

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, MAY 17, 1999

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in regular session in the Superior Courtroom, located in Pittsboro, North Carolina, at 7:00 P.M. on May 17, 1999.

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

The meeting was called to order by the Chairman at 7:15 PM.

AGENDA

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

Commissioner Pollard asked that a resolution honoring Ben Wimberly, who served in the Moncure District, be placed on the Agenda under the Commissioners’ Reports.

The County Manager asked:

- that Item #13, Final Approval of Collins Ridge, and Item #14, Final Approval of Monterrane, Phase One, be added to the Consent Agenda as Items #8A and 8B, respectively;
- that an award in the amount of \$2,000 to the Adolescent Health Center at Horton Middle School from the “Making the Grade Program” of the Health and Human Services be added to the Consent Agenda as Item #8C;
- that consideration to set a date on which to hold a public hearing for the McDaniel’s Tower on Hwy. #64 for June 21, 1999 as Item #17A;
- that a health insurance item be added as Item #25 under the Manager’s Reports;
- that due to the length of the Agenda, that Item #10, Recognition of the Chatham Central Girls Basketball team and Item #11 recognizing the winner of the Chatham County Flag contest be added to the Agenda prior to the Public Input Session.

Commissioner Phillips moved, seconded by Commissioner Pollard, 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 Pollard 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 May 3, 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. **Sketch Design Approval of Deep River Bluffs:** Consideration of a request by Curtis T. Pope for subdivision sketch design approval of “**Deep River Bluffs**” consisting of 12 lots on 83.73 acres, off SR #1956 (East Gargus Road), in Oakland Township

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

4. **Preliminary Approval of Wright’s Grant:** Consideration of a request by Julie Smith for subdivision preliminary approval of “**Wright’s Grant**”, consisting of 11 lots, on approximately 49.71 acres, off SR #1545 (Chicken Bridge Road) in Hadley Township

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

5. **Funds Acceptance for Health Department:** Consideration of a request to accept additional funds in the amount of \$2,000 awarded to the Health Department to support planning efforts to expand Horton’s School-Based Health Center

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

6. **Funds Acceptance for Health Department:** Consideration of a request to accept additional funds in the amount of \$1,300 appropriated by the Chatham County Partnership for Children for the Health Department

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

7. **Funds Acceptance for Health Department:** Consideration of a request to accept additional funds in the amount of \$3,350 appropriated by the Chatham County Partnership for Children for the Health Department

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

8. **Notification of Medicaid Rate Changes:** Notification of change in Medicaid rates for the Health Department, effective May 1, 1999, attached hereto and by reference made a part hereof.

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

Final Plat Review:

- 8A. **Final Approval of Collins Ridge:** Consideration of a request by Eric Schwartz for subdivision final approval of “**Collins Ridge**”, consisting of 6 lots on 32.033 acres, off SR #1539 (Crawford Dairy Road), in Baldwin Township
1. Approval of the financial guarantee by the County Attorney
 2. A sign shall be placed on the right-of-way to the Danek property stating it is the location of a possible future road. The sign shall be placed prior to recordation of the final plat.
 3. The plat not be recorded until seeding and mulching is complete and approved by the department of Transportation [DOT] and the North Carolina Department of Environmental and Natural Resources, Erosion Control Division [NCDEHNR].
 4. Water hazard area (50 ft. on either side) along creek to be shown on plat.

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

- 8B. **Final Approval of Monterrane, Phase One:** Consideration of a request by C. A. Keisler for subdivision final approval of “**Monterrane, Phase One**”, consisting of 17 lots on 67.5 acres, off SR #1700 (Mt. Gilead Church Road), in New Hope Township
1. County Attorney approval of the financial guarantee

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

- 8C. **Funds Acceptance for Health Department:** Consideration of a request to accept an award in the amount of \$2,000 to the Adolescent Health Center at Horton Middle School from the “Making the Grade Program” of the Department of Health and Human Services

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

END OF CONSENT AGENDA**CHATHAM CENTRAL GIRLS BASKETBALL TEAM RECOGNITION**

Resolution Honoring Chatham Central Girls Basketball Team: Consideration of a request to approve **Resolution Honoring the Chatham Central Girls Basketball Team for their State Championship**

Commissioner Pollard moved, seconded by Commissioner Phillips to approve **Resolution #99-17 Honoring the Chatham Central Girls Basketball Team for their State Championship**. The motion carried five (5) to zero (0). A copy of the resolution is attached hereto and by reference made a part hereof.

The County Manager read the resolution, and congratulated the team and coach. The Chairman presented the signed resolution to Coach Gerald Binkley and members of his team, Elizabeth Kidd, Kathryn Caudle, Randi Jo Kivett, April Holt, Brandi Taylor, Crissy Marsh, Tiffany Goldston, Ronda Taylor, Carmen Fields, Jenny Tillman, Aubrey Cheek, and Tanesha McClain, in attendance.

