

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, DECEMBER 07, 1998

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 10:00 A.M. on December 07, 1998.

Present: Commissioners Margaret Pollard, Uva Holland, Carl Outz, Gary Phillips and Rick Givens; County Manager, Charlie Home; County Attorney, Robert L. Gunn; Assistant County Manager, Renee Dickson; and Clerk to the Board, Sandra B. Lee
The meeting was called to order by the Chairman at 10:08 A.M.

OATHS OF OFFICE

Wade Barber, Senior Resident Superior Court Judge for Chatham and Orange Counties, expressed pleasure in administering the oaths of office. He stated that every person who becomes an officer in North Carolina first swears to support the Constitution of the United States and reiterated that one of the principal duties is to protect the rights and liberties of individual people in our society

The oath of office was administered by Jude Barber to Janice Oldham as Clerk of Court; to the Deputy and Assistant Clerks of Court; to Carl Outz, Gary Phillips, and Rick Givens as Commissioners; to the entire Board as the Zoning Board of Adjustment; to the Chatham County Sheriff, Don Whitt, Chief Deputy, Isaac L. Gray, and Deputies (list of Deputies attached hereto and by reference made a part hereof); and to Soil and Water Conservation District Supervisors, John Etchison, and R. Edward McLaurin, Jr.

ORGANIZATION OF THE BOARD

Chairman

County Attorney, Robert Gunn, presided over the organization of the Board. He opened the floor for nominations for Chairman of the Chatham County Board of Commissioners.

Commissioner Outz stated that he believed that the leadership on the Chatham County Board of Commissioners should be shared by other members of the Board; that Commissioner Givens, having served in the military, as airline pilot, and with public school teaching experience, would make a good chairman for the Commission.

Commissioner Outz nominated Commissioner Givens as Chairman of the Chatham County Board of Commissioners.

Commissioner Phillips stated that he liked Commissioner Givens; that he felt that Commissioner Pollard was one of the hardest working commissioners in the State of North Carolina; that she chairs a good meeting; that due to the newness, he would like the new members of the Board to work into the position rather than jump into it.

He nominated Commissioner Pollard as the Chair of the Chatham County Board of

Commissioners.

Hearing no other nominations, the presiding officer called for a vote for Commissioner Givens. The motion carried with Commissioners Outz, Holland, and Givens voting in favor of Commissioner Givens.

Commissioner Givens took the seat of the Chairman of the Chatham County Board of Commissioners.

Vice Chairman

The floor was opened for nominations for the position of Vice Chair. Commissioner Givens nominated Commissioner Holland for the office of Vice Chair.

Commissioners Givens nominated Commissioner Holland for the position as Vice Chair due to her experience on the Board.

Hearing no other nominations, the presiding officer called for a vote. The motion carried five (5) to zero (0).

APPOINTMENT OF CLERK TO THE BOARD

Commissioner Pollard moved, seconded by Commissioner Outz, to reappoint Sandra B. Lee as Clerk to the Board. The motion carried five (5) to zero (0).

APPOINTMENT OF COUNTY ATTORNEY

Commissioner Outz moved, seconded by Commissioner Pollard, to reappoint Robert L. Gunn as the County Attorney. The motion carried five (5) to zero (0).

AGENDA

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

The County Manager asked that consideration of a Home and Community Care Block Grant for Older Adults be added to the Consent Agenda as Item #5.

Commissioner Givens asked that Item #3, Discovery Penalty Relief for Mellon US Leasing be removed from the Consent Agenda and placed on the December 14, 1998 Agenda for further discussion.

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

The Chairman called for a five minute break.

The Sheriff expressed his appreciation to Honorable Judge Barber for administering the oath and to his many friends and relatives attending the ceremony. He invited everyone to a luncheon celebrating his birthday at the Emergency Operations Center.

CONSENT AGENDA

The Chairman directed the Clerk to the Board to read the Consent Agenda. Commissioner Pollard moved, seconded by Commissioner Phillips, to approve the items listed on the Consent Agenda as read by the Clerk. The Consent Agenda, with the vote on each item is as follows, and was

read verbatim by the Clerk to the Board.

1. **Minutes:** Consideration of a request for approval of Board Minutes for regular meeting held November 16, 1998

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

2. **Minutes Correction:** Consideration of a request for an addition to the September 8, 1998 minutes granting sketch design approval to include granting preliminary approval of Penny Lane Subdivision (The wording "and Preliminary Approval" was inadvertently left out of the September 8, 1998 minutes.)

