

**MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, MAY 2, 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 May 2, 1994.

ATTENDANCE

Present: Chairman Dunlap; Commissioners Holland, Holmes and Hanner; 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 the Chairman at 7:00 p.m.

AGENDA

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

Commissioner Holmes moved that the Board add the scheduling of a date to fill the vacancy for the term of the late Commissioner Gus Murchison. Commissioner Holland seconded the motion.

The motion carried four (4) to zero (0).

Commissioner Holland moved that the Board add the consideration of appointments to the Intervention/Prevention Task Force. Commissioner Holmes seconded the motion.

The motion carried four (4) to zero (0).

Commissioner Holmes moved that the Board add a brief discussion on the legislative goals for the meeting with the County's delegation and an announcement of a public workshop on the US 15-501 corridor. Commissioner Holland seconded the motion.

The motion carried four (4) to zero (0).

Commissioner Holmes moved that the Agenda be approved with the above-listed additions. Commissioner Hanner seconded the motion.

The motion carried four (4) to zero (0).

CONSENT AGENDA

The Chairman directed the Clerk to the Board to read the Consent Agenda.

Commissioner Holmes moved to approve the items listed on the Consent Agenda as presented. Commissioner Holland seconded the motion. The Consent Agenda, with the vote on each item, is as follows, and was read verbatim by the Clerk to the Board:

1. **Minutes:** Approval of minutes of April 18, 1994 Board of Commissioners Meeting

The motion carried four (4) to zero (0).

2. **TAX ASSESSOR - Tax Releases and Tax Refunds:** Consideration of a request for approval of Tax Releases and Tax Refunds

The motion carried four (4) to zero (0).

3. **TAX ASSESSOR - Solid Waste Disposal Fees:** Consideration of a request for approval of refund of Solid Waste Disposal Fees paid in error

The motion carried four (4) to zero (0).

4. **TAX ASSESSOR - Solid Waste Disposal Fees:** Consideration of a request for approval of Solid Waste Fees Releases

The motion carried four (4) to zero (0).

5. **TAX ASSESSOR AND TAX COLLECTOR - Records Retention and Disposition Schedule:** Consideration of a request by the North Carolina Department of Cultural Resources, Division of Archives and History for approval of the Records Retention and Disposition Schedule

The motion carried four (4) to zero (0).

ECONOMIC DEVELOPMENT

Small Cities Community Development Block Grant - Sanford Steel Corporation

The Manager introduced Mr. Buddy Blackburn, a representative from The Wooten Company, who explained the Small Cities Community Development Block Grant program. Mr. Blackburn noted that a public hearing was to be held in order to receive public input into the program. He stated that this particular grant was being requested on behalf of Sanford Steel Corporation.

The Chairman opened the public hearing at 10:11 a.m.

There being no comments from the public, the Chairman closed the public hearing on this matter at 10:12 a.m.

The Manager noted that this public hearing was held to obtain public input into the Community Development Block Grant program, and that an additional public hearing, to be held May 16, 1994, would be on the specific application on behalf of Sanford Steel Corporation.

1994 Small Business Person of the Year for the State of North Carolina

Commissioner Holmes moved to approve the Proclamation Recognizing James Ray Fore, Sr., President of Communication Cable, Inc., honoring Mr. Fore on having been named North Carolina 1994 Small Business Person of the Year, a copy of which is attached hereto, marked **Res. #94-14**, and by reference made a part hereof. Commissioner Holland seconded the motion.

The motion carried four (4) to zero (0).

PRESENTATIONS

Community-Based Alternative Task Force

The Manager introduced George Greger-Holt, Secretary of the Community-Based Alternatives Task Force, who announced that the Community-Based Alternative Task Force had been renamed to "The Youth Services Advisory Council" (the "Council"). He stated that the County's initial allocation for FY 1994-95 was \$55,857. He stated that three proposals were received for funding through the Council; however, the Council recommended funding of only two of these requests. He also noted that additional funds in the amount of \$30,990 were forthcoming, and that he would appear before the

Board at a later date to request approval for distribution of those additional funds.

Commissioner Holmes moved to accept the recommendations of the Community-Based Alternatives Task Force (aka The Youth Services Advisory Council) to fund the Chatham County Together program at \$38,850 and the Conflict Manager's Program through Dispute Settlement at \$17,007, for a total expenditure of \$55,857. Commissioner Holland seconded the motion.

The motion carried four (4) to zero (0).