The County Manager also praised the scholastic efforts of the Chatham Central Girls Track Team for scoring all A's for the school year.

CHATHAM COUNTY FLAG CONTEST

Chatham County Flag Contest: Consideration of a request to recognize the winner of the Chatham County Flag contest

Martin Spritzer stated that the Chatham County Appearance Commission sponsored a flag contest on behalf of the County Board of Commissioners; that for the first time in two hundred and thirty years, Chatham County will now have an official flag.

He presented certificates to the participants, honorable mention designees, and the winner as follows:

Carl Granath	115 Fearrington Post	Pittsboro, NC	Winner
Carl Granath	115 Fearrington Post	Pittsboro, NC	Honorable Mention
Karen Webster	1726 C Hillsboro Street	Pittsboro, NC	Honorable Mention
Floyd Bowers	911 Shannon Drive	Siler City, NC	Honorable Mention
Russell Stott	111 Creeks Edge	Chapel Hill, NC	Honorable Mention
Phyllis Burns	2388 Chatham Church Road	Moncure, NC	Honorable Mention x 2

Participants were as follows: John H. Grose, Tim Tron, Angela Norwood, Ted Halverson, and Channah Silver

PUBLIC INPUT SESSION

-

Jane Pyle, 159 West Salisbury Street, Pittsboro, NC, representing the Chatham County Historical Association, urged the Board of Commissioners to make a specific and unambiguous commitment to preserving the Patrick St. Lawrence House, the Taylor House, and the McClenahan House. She stated that the first house is the oldest building in Pittsboro, constructed about 1787 as an inn and home; that the Taylor House was once one of Pittsboro's early schools and is one of two examples of structures prevalent in Pittsboro as it grew during the 1830s; that the McClenahan House is one of three surviving homes crafted by townspeople of modest means during the town's first period of settlement; that both the St. Lawrence and the McClenahan Houses are on the National Register of Historic Places; and that the Historical Association would be pleased to participate in reviewing the options and helping to make recommendations to the Board for preserving these houses. A copy of the Chatham County Historical Association letter to the Chairman is attached hereto and by reference made a part hereof.

PLANNING AND ZONING

Public Hearings:

1. **Request by SBA, Inc. for Albert and Dorothy Vestal for a communication tower on 11.648 acres, off SR #1312 [Grady Siler Road], in Albright Township**

Jerry Eatman, 3625 Laurel Hills Road, Raleigh, NC, **Gray Styers**, 4101 Lake Boon Trail, Suite 400, Raleigh, NC, and **Tom Stedt**, 3324 Dangerfield Drive, Raleigh, NC, on behalf of the applicants, answered questions from those in attendance regarding the various requests for communication towers.

Greg Solomon, 406 Buck Brand, Pittsboro, NC, encouraged the Board to remember environmental impact issues before granting permission to build more towers and asked that they request free internet access for schools from the tower companies before agreeing to the tower placement.

2. **Request by SBA, Inc. for Jerry A. Buie for a communication tower on 42.577 acres, off SR #1106 {Stockyard Road}, in Matthews Township**

No one spoke on this issue.

3. **Request by SBA, Inc. for Bruce Hall for a communication tower on 1.760 acres, off US #421, in Bear Creek Township**

No one spoke on this issue.

4. **Request by SBA, Inc. for Ben Shropshire for a communication tower on 18.35 acres, off SR #1551 [Wile Road], in Hadley Township**

Ronnie Vaughn, 2816 N/C Kinney Street, Burlington, NC, asked if the tower would be a monopole structure.

Lynn Richardson, Land Use Administrator II, explained that the proposed structure for this site would be a 199' tower and a 100' x 100' leased compound enclosure.

5. **Request by SBA, Inc. for Claude J. Heard for a communication tower on 43 acres, off US #64, in Hickory Mt. Township**

No one spoke on this issue.

An additional letter concerning this issue is attached hereto and by reference made a part hereof.

Testimony Required Under Oath:

The Chairman administered the oath/affirmation to those in attendance who wished to make public comments.

6. **Request by American Tower for Rodney E. and Cherene Dawson for a communication**

tower on 1.65 acres, off US #15-501 North, in Baldwin Township

Gray Styers, explained that American Tower Corporation is requesting approval of its application for a Conditional use permit to allow the construction, maintenance, and management of a multiple user wireless communication facility located on a parcel of property owned by Rodney and Cherene Dawson; that the facility will be comprised of a 150' monopole structure enclosed within a 100' x 100' lease area; that the facility will be fenced and locked, accessed by a driveway easement; that the site will be located within a wooded area and the existing vegetation will be utilized in addition to the supplemental screening proposed around the compound area; that the facility will be unmanned (visited on an average of once per month for routine maintenance purposes); and that it will not be lit (except as required by FAA regulations), nor emit noise or glare.

