

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, AUGUST 02, 1999

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the District Courtroom, located in Pittsboro, North Carolina, at 10:00 A.M. on August 02, 1999.

Present: Chair Rick Givens; Vice Chair Uva Holland, Commissioners Margaret Pollard, Carl Outz, and Gary Phillips; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Lee

The meeting was called to order by the Chairman at 10:03 AM.

AGENDA

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

The County Manager asked that consideration to accept additional funds in the amount of \$5,000 appropriated by the HIV/STD Prevention and Care Branch of the NC Department of Health & Human Services to the Chatham County Health Department be added to the Consent Agenda as Item #12.

The Chairman asked that Item #5, consideration of a request by Van Finch for River Ridge of NC, LLC for subdivision preliminary approval of “**Henley’s Mill Subdivision**”, consisting of 28 lots on approximately 103 acres, off SR #2157 [Pete Roberson Road], in Oakland Township, be removed from the consent agenda and placed on the regular agenda.

Commissioner Holland moved, seconded by Commissioner Outz, to approve the Agenda. The motion carried five (5) to zero (0).

CONSENT AGENDA

Commissioner Pollard moved, seconded by Commissioner Outz, to approve the Consent Agenda with the noted request. The motion carried five (5) to zero (0).

1. **Minutes:** Consideration of approval of Board Minutes for work session held July 12, 1999

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

2. **Refunds on Regular Tax Bills:** Consideration of a request for approval of refunds on regular tax bills paid in error, attached hereto and by reference made a part hereof.

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

3. **Tax Releases:** Consideration of a request for approval of tax releases, attached hereto and by

reference made a part hereof.

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

4. **Preliminary Approval of Glen Ridge, Phase Two:** Consideration of a request by Musigny, Inc., for preliminary design approval of **“Glen Ridge, Phase Two”, Lots 13, 14, 15, 16** on 18.977 acres, off SR #1534 [Poythress Road], in Baldwin Township

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

5. ~~**Preliminary Approval of Henley’s Mill Subdivision:** Consideration of a request by Van Finch for River Ridge of NC, LLC for subdivision preliminary approval of **“Henley’s Mill Subdivision”**, consisting of 28 lots on approximately 103 acres, off SR #2157 [Pete Roberson Road], in Oakland Township~~

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This item was removed from the Consent Agenda and placed on the regular Agenda as Item #14.

6. **Final Approval of Bobcat Point Subdivision, Phase III:** Consideration of a request by Van R. Finch, for Ricky Spoon Builders, Inc., for subdivision final approval of **“Bobcat Point Subdivision, Phase III (Lots 33-39)”**, on approximately 13.8 acres, off SR #1559 (Emerson Cook Road) in Hadley Township

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

7. **Replacement of Existing Communication Tower:** Consideration of a request by James P. Hilton, General Tower, L.C., for Bruce and Becky McDaniel, for the replacement of an existing communication tower on approximately 8.787 acres, off US #64, in Hickory Mt. Township

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

8. **Revision to Existing Conditional Use Heavy Industrial District:** Consideration of a request by Frank Bolton for a revision to his existing Conditional Use Heavy Industrial District with Conditional Use Permit to allow the construction of a 900 square foot office building on 15 acres on the north side of SR #1011 in Cape Fear Township

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

9. **Naming of Private Roads:** Consideration of a request for approval to name private roads in Chatham County as follows:

- A. **Araya Lane**
- B. **Ashley Woods Lane**
- C. **Happys Way**
- D. **Hot Shots Drive**
- E. **Lewis Drive**

- F. **Manley Edwards Drive**
- G. **Star Ranch Road**

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

- 10. **Department of Social Services Contracts:** Consideration of approval of twelve contracts for the Department of Social Services, attached hereto and by reference made a part hereof.

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

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- 11. **Resolution #99-21 Proclaiming Eighty-Fifth Anniversary of NC Cooperative Extension:** Consideration of a request to approve **Resolution #99-21 Proclaiming Eighty-Fifth Anniversary of North Carolina Cooperative Extension 1999**, attached hereto and by reference made a part hereof.

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Tim Hubbard, PO Box 939, Pittsboro, NC, President of the Chatham Soccer League, stated that this fall, Chatham County will be host to a state-wide soccer tournament; that over a thousand players will be entering the County and playing on fourteen fields located from Carolina Meadows to Chatham Central High School; that Dr. Larry Mabe, Chatham County Schools Superintendent, has granted use of all schools' fields in the County; and that to the best of his knowledge, this is the largest single event to ever be held in Chatham County. He asked for the County's support by providing a sheriffs' deputy to be stationed at each location on November 13th and 14th during the tournament events.