PLANNING AND ZONING

Greenhill Community Development Block Grant

Planning Director Keith Megginson stated that this matter had come before the Board at a previous meeting and the Board had approved expenditure of \$94,500 for water improvements, rehabilitation and septic system improvements to three dwellings located west of SR 1103. He noted that the Board had requested that this matter be brought back before the Board to determine how to distribute the remaining funds in program. He stated that after reviewing the cost for the items previously approved by the Board, it was determined that the estimated cost of the approved items was more than remains in the program. He noted that administration cost must be paid; therefore, additional direction from the Board is needed prior to the expenditure of these funds. The Planning Director stated that this matter has been discussed with JOCCA representative Quinten Baker who works with the Greenhill community. He noted that the community has prioritized the requested improvements as set forth in the agenda notes.

The Chair stated that members of the public who wished to speak would be heard at this time.

Robert L. Womble, P. O. Box 324, 54 Lane-Jordan Road, Siler City, North Carolina, stated that he owned one of the three houses west of S.R. 1103. He requested that, if possible, the Board approve the waterline into this area.

Rev. Gilbert W. Branch, Pastor and member of the Greenhill Community, stated that there had been a community meeting and the community agrees with the recommendation of the Planning Department. He noted that they would, however, like the County to use all the allocated funds totally in the Greenhill project if monies are remaining after the recommended items are completed. He asked if local contractors could bid on the rehabilitation projects in an effort to lower the cost and if he could be furnished with a detail breakdown of the costs.

The Planning Director explained the cost estimate for engineering and contingencies to design and install the waterline; the \$14,000 to \$18,000 for administration is required under the terms of the grant and covers the cost of negotiating bids, inspections, etc. involved in administering the grant.

Kenneth Brooks, whose mother lives in one of the houses being considered for improvement, asked that the Board approve renovation to Mrs. Brooks home since she does not currently have a bathroom. He thanked the Board for its consideration in this matter.

The Planning Director stated that the addition of a bathroom to this residence was being recommended. He noted, however, that extensive rehabilitation was not being recommended. He noted that it was estimated that \$5,000 would remain in this fund after recommended items were completed and that the Planning Department was recommending that any remaining money be used for meter vault

improvements at West Third Street and S.R. 1106. He noted that there was a good possibility that there would be no money remaining.

Frankie Mathews, a Greenhill resident, stated that he was satisfied with the recommendations of the Planning Department. He stated that his main concern was that if funds remain, these funds be spent wisely in the Greenhill community.

Christine Brooks, a resident of the Greenhill community, stated that she appreciated the County getting this grant for her community and thanked the Board for all that was being done in this matter. She stated her support for the recommendations of the Planning Department.

Commissioner Holmes moved that the Board approve the recommendations of the Planning Department and community priorities as follows: (1) provide water to the three houses off S.R. 1103; (2) do septic repairs to the three houses off S.R. 1103; (3) do plumbing related housing rehabilitation to three houses off S.R. 1103, such as adding a bathroom where absent; (4) provide water hookups to qualified residents in the C-1 area; (5) provide needed septic improvements in the C-1 area; and (6) provide needed septic improvements in the L-1 area; and further that The Wooten Company be directed to work with the community and the contractors in order to satisfactorily complete the work. Commissioner Holland seconded the motion.

The motion carried four (4) to zero (0).

Commissioner Holmes stated that the matter of remaining funds should not be considered until the above set forth work has been completed since it is doubtful that there would be any funds remaining.

University Lake Drainage Area Zoning

The Planning Director requested that the Board reconsider its directive that a public hearing be held in order to obtain public comment on proposal to reduce lot size in RA-90 University Lake drainage area from 90,000 square feet to 40,000 square feet.

Commissioner Holmes moved that the Board direct the Planning Department to proceed with the public hearing on this matter as previously directed and that the funds to cover the cost of notification and publication be included in next year's budget. Commissioner Holland seconded the motion.

The Chair stated that Kay Billingsley had requested time to speak on this matter. Ms. Billingsley, speaking as Chair of the Planning Board, requested that the Board refer this matter to the Planning Board for its consideration prior to proceeding with the proposed change.

The motion carried four (4) to zero (0).

Commissioner Holmes moved that the County Manager write to A. Preston Howard, Jr., Director, North Carolina Division of Environmental Management, setting forth that the County's watershed requirements for that area are one acre. Commissioner Holland seconded the motion.

The motion carried four (4) to zero (0).

PUBLIC WORKS DEPARTMENT

Property Exchange

Commissioner Holmes moved to approve the Resolution Authorizing the Finance Officer to Exchange Property by Private Sale at a Negotiated Price, a copy of which is attached hereto, marked **Res. 94-15**, and by reference made a part hereof. Commissioner Hanner seconded the motion.

The motion carried four (4) to zero (0).