No one spoke on this issue.

7. Request by Fitch Creations, Inc. for a revision to the existing Planned Unit Development for the Village of Farrington and to add a "Center for Living", off Hwy. #15-501 North, in Williams Township

No one spoke on this issue.

8. Request by Dennis W. Zarnt 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

Larry Gaggero, 60122 Davie, Chapel Hill, NC, applicant, stated that during the past few years and the foreseeable future, there will be much growth, specifically in this area; that with this growth there will be an increased need for adequate storage; that the self-storage product that they are proposing is markedly different from which most people are familiar; that the proposed facility will be residential in appearance and will be one mile from the previously mentioned developments; that 35% of the storage space proposed will be climate controlled; that it will have concrete foundations and driveways, a video surveillance system, an on-site resident management, and an enclosed RV and boat storage. He further stated that they will address the community's concerns; that this will not be like the familiar metal storage facilities, but will be residential in appearance with brick facades and be painted in earth tones; that the entire complex will be fenced, beginning with brick posts and a wrought-iron fence, finished with a chain-link fence; that the landscape buffer will consist of trees and shrubs to provide additional screening where needed; that lighting and signage will be minimal; and that every reasonable effort will be made to blend into the neighborhood.

Dennis Zarndt, 62006 Graham, Chapel Hill, NC applicant, stated that one of the concerns of the applicant is that in the last few days, citizens in the area have voiced their concerns with this proposal; that the applicants would like to work with the Planning Board and the Board of Commissioners and make clear the information regarding the proposals; that contrary to a sign placed at the corner of Whippoorwill Lane and Old Farrington Rd., the proposed facility will not cover 12 acres; that they have met with Mr. Kirk Bradley, Chairman of the Governors Limited Partnership, and it was determined that it would be a benefit to the residents moving into the area; that they had attended a seminar of the self-storage developers association, and that a property value study had not been done because built in the new style, self-storage units do not negatively affect property values. He further stated that the tax revenue generated from a facility of this type is considerably more than a residence would generate on the same acreage.

Hal Winters, 6 Eagle Drive, Chapel Hill, NC, stated that the quiet, tranquil community of Whippoorwill Lane is not the right place for this warehouse project; that constructing a warehouse with industrial zoning in the middle of residential housing represents a major step up the zoning ladder; that the community does not need a storage facility and should not have to suffer the negative visual effects; and though they cannot quantify it, the construction of this facility is sure to negatively impact property values. He further stated that proposed landscaping will not adequately screen the buildings, leaving them exposed; that the proposed entrance on Whippoorwill Lane will upset the tranquil nature of this road that many people use for recreation; that wildlife in the area will be intruded upon; that this proposed facility falls short of the five findings necessary to justify rezoning according to the Land Use Development Plan; and that the residents of the community would like to see a project that is harmonious with the existing tranquility of the neighborhood. Written comments are attached hereto and by reference made a part hereof.

John Burkett, 20000 Fountain, Chapel Hill, NC, stated that he was present as a representative of Governors Village and wished to publicly state their opposition to the proposed facility; that he has reviewed the submitted letters from Kirk Bradley and Robert J. Boening, and that although the letters indicate support of the facility, it is contrary to the opinions of the residents of this area; that a majority of the residents in the four major surrounding subdivisions oppose this facility; that a rezoning of this area to a light industrial district is an inconsistent application of zoning regulations; and that this intersection is favored for commercial development. He further stated that the residents of this community do not want the rural character of the area destroyed by placing commercial or industrial development at every intersection; that even with the proposed landscape screening, the buildings would still be exposed; and that the Planning Board and the Board of Commissioners should make the correct decision and reject this application. Written comments are attached hereto and by reference made a part hereof.

Dan Cowen, 20010 Long, Chapel Hill, NC, stated that he was in attendance to voice his opposition to the proposed rezoning and storage facility; that he understands the property is choice development property because of its proximity to four major developments, however, construction of this facility will set the tone for future development along Farrington Road; that by all accounts of county planning and zoning this is not the appropriate location for such a facility; and that a move in this direction would be detrimental. He also stated that after an informal survey, the vast majority of residents in the area are very much opposed to the facility; that it provides little economic benefit to the County; and that there are 11 self-service storage units within a ten-mile radius. He further stated that although he is not opposed to growth in the area, it would be a very serious mistake to allow a zoning change that is so inconsistent and the request should be denied. Written comments are attached hereto and by reference made a part hereof.

