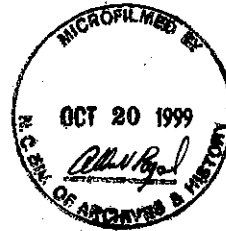


MINUTES
BOARD OF COMMISSIONERS
REGULAR MEETING JANUARY 3, 1994



The Board of Commissioners (the "Board") of the County of Chatham, North Carolina, met in regular session in the District Courtroom, located in the Courthouse Annex, Pittsboro, North Carolina, the regular place of meeting, at 10:00 a.m., on January 3, 1994.

ATTENDANCE

Present: Chairman Dunlap; Commissioners Holland, Holmes, Hanner and Murchison; County Manager Ben Shivar; County Attorney Robert L. Gunn; and Clerk to the Board Sandra B. Cape.

Absent: None

The meeting was called to order by Chairman Dunlap at 10:05 a.m.

APPROVAL OF MINUTES

Commissioner Holmes moved to approve the Minutes of the Board of Commissioners meeting held December 20, 1993. Commissioner Holland seconded the motion.

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

PLANNING AND ZONING

Road Name Change - Public Hearing

Dean Beavers Road (S.R. 2180): The County Manager explained that a prior petition requesting that the name "Dean Beavers Road" be changed to "George Burke Road" had not met the sixty percent (60%) property owner criteria; however, the petition has been amended and now includes approximately seventy-five percent (75%) of the property owners along said road.

Pursuant to advertisement of the public hearing in The Chatham Record on December 23 and December 30, 1993, Chairman Dunlap declared the public hearing open at 10:08 p.m., and requested public comments from those individuals favoring the renaming.

Daniel Burke, a resident of Dean Beavers Road, asked that the Commissioners approve the petition requesting the change from "Dean Beavers Road" to "George Burke Road." He stated that his grandfather, George Burke, together with other family members, were the first to build this road, and the descendants of George Burke wished to rename the road in his honor.

G. W. Burke, also of Dean Beavers Road, requested that the Board approve the name change and reiterated the information given by Daniel Burke. He stated that the reason this request was being made at this time was because of the changes currently taking place to accommodate Enhanced 911 within the County.

The Chairman asked if there were others who wished to speak in favor of the change. With no one else requesting to speak in favor of the change, the Chairman asked that those opposing the name change come forward.

Dean Beaver, a resident of Dean Beavers Road, stated that he lived on Dean Beavers Road, and was retired, after thirty years of employment, from the North Carolina Department of Transportation. He stated that in 1964 DOT started building Dean Beavers Road and the State and the County named the road. He further stated that he worked on this road. Mr. Beaver stated that when E-911 was first started, the people had a chance to request that the name be

changed and did not do so. He requested that the name not be changed since it has been the Dean Beavers Road for thirty years.

Helen Beaver, wife of Dean Beaver, stated that this road has had the same name -- Dean Beavers Road -- for many years. She stated that the purpose of renaming roads is to give additional information to fire and rescue vehicles, and fire and rescue personnel are familiar with Dean Beavers Road and where it is. She stated that the computer data has already been completed, and this change would mean more changes. Mrs. Beaver requested that the name not be changed.

The Chairman asked if others were present to speak against the name change. There being no further public comments, the Chairman closed the public hearing at 10:15 a.m.

The Chairman stated that procedurally the Planning Board reviewed these matters prior to Board consideration; however, this particular request for road name change had not been reviewed by the Planning Board. The Chairman requested an opinion from the County Attorney on this matter.

County Attorney Robert Gunn stated that if the Board was inclined to approve the Petition, it should not do so without Planning Board review and recommendation. He further stated that if the Board was inclined to deny the Petition, it was not necessary to go before the Planning Board.

Commissioner Hanner moved that this matter be deferred to the Planning Board for its consideration, and that this matter be brought back before the Board after such review. The motion died for lack of a second.

Commissioner Holmes moved that the Petition be denied. Commissioner Murchison seconded the motion.

The motion carried four (4) to one (1) with Commissioner Hanner voting in the negative.

A member of the public asked to speak. Several residents of Dean Beavers Road spoke out in favor of changing the name to George Burke Road and questioned the Board about when this matter could be reconsidered by the Board. After lengthy comments from various residents of Dean Beavers Road who were in favor of the name change, the Chairman stated that the public hearing on this matter had been held and was closed prior to the Board voting on this matter. The Chairman further stated that those wishing to speak in favor of the name change should have spoken during the public hearing.