BOARDS AND COMMITTEES

Appearance Commission

Kurt F. Lent, AIA, Chairman of the Chatham County Appearance Commission, presented the Commissioners Annual Report to the Board of Commissioners, a copy of which is attached hereto and by reference made a part hereof. He requested that the Board consider approving the Chatham County Gateway Project, as outlined in said Report. He stated that the Commission would come back before the Board after design and estimated costs are complete.

Commissioner Holmes moved that the Appearance Commission pursue design and construction of a welcome sign to focus first upon NC 751 on the northeast side of Chatham County, as set forth in the Report under section "Chatham County Gateway Project." Commissioner Hanner seconded the motion.

The motion carried four (4) to zero (0).

Intervention/Prevention Task Force

Commissioner Holland stated that the North Carolina General Assembly appropriated \$12,000,000 for FY 1994-95 to fund the Intervention/Prevention Grant Program. She noted that the grants will be awarded on a competitive basis to local education agencies for locally designated school-based programs that target juvenile crime by enhancing educational attainment through coordinated services to respond to the needs of students who are at risk of school failure and at risk of participation in juvenile crime and provide for a safe and secure learning environment. She noted that the deadline for application for this Grant is July 15, 1994, which necessitated the appointment of a Task Force immediately.

Commissioner Holland moved that the Board appoint the following individuals to the Intervention/Prevention Task Force: Fred Little, Leo Campbell, Martha Danek, George Gregor-Holt, Brenda Griffin, Mary Harris, Joanne Robb, Alpha Cheek, Judy Peele, Sharon Nettles, Carrie Bolton, Alexander Graves, Linda Mann, Hugo Lopez, Etta Foushee, Linda Sisco, Robert Hall, Wayne Sherman, Karen Allen, Don Whitt, Betty Wilson, Gary Cox, Matt Mayse, Crystal Brooks, Belinda Brodie, Al Craven, Rick Torbett, Cindy Crossen, Chuck Anderson, Susan Helmer, Carol Hewitt, and Staples Hughes. Commissioner Hanner seconded the motion.

The motion carried four (4) to zero (0).

BOARD OF COMMISSIONERS MATTERS

Room Occupancy Tax

The County Manager stated that Board had requested that the staff investigate the possibility of requesting the General Assembly to adopt a local bill to authorize Chatham County Board of Commissioners to levy a room occupancy and tourism development tax. He stated that the main issues involved in such a tax are: (1) the

tax rate; (2) how collected and distributed; (3) effect on local business and (4) effect on local organizations which promote travel and tourism. He noted that the majority of counties have authorized a 3% tax which is distributed to organizations which promote travel and tourism; however, some counties have authorization to expend the funds for any lawful purpose.

Commissioner Holmes moved that the Board approve the general content of the draft Act to Authorize Chatham County to Levy a Room Occupancy and Tourism Development Tax, as a working draft; that the staff meet with appropriate representative from effected County departments and agencies, as well as hotel and motel owners, to gain their input into the draft; and that this matter be brought back before the Board at its May 16, 1994 meeting for further consideration. Commissioner Holland seconded the motion.

The motion carried four (4) to zero (0).

Criminal Justice Partnership

Commissioner Holmes moved that the Board authorize the formation of a workgroup composed of a Commissioner from each County, the two County Managers, the two County Sheriffs, the District Attorney, and the Executive Director of OPC, to determine the feasibility and desirability of Chatham and Orange Counties applying jointly for funding under the Act and to report to the respective Boards by May 16, 1994; and, further, that Commissioner Holland be appointed as the Board's Commissioner representative. Commissioner Hanner seconded the motion.

The motion carried four (4) to zero (0).

Board Vacancy

Commissioner Holmes moved that the Board schedule May 9, 1994, at 11:00 a.m., as the date and time on which the Board will consider the appointment of an individual to replace the late Gus Murchison on the Board. Commissioner Holland seconded the motion.

The motion carried four (4) to zero (0).

MANAGER'S REPORTS

May 9, 1994 Budget Workshop

The Manager stated that the Budget Workshop scheduled for May 9, 1994, will begin at 9:00 a.m. with a presentation at Chatham Hospital. Those Commissioners who wished to travel together with the staff from Pittsboro to Siler City should meet in the Courthouse Annex parking lot at 8:30 a.m.

Triangle J Council of Governments

The Manager stated that Brad Barker, Director of Triangle J Council of Governments, is retiring, effective May 31. July 1 will be the report date for the new Director. He stated that an offer had been extended but not yet accepted for the position.

COMMISSIONERS' REPORTS

Smart Start

Commissioner Holland reported that the meeting of Smart Start at which Mr. Shepherd spoke was very productive.

Telephone Directory

Commissioner Holmes requested that the staff prepare a telephone listing of the main County Department telephone numbers for use by the Board.

