

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, AUGUST 17, 1998

The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in regular session in the District Courtroom, located in Pittsboro, North Carolina, at 7:00 P.M. on August 17, 1998.

Present: Chair, Margaret Bryant 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; Finance Officer,
 Vicki McConnell; and Clerk to the Board, Sandra B. Lee

The meeting was called to order by the Chair at 7:00 P.M.

AGENDA

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

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

- 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 and work session held August 03, 1998

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

2. **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).

3. **Refunds for Solid Waste Disposal Fees and Regular Tax Bills Paid in Error:** Consideration of a request for approval of refunds for Solid Waste Disposal Fees and regular tax bills paid in error, attached hereto and by reference made a part hereof.

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

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

- | | |
|-----------------------|-----------------------|
| 1) Betty Camp Way | 5) Coeur du Bois Lane |
| 2) C. Kelly Farm Road | 6) Lee Dixon Road |

- | | | | |
|----|----------------|----|--------------|
| 3) | Calico Drive | 7) | Sierra Trail |
| 4) | Cannamann Road | | |

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

5. **Acceptance of Grant Funds – Minority Infant Mortality Reduction Planning Project:** Consideration of approval to accept grant funds awarded to the Health Department in the amount of \$8,800 to support a Minority Infant Mortality Reduction Planning Project, **Budget Amendment #1**, attached hereto and by reference made a part hereof.

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

6. **Preliminary Approval of Bobcat Point Subdivision (Revision of Phase I):** Consideration of a request by Ricky Spoon Builders for preliminary approval of Bobcat Point Subdivision (Revision of Phase I) consisting of five lots on 12.9 acres, off SR #1558 (Henderson Tanyard Road) in Hadley Township

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

7. **Preliminary and Final Approval of Bobcat Point Subdivision, Lots 13, 14, 15, and 16:** Consideration of a request by Ricky Spoon Builders for preliminary and final approval of Bobcat Point Subdivision, Lots 13, 14, 15, and 16 consisting of four lots on 9.83 acres, off SR #1558 (Henderson Tanyard Road) in Hadley Township

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

8. **Preliminary and Final Approval of Governors Club, Phase Twenty-One:** Consideration of a request by Patrick E. Bradshaw for Governors Club Limited Partnership for preliminary and final approval of Governors Club, Phase Twenty-One, consisting of three lots on 5.831 acres in Williams Township

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

9. **Preliminary and Final Approval of Governors Village, Commercial Tract:** Consideration of a request by Patrick E. Bradshaw for Governors Club Limited Partnership for preliminary and final approval of Governors Village, Commercial Tract on 8.475 acres in Williams Township, and site plan approval

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

10. **Resolution in Support of Warren County Landfill Detoxification:** Consideration of approval of **Resolution #98-29 in Support of Warren County PCB Landfill Detoxification**, attached hereto and by reference made a part hereof.

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

11. **Utility Agreement Approval:** Consideration of approval of Utility Agreement covering the relocation and adjustment of certain municipally-owned utility lines along project to replace

Bridge #419 over Haw River and approaches on SR #1011 in Chatham County, attached hereto and by reference made a part hereof.

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

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

PLANNING AND ZONING

Sketch Design Approval of The Hills of North Chatham: Consideration of a request by Buck Branson, developer, for subdivision sketch design approval of The Hills of North Chatham consisting of 17 lots on approximately 86.945 acres, off SR #1535 (Gilmore Road) in Baldwin Township

Commissioner Grimes moved, seconded by Commissioner Wilson, to accept the Planning Board and Planning Department recommendation and grant sketch design approval as submitted with the following conditions:

1. One of the driveways located approximately 1000 feet from the proposed cul-de-sac shall be designated as a turn-around easement and improved such that at a minimum the first 25 feet shall be an all-weather travel surface with a minimum clearance of 12 feet wide and 14 feet high. Such improvements shall be made or a sufficient financial guarantee be provided to the County prior to the final plat being recorded. The emergency vehicle turn-around shall be designated on the preliminary and final plats.

