

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, OCTOBER 06, 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 6:00 P.M. on October 06, 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 6:03 P.M.

AGENDA

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

The County Manager asked that a Closed Session be added to the Agenda after the public hearing to discuss Industrial Development.

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 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 September 15, 1997 and the recessed meeting on September 29, 1997

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

2. **Gainey Building Project Ordinance:** Consideration to approve Project Ordinance for the Gainey Building, attached hereto and by reference made a part hereof.

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Commissioner Wilson moved, seconded by Commissioner Grimes, to waive the three-minute time

limit (up to a maximum number of three speakers) and give those in Girl Scout Troop #1210 up to fifteen minutes in which to speak. The motion carried five (5) to zero (0).

Girl Scout Troop #1210:

Marion Wing stated that they were members of Junior Girl Scout Troop #1210 and Troop Leaders were Sue Wilson, Anne Geer, and Pam Johnson from Pittsboro, NC, and that the troop participated in the International Waterway Cleanup, "Big Sweep" at Holly Hollow on Jordan Lake.

Janay White introduced the other members of the troop.

Emma Hewitt voiced concern regarding the "Big Sweep" at which the nine girls and three troop leaders who participated were assigned to the Holly Hollow section at Jordan Lake .

Abigail Wilson stated that Holly Hollow, a crescent shaped bay, is located off Fearrington Road on the southeastern shore of Jordan Lake; that while they were there, they saw many boats, kayakers, fishermen, and swimmers; that within two hours, the group collected approximately thirty bags of trash estimated to weigh six hundred pounds; that they cleaned approximately one hundred yards of beach but left more than they were able to clean; that items collected included 580 beverage bottles, 150 food wrappers, 239 cigarette butts, 17 pieces of clothing and shoes, 1 grill, 1 lawn chair 1 metal knife, and 2 coolers.

Erin Sanders showed the location of the beach on the map.

Sarah Scott stated that the Scouts have come before the Commissioners to inform them of the excessive trash problem on the beautiful beaches and ask their help in solving this problem. She thanked the Commissioners for their time.

Olivia Hubert-Allen suggested that trash cans be placed on the beach for trash collection.

Julia Johnson presented a data cleanup card of the group's efforts, attached hereto and by reference made a part hereof.

HEALTH DEPARTMENT

- **Animal Control Officer I Position:** Consideration to approve the hiring of an additional Animal Control Officer I position and to provide vehicle and related equipment

Wayne Sherman, Health Director, introduced the staff of the Animal Control Program as follows: Rande Linke, Animal Control Supervisor and Animal Control Officers, Michael Yarborough, Tina Pinckney, and Barbara Hart, and Jimmy Collins who serves on the Animal Control Advisory Board. He reviewed rabies in Chatham County and presented graphs showing Chatham County Rabies Cases for years 1995-97, Animal Control Shelter Incoming Animals graph, and Animal Control Compensatory Time graphs, attached hereto and by reference made a part hereof.

Rande Linke shared some of her experiences in dealing with the response to rabies and the public expectation for services.

Commissioner Grimes moved, seconded by Commissioner Holland, to approve an additional Animal Control Officer I position effective January 1, 1998, and the purchase of a truck and related safety and

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

PUBLIC WORKS

- **Water Feasibility Study:** Consideration to approve a contract with Hobbs, Upchurch & Associates to perform a Water Feasibility Study Update in the amount of \$43,600

Commissioner Wilson moved, seconded by Commissioner Holland, to approve the contract with Hobbs, Upchurch & Associates to perform a Water Feasibility Study Update in the amount of \$43,600.00. The motion carried five (5) to zero (0).

SHERIFF'S DEPARTMENT

- **Supplemental COPS Universal Hiring Grant:** Consideration to approve the hiring of two additional deputies with monies received from the COPS Universal Hiring Grant, **Budget Amendment #19**

Commissioner Wilson moved, seconded by Commissioner Holland, to approve the hiring of two additional deputies with monies received from the COPS Universal Supplemental Grant

and that the County Manager be authorized to sign the grant, and approve **Budget Amendment #19**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

- **Welfare Reform Committee Appointments:** Consideration of appointments to the Welfare Reform Committee

- Commissioner Wilson moved, seconded by Commissioner Grimes, to appoint the following members to the Welfare Reform Task Group and that others may be added at a later date:

Bill Browder	Tom Maynard
Bill Lail	Greta James
Ed McLaurin	Mary Jackson
Sandy Coletta	Commissioner Uva Holland
Marva Price	Commissioner John Grimes

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

Commissioner Grimes moved, seconded by Commissioner Wilson, to appoint Bill Lail as Chairman of the Welfare Reform Task Group. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

- **Voluntary Donated Leave:** Consideration of review of voluntary donated leave

Reneé Dickson, Assistant County Manager, explained that prior to adoption of the personnel policy in April, 1996, the County had a voluntary donated leave policy; that under this policy, employees who faced serious and prolonged medical conditions which forced them to exhaust all or nearly all of their accumulated leave could request donated leave from other employees; that the process for donating leave generally was as follows:

- 1) An employee requested voluntary donated leave
- 2) Volunteers were solicited by the Human Resources Manager
- 3) A pool of donated hours was accumulated and apportioned out among the donators
- 4) If the first round of solicitation failed to produce enough hours, a second round was initiated.
- 5) The former donated leave policy allowed employees to use voluntary donated leave for their own illnesses only.

She stated that employees were more inclined to donate excess vacation hours rather than lose them as excess hours over 240 were lost if not used; that the new personnel policy abolished the voluntary donated leave policy; that because of a retirement system change, employees with excess vacation hours no longer have to lose them, as they are converted into sick leave which counts toward an employee's retirement date; that there were several reasons why this policy was abolished as follows:

- 1) The difficulty in determining how much leave to take from each donating employee
- 2) The difficulty in determining:
 - A. Should all donated leave come from Employee #1? If not, how would the donation be apportioned?
 - B. Should the amount of leave remaining in the employee's "leave account" be a consideration?
 - C. Should the policy be administered according to who donated leave first, so that the total amount donated would be taken until the request was filled?
- 3) What constituted a "serious and prolonged medical condition"?
- 4) It was perceived to reward employees who had not "saved" their sick leave for long-term illnesses.
- 5) An employee was entitled to be out of work for six months under Family and Medical Leave. Because of the various types of leave, an employee could be out of work for over one year, causing a hardship for the department in which the employee worked and had a budgetary impact because temporary workers had to be hired.

Ms. Dickson stated that the County has a fairly generous leave policy that should be considered in making this decision; that employees earn eight hours of sick leave per month and there is no maximum accumulation; that employees who begin working with the County earn 12 days of vacation per year; that employees are entitled to protection under the Family and Medical Leave Act which guarantees the employee a job and benefits for 12 weeks for a serious medical condition involving the employee or his/her family.

No action was taken on this matter.

MANAGER' S REPORTS

The County Manager informed the Commissioners of the following:

Meeting with Senator Howard Lee:

- 1) The time for the meeting on Friday, October 17, 1997 with Senator Howard Lee to discuss transportation and road projects needs to be set. Dates were discussed and October 20th at 3:00 PM, October 28th at 6:00 PM, or November 6th at 5:30 PM were offered as alternate meeting dates.

Computer Internet Training:

2) The Extension Service is offering a computer training course for the Commissioners on October 27th at 10:00 AM.

COMMISSIONERS' REPORTS

Penalty Release on Discovery Bill:

Commissioners Grimes stated that during the time since the September 2, 1997 Board meeting at which he made a motion to release a discovery penalty on the 1994 Bayliner Cierra 2355 boat owned by Paul and Cheryl Whitewood, he has reconsidered his position.

Commissioner Grimes moved, seconded by Commissioner Wilson, to change the discovery penalty release and impose the discovery penalty on the 1994 Bayliner Cierra 2355 boat owned by Paul and Cheryl Whitewood. The motion carried five (5) to zero (0).

Orange Person Chatham Board Member:

Commissioner Wilson explained that due to the conflict of meeting dates of the Orange Person Chatham (OPC) Board and the Economic Development Commission, she would like to be released from the Economic Development Commission and that another Commissioner be appointed to fill the position.

Commissioner Grimes moved, seconded by Commissioner Holland, to release Commissioner Wilson from her appointment to the Economic Development Commission. The motion carried five (5) to zero (0).

Commissioner Wilson moved, seconded by Commissioner Grimes, to appoint Commissioner Pollard to the Economic Development Commission. The motion carried five (5) to zero (0).