Dan Deacon, 29 Eagle Drive, Chapel Hill, NC, stated that he is a commercial builder, and that he is used to transitional zoning, and this is a large leap. He encouraged the Board to not allow commercial developments in communities such as this.

Bill Chambers, 82105 Ehringhaus, Chapel Hill, NC, stated that the letter of agreement signed by Ms. Lee Chainey, President of Governor's Club Property Owners Association is not correct; that adjacent property owners were not notified; and that the Governor's Club Property Owners Association does not take positions on these types of issues. He also stated that in order to address increases in funding levels, that the tax base must be broadened; that this proposed facility represents a low-impact broadening of the tax base; that this issue should be studied carefully, and if it is found that it can fit in to the environment, to please approve the request.

Glenn Lassiter, 590 Whippoorwill Lane, Chapel Hill, NC, stated that although he is generally pro-development, he cannot support the proposed facility based on its potentially negative impact on the rural character of the community; that any development in this area should benefit all of the residents in the area, not just a select few; and that in the other examples stated by the applicants, the storage facilities were not the first piece of development in those areas. He urged the Board to make an informed decision and reject this request. Written comments are attached hereto and by reference made a part hereof.

Eddie Williams, 1233 Mt. Carmel Church Rd., Chapel Hill, NC, stated that he had lived in the Mt. Carmel community for 63 years; that Carolina Meadows has a maintenance facility across from Governors Village that looks very similar to this proposed site; that these applicants have been there for years and have a good, sound use for the land; that he currently owns a business with an equipment yard and that he has successfully landscaped to screen the yard from adjacent property owners; and good exterior appearance and good landscaping should be required.

Daniel Wolfe, 10018 Fountain, Chapel Hill, NC, stated that he is opposed to the proposed storage facility.

David McNelis, 39407 Glenn Glade, Chapel Hill, NC, stated that although he appreciates the potential beneficial uses of the storage facility, he has two problems with the proposal; that the first problem is with notification; that the property owners association did not forward the notification from the Planning Department; that many people at Governors Club did not know about this until the day before the meeting. He also stated that the other problem he had dealt with siting; that there is a similar facility on US 15-501; that after this site is rezoned, it will be easy to change it in the future to facilitate other light industrial uses; and that property values will decrease as a result of the facility.

Jim Brown, 10620 Governors Drive, Chapel Hill, NC, stated that there is a need for this type of facility in the area; that this proposed facility will be constructed to have a residential look; and that the character of the two applicants is of the highest standard.

Karen Brown, 10620 Governors Drive, Chapel Hill, NC, stated that as residents of Governors Club, she does not always feel welcome in her neighborhood; that some of the development in the area has not always been beneficial; that owners of the property are really good people and good neighbors; that they have pledged to make the facility look good, and she feels that they truly will.

Margie Baldwin, 81525 Alexander, Chapel Hill, NC, stated that she concurs with the two previous speakers; that she supports the building of this residential-like facility; that she can attest to the integrity of the two applicants; and that she urges approval of this proposal.

Ray Jolly, 11107 Governors Drive, Chapel Hill, NC, stated that there has been a great amount of detail that has gone into the plans for this facility; that this is a low-impact traffic situation; and that he urged consideration of this proposal.

Gary Kirby, 60104 Davie, Chapel Hill, NC, stated that in his business he deals quite a bit with young business people; that the opportunity for large industries except in specific areas is limited; that the two applicants have done a thorough job detailing their plans and are committed to the community; and that the Board should consider accepting this proposal.

Additional letters concerning this issue are attached hereto and by reference made a part

hereof.

9. **Request by Glenwood Development Company, L.L.C. for a revision to the existing Conditional Use Permit [for a shopping center], for the installation of a “Lowe’s Foods To Go” sign and a “Commons Area” monument sign, on approximately 12 acres, off US #15-501 North, in Williams Township**

Chris LaMack, explained that one of the two requested signs will be to promote the “Lowe’s Foods To Go” program and the other is an internally illuminated directional sign to the shopping center.

10. **Impact Fees**

Walter Lane, 180 Southern Green Way, Chapel Hill, NC, stated he is a general contractor in the County, as well as a member of Alliance for Chatham Education, a group of concerned parents and others wanting a change in the future of Chatham County education; that they support the Board of Education and the Board of County Commissioners in voting yes to impact fees; that the fee could be changed to \$1.00 per square foot by the year 2000; and that we can only get out of the schools what we put into them. Additional comments are attached hereto and by reference made a part hereof.

John M. Alderman, 244 Red Gate Road, Pittsboro, NC, stated that Chatham County is one of the best kept secrets in the Southeast; that people will continue to move into the County; that he has been concerned about the increasing tax rate over the last several years; that the bottom line is that without impact fees; and that taxes will gradually increase for all homeowners and many will be driven from their homes due to an inability to pay their property taxes.