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

Sketch Design Approval of Jane Durham Williams Subdivision: Consideration of a request by Jane Durham Williams for sketch design approval of Jane Durham Williams Subdivision consisting of nine lots on approximately fifty acres off SR #1535 (Gilmore Road), in Baldwin Township, and a variance from the Chatham County Subdivision Regulations, Section 6.2D (Private Roads) 3. (K)

Commissioner Grimes moved, seconded by Commissioner Wilson, to accept the Planning Board and Planning Department recommendation and grant sketch design plan approval with the following conditions:

1. A total of 7 subdivision lots be allowed in order for the private road to remain a gravel road.
2. Two additional lots may be allowed if the private road is paved to state standards from the end of state maintenance on Gilmore Road (SR #1535) to the western boundary of Lot #1 of the Hills of North Chatham Subdivision.
3. A turn-around easement for emergency vehicles be designated on either lot 2 or lot 8,

improved such that at a minimum the first 25 feet shall be an all-weather travel surface with a minimum clearance of 12 feet wide and 14 feet high. The turn-around easement shall be designated on the preliminary and final plat and improvement shall be made prior to the final plat being recorded.

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

Sketch and Preliminary Approval of Penny Lane Subdivision: Consideration of a request by Julie Smith for sketch and preliminary approval of Penny Lane Subdivision consisting of 15 lots on 28.54 acres, off SR #1529 (Taylor Road) in Baldwin Township

After considerable discussion, Commissioner Grimes moved, seconded by Commissioner Wilson, to table the item until a later date. The motion carried five (5) to zero (0).

Zoning and Ordinance Amendments

Amendments to the Chatham County Zoning Ordinance: Consideration of approval of amendment to the Chatham County Zoning Ordinance to allow specialized animal husbandry as a conditional use if the minimum lot area and setbacks are twice the size of the zoning district in which the property is located. Also amend the text to omit specialized animal husbandry as a permitted use.

Commissioner Wilson moved, seconded by Commissioner Holland, to approve the text changes to the Chatham County Zoning Ordinance as follows:

Page 19 Section 10.1 RA-5 Residential-Agricultural District
A. Permitted Uses

Page 22 Section 10.2 RA-90 Residential-Agricultural District
A. Permitted Uses

Page 26 Section 10.3 RA-40 Residential-Agricultural District
A. Permitted Uses

Omit "Animal Husbandry Specialized" in each of the three sections listed above.

Page 21 Section 10.1 RA-5 Residential-Agricultural District
B. Conditional Uses

Page 25 Section 10.3 RA-40 Residential-Agricultural District
B. Conditional Uses

Page 28 Section 10.3 RA-40 Residential-Agricultural District
B. Conditional Uses

Include language in each of the three sections listed above "Animal Husbandry Specialized with a minimum lot area and setback twice the minimum required of the zoning district."

Request by Goldston Apex Properties, LLC: Consideration of a request by Goldston Apex Properties, LLC for a revision to the existing Conditional Use Permit (for a building supply store and concrete plant) to allow an ATM machine on the south side of US #64 East in New Hope Township

Commissioner Grimes moved, seconded by Commissioner Holland, to accept the Planning Board and the Planning Department recommendation and find the five findings and approve the following three conditions:

1. The facility have secure surveillance cameras
2. An alarm system be installed and maintained
3. The top of the structure not exceed ten feet

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

Request by Jack Goodwin for Conditional Use Permit: Consideration of a request by Mr. Jack Goodwin for a Conditional Use Permit for a golf driving range with a pro shop to include retail sales of golf equipment, off US #64 East in New Hope Township

Commissioner Wilson moved, seconded by Commissioner Holland, to accept the Planning Board and the Planning Department recommendation and approve the request as submitted with the following conditions:

1. Lights be shielded from direct glare
2. Tall range lights be turned off prior to 10:00 PM
3. A photometric plan be submitted that shows there will be no light spillage onto adjacent property
4. The conditional use permit shall expire in 12 months unless construction begins within 12 months of Commissioners' approval

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

Request by Gary and Judy Butts for Conditional Use Permit: Consideration of a request by Gary and Judy Butts for a Conditional Use Permit for an aviary on 2.4 acres, on SR #1910 (New Elam Church Road) in Cape Fear Township

Commissioner Dunlap moved, seconded by Commissioner Grimes, to accept the Planning Board and Planning Department recommendation and find the five findings and approve the request as submitted. The motion carried five (5) to zero (0).