Holly Hollow on Jordan Lake:

Commissioner Wilson asked that the Girl Scout Troop #1210 receive a response to their concerns regarding the trash at Holly Hollow on Jordan Lake. She also expressed concern

regarding safety, trash, and traffic at the area. She asked that a letter be sent to the federal government requesting that the area be developed, supervised, a parking lot built, and that the area be officially used as other areas.

Chapel Hill Town Board:

Commissioner Pollard stated that interest was expressed at the meeting with the Chapel Hill Town Board that there be an intergovernmental group to discuss issues, particularly concerning land development, transportation, water, etc. She stated that she would like to serve in this capacity.

Commissioner Holland moved, seconded by Commissioner Wilson, to appoint Commissioner Grimes and Commissioner Pollard, to the Chapel Hill Intergovernmental Governmental Planning Group. The motion carried five (5) to zero (0).

Jordan Lake Runners:

Commissioner Pollard stated that while she was traveling down State Road #1008 and crossed over Hwy. 64, she saw a large group of runners who were sporting shirts with the name "Jordan Lake, Raleigh,

NC” printed on them. She stated that she was unable to get the address of the group but that the runners were unaware that Jordan Lake was not located in Wake County.

PLANNING AND ZONING

Public Hearing

Zoning District Change: Public hearing on a request by the Chatham County Board of Commissioners for a zoning district change from RA-40 (residential-agricultural) to Heavy Industrial Conditional Use District with a Conditional Use Permit for an industrial facility that recycles scrap metal, and manufactures structural steel and for other industrial uses on approximately 1,260 acres off SR #1912 (Christian Chapel Road) and SR #1924 (Moncure-Flatwood Road) in Cape Fear Township

Commissioner Pollard administered the oath/affirmation to those in attendance who wished to make public comment.

Oli Devaud, Economic Development Director, presented the applicants facts for the federal conditional use rezoning change.

Mary Ann Perkins, 3045 Corinth Road, Moncure, NC, stated that the community is already over-industrialized and that air quality has been adversely affected; that based on 1996 reporting data from the Division of Air Quality, Chatham County ranks twelfth in the state as having the highest toxic air pollutants; that the majority of toxic air pollutants are emitted from the industries in their area; that there is a constant flow of eighteen wheelers, mid-sized trucks, and commuters traveling to the nearby industries; that a portion of the projected 1,414 trucks and 500 automobiles per day will be traveling on an already congested Corinth Road; that to widen the road would mean the residents would have to sacrifice their land; that if these rezoning requests are approved, the residents of southeastern Chatham County request that the revenue derived from taxation of these facilities be utilized in their area; that if they have to cope with the day-to-day stress of living close to these industries, then they feel that they should receive the tax revenue needed to fund additional resources in their area. She presented a petition from the residents of the Brickhaven-Corinth Community and asked that it be made an official part of the minutes recording their opposition of the two rezoning requests for the proposed industries in their area.

Charles Harrington, Route One, New Hill, NC, stated that someone had said that there were no houses in the Christian Chapel Church Road. He stated there were houses and two

churches on the road; that there was also a sewage dump running into Shadox Creek; and that he wishes the industry would locate some other place.

Don Brown, 1715 Moncure-Flatwood Road, Moncure, NC, stated that he is against the proposed rezoning; that their area seems to be nothing but a waste area; that they have been fighting against landfill and the low-level radiation dump; that wildlife is beginning to reestablish in the area; that the country is disappearing; that the land and lakes need to be developed as natural areas; and that the area needs to be promoted as a recreational resource.

Ray Greenlaw, 2 Jordan Drive, Pittsboro, NC, stated that the proposal appears to offer a great opportunity to improve the balance in Chatham County’s growth; that the proposal sites a major industrial enterprise in an area already recommended for that use in the “Land Development Plan for Eastern Chatham

County”; that the application should be carefully evaluated in the context of its long-term effects on the County’s overall future situation, i.e. water; that of the required 964,800 gallons per day, apparently only 9,000 gallons need to be treated to “drinking water” standards; that before the alternative sources to meet the total requirement are identified for consideration, standards for water to be used in the steel making process should be specified and if the standards do not require drinking water quality, only alternative sources for use in providing the water of lesser quality needed in the steel making process should be presented for comparative evaluation.