Jerry Harris, 975 Will Brown, Siler City, NC, stated that impact fees are not a good idea, and it will be hurting the young people in the community; that he is against the idea because only a certain group of people must pay; that to be fair, all must be required to pay, regardless of whether or not people have children in the schools.

Sandra Tilden, 526 Red Gate Road, Pittsboro, NC, Director of the Chatham Education Foundation, on behalf of the Board of Directors asked the Board to support impact fees; that the tremendous growth brings new children into the school districts and a need for more schools; that we need to put money where our mouth is to put education first; and that every source of revenue should be sought to help support public schools in Chatham County.

Jim Vanderbeck, 1668 Lamont Norwood Road, Pittsboro, NC, stated that he is not comfortable with impact fees, and is concerned about symptoms v. problems; that the impact fee is not the answer to our school funding problems; and that it takes answers, not necessarily just money to solve out problems.

Steve Seilkop, 3942 Rives Chapel Road, Siler City, NC, stated that he would like to commend the Commissioners for having the political courage to put impact fees back on the table; that these fees should be seriously considered, even though they are difficult to swallow; that if we do not enact impact fees we will have increased property taxes; that he challenges the opponents to come up with alternatives; that the only alternatives he sees are to either increase our industrial base or to increase property taxes; and that we need to make growth pay for growth. He further stated that a graduated fee would have been preferable, and that it would possibly eliminate some of the opposition to the idea.

Barbara Alotis, 613 Fearington Post, Pittsboro, NC stated that an impact fee would not affect present homeowners, as some have suggested; that the rapid growth has created the urgent need for new schools; that we cannot continue the old ritual of running to property owners every time we need money for new schools; that those who create the need for the new schools should be required to pay; that surrounding counties have either already passed or are considering impact fees to help fund new schools; and that she strongly encourages the Board to consider them for Chatham County.

Amy Powell, Executive Director, Chatham Habitat for Humanity, stated that on behalf of the Board of Directors and Habitat families, they support the idea of an impact fee, but ask that certain provisions be made for low-income housing projects such as those that Habitat for Humanity undertakes; that the financial implications for those who participate in the program would be affected greatly; and that an impact fee of \$2,500 would require Habitat for Humanity to reduce its production by 6%, or 2 houses next year.

Cynthia Lodestro, 401 Highland Trail, Chapel Hill, NC, stated that she was in attendance to support the impact fee; that the expenditures required to operate a school are tremendous, and that without an impact fee, the burden to the taxpayer will be enormous; that the children do require adequate space to learn in; and that she urges consideration of the impact fee.

Greg Soloman, 406 Buck Brand Road, Pittsboro, NC, stated that it was time that everyone in the County started carrying their own weight; that without the impact fee, taxes will have to be raised; that a \$2,500 amortized over 30 years comes down to about \$17 per month, and our schools are surely worth that; and that we do not want to educate our children in trailers. He further stated that the impact fee is not the total answer; that a committee should be formed to look into a school district tax; and that we look into the option of issuing bonds to cover the cost of new schools.

Jack Roberson, 89 Roberson Road, Pittsboro, NC, stated that he is a lifelong resident of Chatham County, and is much more in favor of a tax rather than a fee; and that he would like to know exactly where all of the property tax revenue is currently going.

Richard Burnette, 2763 Mt. Gilead Church Road, Pittsboro, NC, stated that although the schools need the money for construction, he feels that a flat fee is not the right choice; and that the idea of this impact fee is not a good one.

Sue Carpenter, 4079 Alston Bridge Road, Pittsboro, NC, stated that the urban sprawl in the Jordan Matthews school district is due to several new approved developments; that they greatly impact the school system; that all of the residential building is a valid reason to implement an impact fee; that the only way to defray costs is to implement the fee immediately; that the fee is vital for the school district so they may continue to hire more teachers and expand facilities; and that without the impact fee, property owners in Chatham County will be burdened with much higher taxes. She further added that the Jordan Matthews school district will only recoup 73.55% of the cost of new school construction with the impact fee; that commissioners should go ahead and increase the impact fee level; and that those opposing the impact fee will be more upset in the future when their children are attending overcrowded schools.

Bob Atwater, 2089 Farrington Point Road, Chapel Hill, NC, stated that it appears that we are in a crisis mode with regard to the funding of our public schools; and that there should be a provision made so that residents not be double taxed on the debt service.

Garry Anderson, 79 Silverberry Road, Pittsboro, NC, stated that he works primarily with

entry-level, first-time home owners; that he has some questions he has been unable to get an answer to; that there are many contractors and sub-contractors that will be hurt by the enactment of these fees; that just his small company has put \$3.4 million into the economy in the last 12 months; and that if there are questions that remain unanswered, perhaps the Board needs to take a break and get full information before making a final decision.