Sources of Revenue

Commissioner Holmes asked that the Finance Officer prepare information on the County's sources of revenue for the years 1973, 1983 and 1993, broken into categories of personal property, business property, sales tax, revenue sharing, and intangibles tax.

Chairman Dunlap requested that the Board excuse him from the balance of the meeting in order that he might attend the funeral of one of his associates. Commissioner Holmes moved to excuse Chairman Dunlap from the balance of the meeting. Commissioner Hanner seconded the motion.

The motion carried four (4) to zero (0).

Commissioner Holland took the Chair.

Legislative Goals

The Manager stated that the Board would be meeting jointly with the County's Legislative Delegation in the near future, as requested by the Board. He noted that finding a date when all could be present has been difficult. He requested direction from the Board since Senator Lee and Senator Walker could not be in attendance on the date suggested earlier. The Board directed that the staff to determine a date when all, or most, of the Legislative Delegation and the Board could meet for breakfast or dinner.

The Manager noted that there were several items to be discussed with the Legislators, such as: (1) local bill prohibiting fishing and loitering from bridges and roadways; (2) authority to increase Goldston-Gulf Sanitary District; (3) intangibles tax; (4) Smart Start; and (5) room occupancy tax. He stated that there might be additional matters and requested input from the Board. Commissioner Holland stated that she would like to pursue impact fees and concern about laws regulating annexation crossing county lines.

LUNCH

The Chair recessed the meeting at 12:05 p.m. for lunch with the Extension Homemakers Association.

Department of Transportation

It was noted that the County Engineer with the Department of Transportation was not able to attend the meeting as scheduled.

US 15-501 Improvements

Commissioner Holmes noted that there will be a public information workshop meeting on May 26, 1994, at 4:00 p.m. at the Barn at Fearington to obtain public input into the US 15-501 proposed improvements. She noted that the Department of Transportation was conducting this public meeting and would hear from public officials from 3:30 p.m. to 4:00 p.m. Commissioner Holmes urged attendance.

EXECUTIVE SESSION TO DISCUSS PROPERTY ACQUISITION AND INDUSTRIAL LOCATION

Commissioner Holmes requested that she be excused from a portion of the Executive Session due to potential conflict of interest.

Commissioner Hanner moved to excuse Commissioner Holmes from a portion of the Executive Session due to potential conflict of interest. Commissioner Holland seconded the motion.

The motion carried three (3) to zero (0).

Commissioner Hanner moved that the Board go out of regular session and go into Executive Session for the purpose of discussing property acquisition and industrial location. Commissioner Holmes seconded the motion.

The motion carried three (3) to zero (0).

Commissioner Holmes moved to go out of executive session and return to regular session. Commissioner Hanner seconded the motion.

The motion carried three (3) to zero (0).

REGULAR SESSION

BOARD OF COMMISSIONERS MATTER

Proposed Development (Amberly) - Cary Annexation

The County Manager requested direction from the Board on when it would like to hold a community meeting in the area of the proposed Amberly development to gain public input into this matter. He noted that the Board had requested that the developer and Town of Cary officials be asked to attend. The Board recommended that New Hope Church be contacted to see if the Church facility could be used for this community meeting.

It was the general consensus of the Board that a community meeting should be scheduled at the earliest convenience of the Board, Town of Cary officials and the developer. It was noted that notice of the meeting would need to be published. The Board directed that the County Manager pursue scheduling this community meeting.

Commissioner Holland requested that a special joint meeting be scheduled with Town of Cary officials to talk about what input Chatham County would have in the matter of annexation.

Commissioner Holmes moved that the Manager set up a community meeting in the area of the proposed development, with the developers, Town of Cary officials, and residents of the area. Commissioner Hanner seconded the motion.

The motion carried three (3) to zero (0).

Commissioner Holmes moved that the Manager ask the Town of Cary official to meet with the Board to discuss future development of Cary toward and into Chatham County and possibilities for the Board's input. Commissioner Hanner seconded the motion.

The motion carried three (3) to zero (0).

The Chair announced that the Board would travel to the location of the proposed Amberly development and invited members of


the public and press to come with the Board in the van furnished by Council on Aging for this purpose.

The Board traveled to the site, discussed boundaries, locations of various components of the development, including residential, recreational, school, and business locations, and generally discussed the nature of the development and its potential impact on Chatham County.

The Board return to the parking lot of the Courthouse Annex.

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

The motion carried three (3) to zero (0) and the meeting was adjourned at 4:15 p.m.


Henry H. Dunlap, Jr., Chairman

ATTEST:


Sandra B. Cape, Clerk to the Board