The Chairman requested that the Board move on to the next item on the agenda.

PUBLIC WORKS DEPARTMENT

Water Issues

Water Purchasing Agreement: Public Works Director Mark Ashness requested that the Board approve the "Water Intake Service Agreement" by and between the Town of Cary and Town of Apex and the County of Chatham for the purpose of setting forth the terms and conditions pursuant to which Cary and Apex will provide the service of drawing raw water from Jordan Lake and passing it into Chatham water pipeline. The Public Works Director stated that the County Attorney had requested some minor revisions, which constituted no substantive changes.

Commissioner Holmes moved that the "Water Intake Service Agreement" be approved by the Board, and that the Chairman and the Clerk to the Board be authorized to execute said agreement, contingent upon the minor changes as requested by the County Attorney being accepted by the Towns of Cary and Apex, and upon the approval of the final Agreement by the County Attorney, provided no substantive changes were made to the Agreement. Commissioner Murchison seconded the motion.

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

Proposal for Engineering Services by Finkbeiner, Pettis & Strout, Limited, for Jordan Lake WTP Instrumentation and Control Systems Operational Phase (SCADA). The Public Works Director requested that the Board approve the "Proposal for Engineering Services - Jordan Lake WTP Instrumentation and Control Systems Operational Phase" by and between Chatham County and Finkbeiner, Pettis & Strout, Limited, dated December 21, 1993. He stated that this Proposal related to the System Configuration and Programming Services which would enable a water plant operator to monitor the system, including pumping stations, from a central computer location.

Commissioner Murchison moved that the Board approve the "Proposal for Engineering Services - Jordan Lake WTP Instrumentation and Control Systems Operational Phase," as presented, and authorize the Chairman to execute same. Commissioner Hanner seconded the motion.

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

Water Treatment Plant Site: The County Manager and the County Attorney presented background information regarding the purchase of property from Juanita Clegg and David Bynum Clegg for use as the water treatment plant for the County. The County Manager stated that the property was purchased for \$146,330, which is below the budgeted amount of \$150,000. The County Attorney requested approval of the "Resolution Reaffirming Authorization to Purchase Water Plant Site" as presented.

Resolution 94-1: Commissioner Holmes moved to adopt the "Resolution Reaffirming Authorization to Purchase Water Plant Site," a copy of which is attached hereto as "Resolution 94-1" and by reference made a part hereof. Commissioner Holland seconded the motion.

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

HEALTH DEPARTMENT

Siler City

Siler City Health Building Site. The County Attorney stated that the County has acquired 2.2 acres of land at no cost and closed on this property on November 21, 1993. He further stated that no action is required by the Board on this matter at this time.

FINANCE

Capital Projects Financing Package: Finance Officer Vicki McConnell gave a report on the Capital Projects Financing Package with Southern National Bank, as previously presented to the Board. The closing on this transaction took place on December 21, 1993. She stated that this loan would be disbursed in the same manner as a construction loan which would save considerable interest. The Finance Officer stated that one disbursement in the amount of

approximately \$500,000 was received on the closing date to cover reimbursement of monies already spent.

Property Disposition - IBM 36 Computer: The County Manager requested that the Board approve the disposition of an IBM 36 computer as surplus property through private sale at a negotiated price.

Resolution 94-2: Commissioner Holmes moved that the Board adopt the "Resolution Authorizing the Finance Officer to Dispose of Property by Private Sale at a Negotiated Price," a copy of which is attached hereto, marked "Resolution 94-2" and by reference made a part hereof. Commissioner Hanner seconded the motion.

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

EMERGENCY OPERATIONS

Emergency Operations Center - CP&L Contribution: The County Manager stated that Central Carolina Power & Light Company had made a \$53,000 contribution to the County to support furnishings and equipment for the Emergency Operations Center. The Manager pointed out that this contribution represents approximately ten percent (10%) of the construction cost of this project.

Commissioner Holmes moved that the letter of appreciation to Carolina Power & Light Company be approved, that the Chairman be authorized to execute same, and that the Chairman of the Board of Carolina Power & Light Company be forwarded a copy of same. Commissioner Holland seconded the motion.

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

TAX ASSESSOR

Tax Releases; Solid Waste Disposal Fee Releases; and Solid Waste Disposal Fees Paid in Error: Commissioner Holmes moved that the Tax Releases, Solid Waste Disposal Fee Releases, and Solid Waste Disposal Fees Paid in Error be approved as presented (copies of which are attached hereto and by reference made a part hereof). Commissioner Holland seconded the motion.