Anthony Bright, 1305 Walter Bright Road, Sanford, NC, stated that the impact fee that would be required to build a home would reduce the value of that home by that amount; that it would permanently reduce the tax base in the County by forcing people to purchase less-expensive, continually depreciating manufactured homes; and that the increased monthly payment caused by impact fees could have been used by the homeowner to purchase necessities, thereby increasing the potential sales tax revenue. He further stated that there will be an increased need for services from County departments, and none of the revenue generated by impact fees will be able to be used to pay salaries and equipment costs; and that schools are a community responsibility and funding for them must be broad based so that everyone pays an equal share. Additional comments are attached hereto and by reference made a part hereof.

Bill England, 495 Wooded Lake Drive, Apex, NC, stated that Chatham County needs to raise more money for public education; that the Chatham Education Foundation does its best to help schools, but they can only handle very little of what is needed; that many of the new residents in the County work in surrounding areas that enjoy a large commercial tax base; the end of social promotion will increase the pressure on schools to perform, and it takes money to do this; that money works in public education; and that he applauds the efforts of the Board for looking into this option.

Liz Cullington, 390 Rocky Hills Road, Pittsboro, NC, stated that she is in favor of the impact fees with the exceptions mentioned previously; that the County should consider an appeal process; that consideration should be given for those over 65 that are downsizing due to necessity; that the proposed \$2,500 is really a drop in the bucket considering all of the other expenses that go along with new home construction; and that this is not about cost, but it is about schools.

Eddie Suits, 2290 Stockyard Road, Siler City, NC, stated that he deals daily with people who are chasing the American dream of home ownership; that it is a great feeling to see people come in and be able to buy a home; and that as many as 50% of people will not be able to buy a home if these fees are enacted.

Doug Stuart, 107 Center Drive, Siler City, NC, stated that there is no fairness in charging people for pursuing the American dream; that there are some who own 50 or 60 homes and rent them out to low-income families and they have a major impact on the school system. He asked that when the commissioners make their decision, that they use good judgement and fairness.

Dan Webster, 261 Reddish Drive, Siler City, NC, stated that in Greensboro, the responsibility for the impact fee falls on the businesses in the area; that Chatham County should consider this, even if it meant raising the property taxes; and that he would like to see Chatham County do something other than impact fees.

Ricky Spoon, 2475 Redbud, Pittsboro, NC, stated that although we all need the money, this is not the best option; that as a builder, he will pass that expense onto the buyer; that to mobile home buyers, \$2,500 is a big amount; that the County is going to grow tremendously in the next 2 years; and that the people who grew up here in Chatham County are the ones that are going to suffer the most.

Commissioner Phillips moved, seconded by Commissioner Outz, to extend the public hearing on impact fees an additional 30 minutes. The motion carried five (5) to zero (0).

Michael Burke, 751 Windsor Road, Chapel Hill, NC, stated that he opposes impact fees because it sends a message of 'I've got mine; not in my backyard'; that the real issue is how is Chatham County going to pay for the services that citizens really want; and that something needs to be done now to address this issue.

Kay Staley, 1112 Perry Road, Pittsboro, NC, stated that she opposes impact fees; that one thing that has not been mentioned has been the children; and that the majority of the kindergarten children in Siler City come from homes in which the parents have no property tax liability.

Harvey Skinner, 342 Pickett Lane, Pittsboro, NC, stated that two different builders in Chatham County identified the need for low-income housing in the County; that he owns six lots behind Advance Auto Parts in Pittsboro that do not meet zoning requirements; that he is being forced to pay a land access fee to the Town of Pittsboro; and that his investment is in jeopardy. He further stated that even the proposed impact fee will not even touch the amount needed to build a new school; and that if the impact fees are passed, it may prevent future generations from owning their own home.

Danny Street, 118 Feaster Road, Siler City, NC, stated that a school district tax should be looked at more closely; that even the low-income families could afford a small tax; that he has worked for five years to be in a position to build a house, and if the impact fees are passed, his house will be ripped out from under him; that this impact fee will hit the young couples the most; and that an alternative needs to be found.

Paul McCoy, 3557 Pea Ridge Road, New Hill, NC, stated that Moncure School could accommodate some students; that the demand for the land in Chatham County will continue to increase; and that we need to avoid this impact fee until we can do it in a fair way.

Charles Lutterloh, 3986 NC Hwy 87 N, Pittsboro, NC, stated that at first, he thought the impact fee was a good idea; that when he realized that it would charge everyone building a new home, he did not feel it was fair; that it is not fair to the young couples and low-income families; that a graduated percentage scale would be better; that there are many expenses in addition to the impact fee that is required before house construction can start; and that much more research should be done before anything is enacted.