Request by John and Suzanne Benton for Conditional Use Permit: Consideration of a request by John and Suzanne Benton for a Conditional Use Permit for a land clearing and inert debris landfill on 10 acres, off US Hwy. #42 in Cape Fear Township

Commissioner Dunlap moved, seconded by Commissioner Holland, to accept the Planning Board and Planning Department recommendation and find the five findings and approve the request with the following conditions:

1. A fifty (50) foot vegetative buffer shall be maintained along each side of the intermittent stream.

2. A silt fence shall be installed along the buffer area to prevent siltation from the steep slopes from reaching the drainageway.
3. The landfill site may be shifted to the north to avoid the intermittent stream drainageway.

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

Communication Tower Proposed Sites

1. Request by **Glenwood Triangle Company, LLC** for a revision to the Conditional Use Permit for Cole Park Plaza Shopping Center, to include a Conditional Use Light Industrial District with a Conditional Use Permit for a communication tower, on 9.04 acres, off Hwy. #15-501 North, Williams Township
2. Request by **Sprint PCS** for Conditional Use Light Industrial Districts with Conditional Use Permits for communication towers as follows:
 - A. Robert C. Harriss Property, 13.75 acres, US #15-501 North, Baldwin Township
 - B. Thomas and Peggy Cotton Property, 20.82 acres, off SR #1011 (Old US #1) in Haw River Township
3. Request by **Gearon Communications** for Conditional Use Light Industrial districts with Conditional Use Permits for communication towers as follows:
 - A. M & R Investments, LLC, 7.44 acres, US #64 East, New Hope Township
 - B. Roy C. Hatley Property, 3.8 acres, SR #1709 (Roy Hatley Road) Baldwin Township
 - C. Ann R. Zappa Property, 8 acres, US #15-501 North, Baldwin Township

Commissioner Dunlap moved, seconded by Commissioner Grimes, to accept the Planning Board and the Planning Department recommendation and that the five required findings be made for the requests in the zoned area except the Glenwood Triangle Company and that a condition of approval for the other requests, that if emergency generators are proposed on the site, that it include spill containment approved by the County Fire Marshall.

Jeff Alston, 16393 NC Hwy. #902, Bear Creek, NC, adjacent land owner, asked that the Commissioners table the M & R item until he is given the same information and material plus the balloon test that other adjacent land owners received. He asked to see a drawing of the proposed tower before any action is taken.

Carolyn Briggs, Gearon Communications, stated that there was some miscommunication between Mr. Alston and herself; that she had sent him a package and

contacted him regarding his questions; that she called him but received no answer and failed to call again; that balloon tests were very expensive, however, they would have been willing to perform one for that site had they known that was his desire.

Dave LeGrys, Planning Board Chairman, stated that all of the sites followed the Telecommunications Towers Plan and that they had made an effort through several public hearings and information sessions to educate the public and adjacent land owners regarding the proposals.

The Chair called for a vote. The motion carried five (5) to zero (0).

Communication Tower Proposed Sites Not Within Zoned Area:

4. Request by **Sprint PCS** for communication tower permits for the following locations:
 - A. Walter Bright Property, 41.99 acres, SR #2217 (Walter Bright Road), Oakland Township
 - B. Lacy O. Griffin, et. al, Property, 106.7 acres, SR #1953 (Chatham Church Road), Oakland Township

Commissioner Wilson moved, seconded by Commissioner Dunlap, to accept the Planning Board and the Planning Department recommendation and approve the two requests in the unzoned areas under the County tower regulations. The motion carried five (5) to zero (0).