He stated that if Chatham County officials decide to consider use of water drawn from the Jordan Lake source and processed and distributed through an expanded County water system among the alternatives for this purpose, the following issues should be addressed:

- 1) The long term impact of committing almost 16% of the County’s allocation of water from Jordan Lake to this endeavor related to other potential uses of this limited resource.
- 2) The cost effectiveness of using the County taxpayers’ substantial investment in a System designed, constructed, and operated to provide potable water to fulfill any requirement for water of lesser quality.
- 3) The unanticipated rapid rise in the County’s demand for water from Jordan Lake source experienced during the recent warm weather period and the directly related problems created by limitations on the County’s access to that water imposed by its purchase agreement with the Apex/Cary Water Utility.
- 4) The County’s failure to gain an increase in its allocation of 6.0 million gallons of water per day from Jordan Lake, despite its well-documented projections of dramatic increases in countywide demand for water through the year 2015.
- 5) The willingness of State officials to authorize additional withdrawals of water from the Haw River for a use that apparently will return nothing to the flow of water through the Cape Fear River Basin.

Mike Clements, 92 Jones Street, PO Box 206, Moncure, NC, stated that he is not opposed to the rezoning but does have some reservations. He asked if the new plant would be encouraged to hire local people. He stated that he was concerned with the heavy traffic of up to 1400 trucks per day which equals one per minute twenty-four hours per day; that if the tax base is removed from the area, he would like for the money to be spent in Moncure for sewer, schools, and law enforcement.

Renee Haugh, 565 Forest Lakes Estates, Moncure, NC, stated that she is concerned that the taxes collected from the new business would not be returned to the Moncure area; that she is concerned that in a County that has placed emphasis on children and schools although only portions of the County see any benefit from the tax bases; that she does not oppose progress but that she considers other aspects to be taken into consideration when progress is being made.

Wallace Kaufman, 146 Quartz Hill Road, Pittsboro, NC, stated that the public information put out by the County on Chaparral Steel makes it clear that the people who have thought about the operation are quite convinced of the benefits to the County of having the

company locate here; that two facts not stated in the publicity distributed are: 1) Chaparral was owned (last year) by Texas Industries which has cement and real estate industries in addition to Chaparral; 2) Chaparral was fined almost \$100,000 for air and waste violation this year by the Texas Natural Resource Conservation Commission; that his research into the company confirms that it is well-respected in its industry, by its

workers, and by its community; that there are questions which need to be asked regarding the following: 1) Impact on the tax base; 2) Consistency with the Land Use Plan; 3) Demands on County Services; 4) Traffic; 5) The site; that these are some issues for beginning the serious public discussion such a big decision requires; that Chaparral Steel's facility may be a great benefit to the County; that if so, the decision should be made intelligently and carefully so that Chaparral will be assured Chatham will be a good partner; that other companies need to be signaled that Chatham is not a bunch of gullible people wowed by public relations literature, free travel, and the glitter of company profits.

Helen Mason, Moncure-Flatwoods Road, Box 834, Moncure, NC, stated that she has lived in the area for 70 years and would hate to see the plant come to the proposed area; that there are houses which are located nearly in the road. She asked what will be done with all the houses that are in the way of the traffic and stated that there is so much traffic on the road now coming from Cherokee Brick that she can hardly cross the road without getting hit. She asked what will be done to the road if the new industry comes to the area.

Daniel Somburg, 149 Woodberry Forest, Pittsboro, NC, stated that he had been in the industrial scrap metal business for twenty years; that there are three ways to process scrap metal: 1) chop it up into small pieces; 2) smash it up into cubes or bales (compression); 3) shred it; that chopping and compressing are clean but that shredding is very dirty; that there is a lot of material that can not be recycled such as dash boards, windows, floor mats, and oils; that this material will have to be landfilled on site or hauled off; that the real question may be if the citizens want a 6,000 horse power shredder in operation; that the comparison to the other plants in Darlington and Berkley County were terrible comparisons because they are both industries that consume scrap metal but do not process scrap metal on site; that they are getting a relatively clean product which has gone through a melting process at a scrap yard.

BREAK

- The Chairman called for a five-minute break.

CLOSED SESSION

Commissioner Dunlap moved, seconded by Commissioner Grimes, to go into Closed Session for the purpose of discussing industrial location. The motion carried five (5) to zero (0).

REGULAR SESSION

- Commissioner Dunlap moved, seconded by Commissioner Grimes 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 Dunlap, that there being no further business to come before the Board, the meeting be adjourned. The motion carried five (5) to zero, and the meeting was adjourned at 9:02 P.M.

Margaret Bryant Pollard, Chair

ATTEST:

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