A petition opposing impact fees was presented to the Clerk to the Board and is attached hereto and by reference made a part hereof.

Additional letters concerning this issue are attached hereto and by reference made a part hereof.

MONCURE NUCLEAR ACTION GROUP

Moncure Nuclear Action Group: Consideration of a request to hear comments from the Moncure Nuclear Action Group

Harold Taylor, representative from the Moncure Nuclear Action Group, stated that the residents of the Moncure area had been fighting against the Southeast Compact Low-Level Nuclear facility for many years; that they appreciate the County's help with this issue; that the people in the

Moncure area are concerned with issues regarding high-level waste as well; and that there is always the fear of an accident at the plant. He also stated that two top scientists are warning against the plant; that the residents in the Moncure area need the Board to help protect them from the dangers of the plant; and that this plant is no benefit to Chatham County; and on behalf of Moncure and Chatham County, he calls on CP&L to stop its operations at the nuclear plant.

Jerry Markatos, stated that we have been working on issues of toxicity and the environment for a long time; that the proposal from CP&L is based on the difference in cost between water and dry-cast storage; that this is the amount CP&L is willing to spend for our safety; and that he urges the Board to support the local community.

Cassie Wasko, stated that CP&L has operated safely in the community since they began operations, and that far greater threats have been posed to the community in the past; she then introduced the Regional Vice-President of CP&L, Mr. Jim Massengill.

Jim Massengill, CP&L Regional Vice-President, stated that CP&L has a long-standing commitment to this area and its safety; that the safety-first commitment extends to its nuclear program; that CP&L has safely been handling spent fuel rods for several decades; that they began an early education campaign to communicate their plan to expand spent fuel rod storage in several media outlets and community meetings; that their plan is receiving a comprehensive review by nuclear experts; and that a public hearing will be held in this area to afford citizens another opportunity to voice their concerns. He also stated that CP&L is very confident that their expansion plans are safe and is consistent to their long-standing commitment to safety.

Bill England, employee of CP&L, stated that the number one priority of the company is safety; and that he is confident that the proposed expansion plans meet the highest level of employee and resident safety.

Reverend Carrie Bolton, stated that she feels very strongly that there is a viable alternative to what is being proposed by CP&L in terms of expanding the high-level nuclear waste storage in this area; that she received a telephone call from a member of the public relations department at CP&L and that this person said that surely the proposal would pass; that she questions why, when they could do it adequately now, would they want to increase the risk to the citizens of Chatham County; that the bottom line is really a matter of dollars and cents; that we need to stand up and have backbone and said to CP&L that they need to find an alternative with which the majority of Chatham County residents can be comfortable.

Commissioner Phillips moved to request that CP&L find an alternative method of storage and stop bringing any nuclear waste from any other facilities into Wake County and storing it at the Shearon Harris plant.

Commissioner Pollard stated that she has known the leadership of CP&L most of her adult life and has known them to be ethical people and as a corporate citizen, par excellence; that they have been put in this position because the federal government has not done what they committed to do; and that the power companies have been placed in an awful position. She also stated that if the energy in the room could be placed at the disposal of the power industry to demand that the federal government build the repository which they committed to do so as to accommodate adequate on-site storage. She seconded Commissioner Phillips' motion.

Chairman Givens called for a vote. The motion was defeated three (3) to two (2), with

Commissioners Givens, Outz, and Holland dissenting.

After further discussion, Commissioner Outz moved, seconded by Commissioner Holland, to table this issue and discuss it at a later date. The motion carried four (4) to one (1) with Commissioner Phillips dissenting.

An additional letter concerning this issue is attached hereto and by reference made a part hereof.

PLANNING AND ZONING

Zoning and Ordinance Amendments:

Amendment to Watershed Regulations: Consideration of a request by Evelyn and Ernest Clemons for an amendment to the Chatham County Water Supply Watershed Regulations to allow an additional permitted use to be added to the Watershed IV Critical Area attachment #A (The addition is for retail stores and personal service shops specifically for the sale, servicing, and utilization of computers, e-mailing, public Internet access, and computer consulting for individuals and small businesses.)

Action on this issue was deferred until a later date.