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

NON-PROFIT ORGANIZATIONS

Council on Aging

Senior Services Facility: The County Manager stated that he had no additions to the information presented to the Board at its last regularly scheduled meeting regarding the possibility of the County assisting in the funding of the Council on Aging's senior services facility.

The County Attorney stated that Institute of Government personnel indicated that some jurisdictions have utilized a multi-year operational contract for the purpose of funding non-profit agencies for certain services at a set price for a certain number of years. He stated that some jurisdictions which had utilized this method had obtained a local bill to authorize that prior to execution of such a contract. The County Attorney stated that the wisest course of action would be to obtain a local bill prior to entering into a contract for that length of time, because a ten-year contract would bind several Boards. He stated that this could probably be done at the Short Session in May 1994.

Commissioner Holmes moved that the Board authorize the County Attorney to prepare a Bill for the General Assembly Short Session

in May 1994 that would enable the Board to enter into a multi-year operational contract with the Council on Aging for consideration by the Board at a future meeting. Commissioner Holland seconded the motion.

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

BOARDS AND COMMITTEES

Chatham Human Service Transportation Advisory Committee

Transportation Issues: The County Manager stated that staff had studied some alternative transportation methods for the County. Helen Stovall, Transportation Coordinator for the Chatham Human Service Transportation Advisory Committee, gave a presentation to the Board and stated that the Committee is currently studying the possibility of having a "consolidated system" within the County.

The Board thanked Ms. Stovall for the information provided.

Economic Development Commission

Appointment - Marvin Joyner: Commissioner Hanner moved that Marvin Joyner, who has been serving on the Economic Development Commission as an ex officio member, be appointed as a voting member of the Economic Development Commission, effective immediately, to replace Roy Hanner, said term to expire on December 31, 1996. Commissioner Murchison seconded the motion.

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

Animal Control Advisory Committee

Appointment - Robert Burns: Commissioner Holmes moved that the Board appoint Robert Burns to replace Mary Lee Moore as a public member on the Animal Control Advisory Committee, said appointment to be effective immediately with an expiration date of June 1995. Commissioner Hanner seconded the motion.

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

Preferred Site Local Advisory Committee (PSLAC)

Appointment - Wayne Sherman and Rod Tidy. The County Manager stated that at the last meeting of the Board, eight members were appointed to the PSLAC. He further stated that although Chatham County need not follow State Statutes regarding this Committee, he felt that the Board wished to do so. The Manager stated that the law calls for eleven (11) members and, therefore, the Board may wish to appoint three (3) additional members at this time.

Commissioner Holmes moved that Wayne Sherman and Rod Tidy be appointed to represent health and emergency operations on the PSLAC and that the Board consider one additional appointment at a future meeting. Commissioner Holland seconded the motion.

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

Water Committee

Appointment - Gus Murchison. Commissioner Holland moved that Commissioner Murchison be appointed to the Water Committee, said term to commence immediately and expire on December 31, 1996. Commissioner Hanner seconded the motion.

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

BOARD MATTERS

Rules of Procedure for the Chatham County Board of Commissioners: The County Manager stated that the agenda packages which had been distributed to the Commissioners contained information on proposed "Rules of Procedures" for actual Board meetings. The Manager requested that the Board adopt the "Resolution Setting Forth Rules of Procedure for the Chatham County Board of Commissioners," or, in the alternative, that this item be tabled until the next regular meeting if the Board wished to study this matter further.

Commissioner Holmes moved that the staff prepare a "consent" agenda for the next meeting and further that consideration of the Resolution regarding this matter be tabled until the next regular meeting of the Board. Commissioner Murchison seconded the motion.

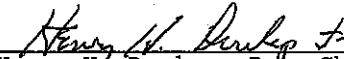
The motion carried five (5) to zero (0).

ADJOURNMENT

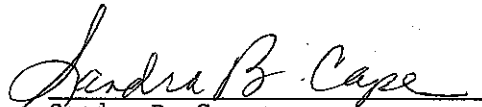
Commissioner Murchison moved to adjourn the meeting. Commissioner Hanner seconded the motion.

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

The Chairman adjourned the meeting at 1:00 p.m.


Henry H. Dunlap, Jr., Chairman
Board of Commissioners

ATTEST:


Sandra B. Cape
Clerk to the Board