Robert Davenport, 235 Holland Chapel Road, Pittsboro, NC, presented a petition to the Board signed by residents of Carolina Meadows opposing rezoning the intersection of Old Farrington Road and Whipoorwill Lane from residential-agricultural to light industrial for construction of the proposed storage warehouse facility. A copy of the petition is attached hereto and by reference made a part hereof.

Ricky Spoon, 2475 Red Bud Street, Pittsboro, NC, stated that there was a question with regard to the name of his subdivision, "Henley's Mill Subdivision"; that it was previously named "River Ridge" but had to be changed due to a duplicate subdivision name located near the Alamance County line; that the name "Henley's Mill Subdivision" was questioned due to historical accuracy; that a mill called "Henley's Mill" is located approximately one-half mile from the subdivision; that the Planning Board, by a vote of 4-5, asked him to once again change the name of the subdivision due to the mill not being physically situated within the boundaries of the subdivision property; and that he has approached adjacent property owners and no one has objected to the property being named "Henley Mill". He asked that the Boards' respectful consideration of the name to remain as named.

Preliminary Approval of Henley's Mill Subdivision: Consideration of a request by Van Finch for River Ridge of NC, LLC for subdivision preliminary approval of "**Henley's Mill Subdivision**", consisting of 28 lots on approximately 103 acres, off SR #2157 [Pete Roberson Road], in Oakland Township

After considerable discussion, Commissioner Phillips moved that the subdivision be approved as named with a strong suggestion to the developer that he reevaluate his small lots above the flood plain.

After further discussion, Commissioner Outz moved, seconded by Commissioner Pollard, to approve the Henley's Mill Subdivision as named. The motion carried five (5) to zero (0).

DEEP RIVER PARK ASSOCIATION PRESENTATION

Deep River Park Association Presentation: Presentation by the Deep River Park Association and consideration of a request to adopt **Resolution in Support of the Development of the Deep Trail**

Mr. Ronald Goodwin, President of the Deep River Park Association, stated that the Deep River Park Association (DRP) was formed in 1989 and received it's 501 (c) (3) status in March 1994; that DRP has over one hundred enrolled members with an operations and management board of 18 members plus a junior board; that DRP envisions a long-range goal of a major outdoor recreation attraction in central North Carolina; that the park is located on US #15-501 South near Cumnock where the Deep River forms the Lee and Chatham County line; that the purpose of his visit is to introduce the current project to the Board; that they are working in conjunction with the NC Rails

to Trails and NC Parks and Recreation Department to develop and establish a master plan for a loop hiking trail; that the trail will consist of approximately four miles and will cross the Deep River twice; that the park was established for the purpose of preserving the natural beauty and historic heritage of the Deep River area and for promoting educational, as well as recreational use, of the area and facilities; that they feel that the master plan contributes to this purpose and will be an asset to the community. He asked that the Board endorse the resolution and in doing so, demonstrate the Board's continued support of the Deep River Park and the proposed loop hiking trail.

Commissioner Phillips moved, seconded by Commissioner Holland, to approve **Resolution #99-22 in Support of the Development of the Deep Trail**. The motion carried five (5) to zero (0). The resolution is attached hereto and by reference made a part hereof.

PLANNING DEPARTMENT

Conditional Use Light Industrial District: Consideration of a request by Dennis W. Zarnit and Laurence L. Gaggero for a Conditional Use Light Industrial District with a Conditional Use Permit for a mini-warehouse self-storage facility and enclosed recreational vehicle storage, on 11.74 acres, off SR #1727 (Whippoorwill Lane), in Williams Township

After considerable discussion, Commissioner Phillips moved, seconded by Commissioner Givens, to accept the Planning Board recommendation and to deny the request due to the inability to find that the requested Conditional Use Permit is either essential or desirable for the public convenience or welfare and that the requested permit will not impair the integrity or character of the surrounding or adjoining district. The motion carried five (5) to zero (0).

Amendment to the County Zoning Ordinance: Discussion of possible amendment to the County Zoning Ordinance concerning time limits on conditional use permits if not started

Commissioner Holland moved, seconded by Commissioner Outz, to accept the Planning Board recommendation and deny the ordinance revision at this time. The motion carried five (5) to zero (0).

