershed Protection Regulations to allow mini-warehouse storage facilities

Commissioner Holland moved, seconded by Commissioner Wilson, to approve the amendment as follows:

Mini-Warehouse Storage Facilities:

1. Mini-Warehouses shall not be allowed to keep on the premises explosives, inflammable liquid, hazardous/toxic waste and other pollutants, contraband, live animals, other goods prohibited by law.
2. Stormwater management facility to retain the first ½ inch of runoff from the impervious surface area.

SECTION 302. Watershed Areas Described:

(D) WS-IV Watershed Areas – Critical Area (WS-IV-CA)

(1) Allowed Uses:

- (a) Agriculture subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation and Trade Act of 1990. Agricultural activities conducted after January 1, 1993 shall maintain a minimum ten (10) foot vegetative buffer, or equivalent control as determined by Soil and Water Conservation Commission, along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Animal operations greater than 100 animal units shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission.
- (b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water

Quality (15 NCAC 11.6101-.0209).

- (c) Residential.
- (d) Non-residential development – limited to those permitted uses listed in Attachment A except 1,000 feet from the intersection of US #64 and SR #1008 where non-residential is allowed, according to the business uses of Attachment B.

(2) Density and Built-Upon Limits:

- (a) Single Family Residential – development shall not exceed one dwelling unit per acre on a project by project basis. No residential lot shall be less than 40,000 square feet, except within an approved cluster development.
- (b) All Other Residential and Non-Residential – development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis. For the purpose of calculating the built-upon area, total project area shall include total acreage in the tract on which the project is to be developed. No residential lot or non-residential lot shall be less than 40,000 square feet, except within an approved cluster development.

(3) Prohibited Uses:

- (a) New sludge application sites
- (b) New landfills
- (c) Petroleum contaminated soil remediation
- (d) Toxic or hazardous materials unless specifically in relation to a permitted use and unless a spill containment plan is approved and implemented.

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

Conditional Use Light Industrial District with Conditional Use Permit: Consideration of a request by George Farrell, Jr. for a Conditional Use Light Industrial District with a Conditional Use Permit for mini-warehouse storage facilities on SR#1717 (McGhee Road) in Williams Township

Commissioner Holland moved, seconded by Commissioner Wilson, to approve the request as submitted with the following four (4) conditions:

- 1) The general layout and design shall be as shown on the sketch plan for Barbara M. Farrell dated May 24, 1997 with plantings and lighting as described in documents submitted except as noted below.
- 2) Lighting shall be shielded to prevent direct skyward glare. Lighting shall be designed to prevent light spillage on adjacent properties.
- 3) As stormwater basin shall be designed and installed to retain the first ½ inch of stormwater from the impervious surface area.
- 4) Any vegetation for screening that dies shall be are placed within one (1) year.

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

TAX ADMINISTRATION

Penalty Release on Discovery Bill: Consideration of a request for a penalty release on a discovery bill by Robert D. Rash & Associates, Inc. for 360 Communications

Commissioner Grimes moved, seconded by Commissioner Wilson, to deny the request for consideration of discovery penalty release and uphold the penalty imposed by General Statute 105-312(h).

HEALTH DEPARTMENT

Reclassification of Licensed Practical Nurse (LPN) II to Public Health Nurse (PHN) I in General Health Services: Consideration of a request to reclassify a 100% Licensed Practical Nurse (LPN) II position to 100% Public Health Nurse (PHN) I in the General Health Services (GHS) of the Chatham County Health Department

Commissioner Wilson moved, seconded by Commissioner Holland, to approve the reclassification of the 100% Licensed Practical Nurse II (LPN) position to 100% Public Health Nurse (PHN) I. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Board of Health Appointments: Consideration of appointments to the Board of Health, effective July 1, 1997 through June 30, 2000, to fill three vacancies: Registered Nurse, Dentist, and Pharmacist

Commissioner Wilson moved, seconded by Commissioner Holland, to appoint Paul Mitchum as the Dentist position to the Board of Health, effective July 1, 1997 through June 30, 2000. The motion carried five (5) to zero (0).

Commissioner Dunlap moved, seconded by Commissioner Wilson, to appoint Eugene Simmons to the Pharmacist position to the Board of Health, effective July 1, 1997 through June 30, 2000. The motion carried five (5) to zero (0).

Commissioner Holland moved, seconded by Commissioner Grimes, to appoint Jacqueline Tatum as the Registered Nurse position to the Board of Health, effective July 1, 1997 through June 30, 2000. The motion carried five (5) to zero (0).

Animal Control Advisory Committee Appointment: Consideration of appointment/reappointment to the veterinarian seat for the Animal Control Advisory Committee

Commissioner Wilson moved, seconded by Commissioner Grimes, to appoint Ann Tysor to the veterinarian seat for the Animal Control Advisory Committee. The motion carried five (5) to zero (0).

Economic Development Corporation Appointment: Consideration of appointment to the Economic Development Corporation

Commissioner Wilson moved, seconded by Commissioner Holland, to appoint Tonya Powell to the Economic Development Corporation Board. The motion carried five (5) to zero (0).

Personnel Advisory Committee Appointment: Consideration of appointment of members of the Personnel Advisory Committee

Commissioner Grimes moved, seconded by Commissioner Dunlap, to retain the current composition of the Personnel Advisory Committee. The motion carried five (5) to zero (0).