HEALTH DEPARTMENT

Creation of Medical Laboratory Technician II Position: Consideration of approval to abolish a 50% Medical Laboratory Technician I position and create a 50% Medical Laboratory Technician II position for the Health Department

Commissioner Wilson moved, seconded by Commissioner Grimes, to approve the abolishment of 50% Medical Laboratory Technician I position and approve the creation of a Medical Laboratory Technician II position. The motion carried five (5) to zero (0).

Acceptance of Grant Funds – Adolescent Parenting Program: Consideration of approval to accept grant funds awarded to the Health Department in the amount of \$48,027 to establish an Adolescent Parenting Program for Chatham County, **Budget Amendment #2**

Commissioner Wilson moved, seconded by Commissioner Holland, to approve the acceptance of \$48,027 in grant funds to establish an Adolescent Parenting Program for Chatham County and approve **Budget Amendment #2**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Board of Health Appointments: Consideration of approval of appointment of two volunteers to fill the optometrist and veterinarian seats on the Board of Health, terms effective July 1, 1998-June 30, 2001

Commissioner Grimes moved, seconded by Commissioner Wilson, to appoint Dr. Don

Roscoe, Jr., 911 North Garden Avenue, Siler City, NC, to the Chatham County Board of Health to fill the optometrist seat, effective July 1, 1998 through June 30, 2001. The motion carried five (5) to zero (0).

Commissioner Grimes moved, seconded by Commissioner Dunlap, to appoint Richard D. Kirkman DVM, 20416 US #64 West, Siler City, NC, to the Chatham County Board of Health to fill the veterinarian seat, effective July 1, 1998 through June 30, 2001. The motion carried five (5) to zero (0).

Housing Authority Board Appointment: Consideration of a request to appoint a member to the Chatham County Housing Authority

Commissioner Grimes moved, seconded by Commissioner Holland, to appoint Commissioner Betty Wilson to the Chatham County Housing Authority Board. The motion carried five (5) to zero (0).

Judicial Center Design Team Appointments: Consideration of appointments to the Judicial Center Design Team

Kurt Lent, gave a brief status report on the Judicial Center Design Team and answered questions from the Board.

Commissioner Wilson moved, seconded by Commissioner Holland, to appoint Attorney Paul Messick to the Judicial Center Design Team. The motion carried five (5) to zero (0).

Commissioner Wilson moved to place the name of Mary Hayes Holmes on the Judicial Center Design Team. After a discussion, Commissioner Wilson withdrew her motion until she could contact Mrs. Holmes regarding her desire to serve on this committee.

MANAGER' S REPORTS

There were no reports from the County Manager.

COMMISSIONERS' REPORTS

Commissioner Holland reported that the 91st Annual Conference of the North Carolina Association of County Commissioners held in Charlotte, August 13-16, 1998, was one of the best she had ever attended.

Commissioner Pollard stated that the US Census Bureau has requested that Chatham County create a "Complete Count Committee" whose goal is to promote community awareness of Census 2000 and to motivate communities to fill out the census form and return it immediately. She also stated that Chatham County has a growing population of people that are traditionally undercounted and to involve people across the County will insure that the County gets a good counting; that the committee is scheduled to begin in November, so the next 30 days should be used to identify people to serve on the committee; and that Bill Lail and Glenn Woolard, Cooperative Extension Director, would be good contacts to help with the Hispanic community. She asked that the Commissioners begin thinking of people in the community to serve on this committee, and that the Board be prepared to make appointments the second meeting in September.

In addition, Commissioner Pollard concurred with Commissioner Holland that the 91st Annual Conference of the North Carolina Association of County Commissioners was a good meeting, especially a presentation by Dr. Hoover and Dr. Reuben on rural wastewater treatment.

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 (0), and the meeting was adjourned at 8:26 PM.

Margaret Bryant Pollard, Chair

ATTEST:

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