HEALTH DEPARTMENT

Funds Acceptance for Health Department: Consideration of a request to accept additional funds in the amount of \$850 appropriated by the NC Department of Environment and Natural Resources to the Chatham County Health Department, Environmental Health Division

Commissioner Holland moved, seconded by Commissioner Pollard, to accept \$850 appropriated to the Health Department from the NC Department of Environment and Natural Resources to utilize as requested. The motion carried five (5) to zero (0).

PUBLIC WORKS

Asbury/Carbonton and Durham Interconnect Waterlines: Consideration of a request to award approval of design contracts for the Asbury/Carbonton and Durham Interconnect waterline projects

Commissioner Pollard moved, seconded by Commissioner Holland, to approve the award of the design contract for the Durham Interconnect water line project to Hobbs, Upchurch and Associates, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Commissioner Holland moved, seconded by Commissioner Outz to approve the award of the design contract for Asbury-Carbonton Communities water line project to Hobbs, Upchurch and Associates, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

SHERIFF'S OFFICE

Sheriff's Department Vehicle Bids: Consideration of approval to award bid for nine fully-equipped police-ready 1999 Ford Crown Victoria vehicles for the Chatham County Sheriff's Department

Commissioner Outz moved, seconded by Commissioner Holland, to award the vehicle bid for nine (9) 1999 Ford Crown Victoria, fully-equipped, police-ready vehicles to Bobby Jones Ford in the amount of \$209,214.45. The motion carried five (5) to zero (0).

Sheriff's Department Lease Agreement Bid Award: Consideration of approval to award bid for lease agreement for three police vehicles

Commissioner Pollard moved, seconded by Commissioner Holland, to award the vehicle lease bid for one (1) 2000 Chevrolet Impala and two (2) 1999 Chevrolet Blazers to Siler City Chevrolet Buick Pontiac in the total amount of \$72,420.40 (\$18,105.10 annually). The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Board of Health Reappointments: Consideration of a request to reappoint three members to the Chatham County Board of Health (two public and one professional engineer)

This item was delayed until the afternoon work session.

Library Board Appointment: Consideration of a request to appoint a new member to the Central NC Regional Library Board

Commissioner Phillips moved, seconded by Commissioner Pollard, to appoint Mrs. Suzi Miller to the Central NC Regional Library Board with a term of service expiring June 30, 2001. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS MATTERS

Chatham County Fair Association Request: Consideration of a request by the Chatham County Fair Association for an additional appropriation in the amount of \$2,500 to be used for the flea market

After considerable discussion, Commissioner Pollard moved, seconded by Commissioner Phillips, to provide a one-time appropriation, for this fiscal year, in the amount of \$2,500 to the Chatham County Fair Association. The motion carried five (5) to zero (0).

COMMISSIONERS' REPORTS

Triangle Brick Dedication:

Commissioner Holland informed the Board that there was a good turnout for the Triangle Brick dedication; that there was representation from the Governor's Office and the Department of Commerce; that they had the opportunity to meet the owners of the company who were pleased with County support.

Meetings:

Commissioner Phillips stated that he had had some good meetings with members of the County's legislative delegation and the Office of the Department of Environmental Human Resources; that the County's Land Use Plan is absolutely crucial; that it is becoming more and more obvious that the State of North Carolina is going to start tying certain funds to the Land Use Plan/Smart Growth Initiatives; that the County has to get

behind it and make it work to its advantage; and that the next crucial step for the County is to pass the Land Use Plan.

NACo Meeting:

Commissioner Pollard stated that the most important issue she came away with at the NACo meeting was that of dealing with growth; and that the importance of dealing with growth and water was crucial and are top priorities with which must be dealt.

Farm Lands:

Commissioner Outz stated that farm people are concerned about what is going to happen to them; that he feels the need to make up a committee, primarily of farmers, from each section of the County to let them have input as to what is going to happen to them; that they have been here for years as caretakers of the land; and that they deserve to have a lot of input; and they need to make a list of different problems in each of their areas.

Commissioner Holland stated that after the Planning Board finishes its public hearings, the Board of Commissioners need to have some of their own to take a look at these issues.

United Way Announcement:

Chairman Givens announced that the United Way is making an announcement at Fearington on the evening of this day with regard to receiving a contribution.

LUNCH

Commissioner Holland moved, seconded by Commissioner Outz to adjourn the meeting for lunch. The motion carried five (5) to zero (0), and the meeting was adjourned at 11:58 AM.

Rick Givens, Chairman

ATTEST:

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