Commissioner Wilson moved, seconded by Commissioner Holland, to appoint the following individuals to the Personnel Advisory Committee with the exception of the Public Sector Human Resource Professionals in the effort that two individuals may be added from the Private Sector:

Dispute Settlement Representative: Paula Browder, Claudette Womble (alternate) and Ellen Holder (alternate)

Supervisory County Employee: Linda Rolan, Mike Szpunar (alternate), Oli Devaud (alternate), and Frances Wilson (alternate)

Non-Supervisory County Employee: Janet Scott, Denise Hamrick (alternate), and Ann Alston (alternate)

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

BOARD OF COMMISSIONERS' MATTERS

Bynum and Chatham Church Road Bridges: Discussion regarding the Bynum and Chatham Church Road Bridges

The Manager explained that there are two bridges in the County which have been proposed for replacement by the Department of Transportation; that some concerned individuals are interested in keeping the bridges as a historical landmark; that the two bridges are Bynum Bridge #405 and Chatham Church Road Bridge #147.

Karen Dalton, asked that the Commissioners consider sending a letter to the Department of Transportation (DOT) to request postponement of demolition of the bridges so that other options may be pursued and that they postpone construction of the new bridges. She stated that the Bynum Bridge is a historic, one-lane bridge and is part of the historical district; that the bridge areas may be used as recreational areas; that many people are concerned about the speeding aspect of the two-lane bridges; that a spokesman with the DOT has said that the Bynum Bridge is not currently considered unsafe and that lowering the weight capacity (currently 28 tons) would prolong the life of the bridge;

Commissioner Wilson moved, seconded by Commissioner Holland, to send a letter to the Department of Transportation, requesting a postponement of construction of the Bynum Bridge and the Chatham Church Road Bridge in order to carefully consider any and all alternatives to replacement of these bridges, a copy of the letter attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Boards and Committees: Discussion of Boards and Committees

The County Manager explained that staff is currently working to update the County's boards and committees; that the list includes the mission of the committee, the people who are serving on the board/committee, and support staff. He asked that the Commissioners review the material and return on September 2, 1997 and let the staff know if any have been left off and that the final review process of the boards and committees will begin.

Commissioner Pollard asked that the committees be starred which are required by statute and a staff recommendation be done in terms of sunseting of the committees.

MANAGER' S REPORTS

The County Manager informed the Commissioners of the following:

- 1) **Water Rates and Feasibility Guidelines:** A staff committee will have water rates and feasibility guidelines ready to be sent out to the Commissioners on Friday, August 22, 1997.
- 2) **Chatham and Lee County Health Department Merger:** There have been overtures made regarding the merging of the Chatham and Lee County Health Departments. Continuing efforts will be made to see if there is common ground on which to consolidate as a health district as opposed to two separate counties.
- 3) **Budget Process:** A packet was sent out on Friday, August 15, 1997 regarding budget debriefing. A budget schedule has been proposed. A schedule of budget meetings will be set shortly, with the Board's approval, for fiscal year 1997-98.
- 4) **Board Retreat:** Scheduled dates will need to be decided for the Board of Commissioners' retreat. This will be done at the September 2, 1997 Board meeting.
- 5) **Work First Updates:** Monthly updates will begin shortly on Work First as to how it is going, what the numbers look like, number of participants, number of job placements, and issues and problems with placements.
- 6) **Staff Leadership Retreat:** The staff leadership retreat is scheduled for September 24, 25, 26, 1997.

COMMISSIONERS' REPORTS

County Attorney, Robert Gunn, informed the Board that there is no new update on the "Astoria" development and whether it will be appealed.

Commissioner Pollard stated that she and Commissioner Holland learned a great deal at the 90th Annual Conference of the North Carolina Association of County Commissioners held in Greensboro August 14-17th. She stated that she thought it was a good idea that the Manager was going to have monthly meetings regarding the Work First program through the Department of Social Services; that she was impressed with the awards ceremony and that she wanted to see Chatham County receive awards in every category next year; that many counties received awards for things that Chatham County has already implemented; that the completion date of the airport has been moved up to 1999; and that the implications, pros, cons, and liabilities, of the airport with regard to Chatham County's development need to be reviewed. She asked for a few minutes to discuss this issue, with Neil Flynt in attendance, at the joint Board of Commissioners and Planning Board meeting to be held on August 28, 1997 scheduled to review the critical issues and plan for the future.

The Manager stated that there was a tentative meeting scheduled for Friday, August 22, 1997 to discuss the height limitation in airplane flight patterns.

Commissioner Pollard asked that a congratulatory letter be sent to the Chatham County School System for their success on the ABC Program.

BREAK

The Chairman called for a five-minute break.

CLOSED SESSION

Commissioner Wilson moved, seconded by Commissioner Grimes, to go out of Regular Session and into Closed Session for the purpose of discussing industrial development. The motion carried five (5) to zero (0).

REGULAR SESSION

- Commissioner Dunlap moved, seconded by Commissioner Wilson, to go out of Closed Session and reconvene in Regular Session. The motion carried five (5) to zero (0).

ADJOURNMENT

- 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 9:35 PM.

Margaret Bryant Pollard, Chairman

ATTEST:

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