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

3. ~~**Discovery Penalty Relief for Mellon US Leasing:** Consideration of a request by the Tax Department to deny the request by Mellon US Leasing for relief of discovery penalty on business personal property~~

This item was removed from the Consent Agenda to be placed on the Regular Agenda at the December 14, 1998 Board of Commissioners' meeting.

4. **Discovery Penalty Relief for Mastercraft Fabrics:** Consideration of a request by the Tax Department to deny the request by Mastercraft Fabrics LLC for relief of discovery penalty on business personal property

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

5. **Home and Community Block Grant for Older Adults:** Consideration of a request by the Tax Department to deny the request by Mastercraft Fabrics LLC for relief of discovery penalty on business personal property

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

- **Todd Vanderbeck**, 1510 Chicken Bridge Road, Pittsboro, NC, requested that the County file a formal request for full disclosure and a public forum regarding the proposed expansion of the CP&L/Shearon Harris spent fuel storage facility. He asked that the County continue its efforts to keep on top of the situation at the facility.

Norman M. Johnson, 107 Creekwood, Pittsboro, NC, stated that he was horrified to learn that the State had authorized a "low-level" waste site here; that he was encouraged by the County's efforts to prevent this site; that Mary MacDowell is doing a wonderful job; and that Chatham County needs to follow Orange County's lead in issuing a resolution requesting full information from CP&L.

Jerry Markatos, 800 Rock Rest Road, Pittsboro, NC, stated that he was very glad the County had taken a stand; that a hundred years from now, their names will have been forgotten but that the waste would still be present; that CP&L should not be secret about their dealings at the Harris facility;

that CP&L has wanted to divert the handling of this issue to others; and that CP&L's record needs to be examined with regard to this issue. Mr. Markaos distributed a copy of a letter he sent to the North Carolina Utilities Commission and a copy of an agreement to avoid herbicide application on CP&L right of way, attached hereto and by reference made a part hereof.

MANAGER'S REPORTS

The County Manager informed the Commissioners of the following:

1) **Statement by Henry Dunlap:**

"I regret that I am unable to be here with you today. It is a very special day for this Board. Many challenges and opportunities lie just ahead, and it will take a concerted effort by this Board to address those challenges effectively. Chatham is a great County. The decisions you are now responsible for making will give form and substance to the future. If you think about it, it is a huge responsibility. As you begin your work here today, I offer best wishes for great success."

2) **Retreat Date and Agenda:** The retreat has been set for December 17, 1998 from 1:00-5:00 PM and for December 18, 1998 from 9:00-5:00 PM at Fearington Village. A copy of the tentative retreat agenda is attached hereto and by reference made a part hereof.

3) **Boards and Committees:** There will be a copy of the Boards and Committees on which Commissioners serve in the "Odds and Ends" packet to go out on Friday, December 11th which will then be placed on the Agenda for the December 14, 1998 Board of Commissioners' meeting.

4) **Agenda Review:** There is an agenda review by the Chairman and Vice Chair which is done a week prior to the regularly scheduled Board meeting to confirm what is on the Agenda.

COMMISSIONERS' REPORTS

Commissioner Phillips stated that he believes it is a good day for Chatham County; that he is glad to be here, that he is proud of each person on the Board; that he intends to support each one, as he has done in the past; and that he is proud to be among such good company.

Commissioner Outz stated that he is looking forward to working with all the members of the Board; that the County has a lot of serious problems such as education and water, but that he feels the Board is a good team and that together they will accomplish a lot.

Commissioner Holland welcomed the three new members to the Board, stated that she looks forward to working with them for the betterment of the County and that she appreciated former Commissioner Dunlap's letter.

Commissioner Pollard stated that she feels Chatham County has an excellent Board; that there are some problems in the future but that she feels that they are up to meeting the challenges; and that she offers her whole hearted collaboration and cooperation to the Board.

Commissioner Givens assured the Board that he is a team player; that he is proud and

honored to be elected chairman and will be open for advice; that he feels one is only as good as the information one gets; that he will be careful from whom he gets his information; that he feels this year will be a great one in part because of the new faces and new ideas which will be used for the betterment of the County. He thanked everyone for attending the meeting.

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 11:00 AM.

Rick Givens, Chairman

ATTEST:

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