Conditional Use B-1 Business District with Conditional Use Permit: Consideration of a request by Evelyn and Ernest Clemons for a Conditional Use B-1 Business District with a Conditional Use Permit for retail stores and personal service shops specifically for the sale, servicing, and utilization of computers, e-mailing, public Internet access, and computer consulting for individuals and small businesses (The property is approximately 1.133 acres, off SR #1717 [Lystra Church Road] and SR #1008 [Farrington Road], in Williams Township)

Commissioner Holland moved, seconded by Commissioner Outz, to accept the Planning Board recommendation that the five findings be made and that the request be approved with the following conditions and not become effective until the water shed regulations are amended:

1. Access to the property is allowed from SR #1008 and SR #1717 as permitted by the Department of Transportation
2. A vegetative screen of 50% opaqueness shall be provided outside the DOT right-of-ways and sight distances along the north and east boundaries.
3. Lights shall be designed and located to prevent upward glare and glare onto roads and adjacent properties. Poles for lights shall not be taller than 30 feet.
4. If a building permit is not issued within 24 months of approval by the Board of County Commissioners, the conditional use permit shall be null and void and the conditional use district shall revert back to the original district prior to approval.
5. The uses permitted shall be those allowed in the text amendment and those requested which are allowed.
6. The sign area shall be limited to 32 square feet with a maximum height of five

feet.

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

Communication Towers – Search Site Areas:

1999-2000 Communication Tower Search Sites: Consideration of a request to approve 1999-2000 Communication Tower Search Sites

1. American Tower [One Site]
2. SBA/Sprint PCS [Five Sites]

Commissioner Outz moved, seconded by Commissioner Phillips to table this issue for discussion at a later date. The motion carried five (5) to zero (0).

Set Date for Public Hearing on McDaniel Communication Tower: Consideration of a request to set a date for a public hearing to be held on the McDaniel communication tower

Commissioner Pollard moved, seconded by Commissioner Outz, to set June 21, 1999 as the date on which to hold a public hearing to receive public comments on the McDaniel communication tower.

PUBLIC WORKS

Southwest Water System Improvement Project Inspection Contract Award: Consideration of a request to award Southwest Water System Improvement Project Inspection Contract

Commissioner Pollard moved, seconded by Commissioner Holland, to approve the Project Ordinance for the Southwest Water System Improvement Project, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Commissioner Phillips moved, seconded by Commissioner Outz, to award Southwest Water System Improvement Project Inspection Contract to Hobbs, Upchurch and Associates, P.A. in an amount not to exceed \$26,600.00, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

SHERIFF'S OFFICE

Sheriff's Office Y2K Systems Upgrade: Consideration of a request to upgrade Sheriff's Office Y2K Systems

Commissioner Outz moved, seconded by Commissioner Pollard, to proceed with the upgrade of the computer and networking system and to allow the piggybacking purchase of hardware and sole source purchase of software for the Sheriff's Office Y2K systems upgrade. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Chatham Community Child Protection Team Appointments: Consideration of a request to appoint two community members to the Chatham Community Child Protection Team (CCPT)

Commissioner Phillips moved, seconded by Commissioner Outz, to appoint Janice Edgerton, Coordinator of Child Victim Services in Chatham County and Janet Groce, Supervisor of the Early Intervention Team to the Chatham Community Child Protection Team (CCPT). The motion carried five (5) to zero (0).

Hearing Officer Appointments for the Department of Social Services: Consideration of a request to appoint two individuals to fulfill the duties of Hearing Officers for Tax Intercept Appeal Hearings for Child Support Enforcement cases

This item was deferred until a later date.

Water Advisory Committee Appointment: Consideration of a request to appoint a member to the Water Advisory Committee by Commissioner Holland

Commissioner Holland appointed Thomas Ward to the Water Advisory Committee.

Adult Care Home Community Advisory Committee Appointments: Consideration of a request to appoint members to the Adult Care Home Community Advisory Committee

This item was deferred until a later date.

BOARD OF COMMISSIONERS MATTERS

Set Date for Manager's Evaluation: Consideration of a request by the Manager to set a date on which to evaluate his performance

By consensus, the Board agreed to set June 7, 1999 as the date on which to evaluate the performance of the County Manager.

MANAGER'S REPORTS

-

The County Manager informed the Commissioners of the following:

Health and Life Insurance for County Employees: Consideration of a request to approve the change of health and life insurance carriers for Chatham County employees.

Commissioner Pollard moved, seconded by Commissioner Holland, to approve changing the County health's insurance carrier to Piedmont Administrators and the life insurance carrier to The Hartford and to authorize the chair and staff to execute the necessary contracts. Contracts are attached hereto and by reference made a part hereof.

COMMISSIONERS' REPORTS

Resolution Honoring Ben Wimberly

Commissioner Pollard moved, seconded by Commissioner Phillips, to approve **Resolution #99-18 Honoring Ben Wimberly**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Commissioner Phillips stated that he hosted a group of parents and school board members at

his home to discuss education issues, and that it was very informative for all.

ADJOURNMENT

- Commissioner Pollard moved, seconded by Commissioner Outz, 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 11:49 PM.

Rick Givens, Chairman

ATTEST:

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