

**MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, JUNE 20, 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 7:00 p.m., on June 20, 1994.

ATTENDANCE

Present: Chairman Henry H. Dunlap, Jr.; Vice Chair Uva Holland; Commissioners Mary Hayes Holmes, Margaret Bryant Pollard, and E. T. 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 additions, deletions or corrections to the Agenda.

Commissioner Holland asked that the Board add consideration of a Resolution endorsing the formation of the Chatham County Partnership for Children.

Commissioner Holmes asked that the Board add consideration of an Economic Development Region as proposed by Triangle J Council of Governments.

Commissioner Holmes asked that the Board add further consideration of the Budget.

The Manager asked that the board add an Executive Session to discuss personnel be added.

Commissioner Hanner moved to approve the agenda as presented with the above requested additions. Commissioner Pollard seconded the motion. 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 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 the following Board Minutes:
 - a. Special Meeting/Budget Workshop, May 19, 1994;
 - b. Regular Meeting, June 6, 1994; and
 - c. Special Meeting/Budget Workshop, June 9, 1994

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

2. **Application for Funds from Land Records Management Grant Program:** Consideration of a request by the Tax Assessor to approve and authorize submission of an application to request \$20,000 in matching funds from the Land Records Management Grant Program

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

PLANNING AND ZONING

Plat Approvals:

Gwyn Preliminary and Final Plat Approval: Consideration of a request by Owen Gwyn for preliminary and final plat approval of "Survey for Evergreen United Methodist Church" for four lots on the west side of U.S. 15-501 in Baldwin Township

Commissioner Holmes moved that the Board approve preliminary and final plat approval of the "Survey for Evergreen United Methodist Church" for four lots on the west side of U.S. 15-501 in Baldwin Township with a note that access to lots number one (1) is restricted to the private easement. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

Wendy Hill Subdivision Final Plat Approval: Consideration of a request by Ballard Carolina Contractors, Inc. for final approval of Wendy Hill Subdivision, consisting of 32 lots located off S.R. 1739 in Williams township

Planning Director Keith Megginson presented this information and noted that the developer plans to pave the roads; the road from the State road to the intersection of Wood Lake Drive is required to be designed and constructed to State standards because it will serve more than five lots; DOT has reviewed that portion of the road; other roads are not required to be designed to State standards; and a cash deposit was made by the developer as financial guarantee. County Attorney Robert L. Gunn stated that the financial guarantee is appropriate as made.

Commissioner Holmes moved that the Board grant final approval of Wendy Hill Subdivision with the following conditions: (1) Acceptance of the financial guarantee; (2) A sight triangle is to be added to the intersection of the private road with S.R. 1739 on the original map; (3) A note that discloses road maintenance responsibility on the original map; and Notes on the map and individual unapproved lots that states the lots' status as being unapproved, not meeting the requirements of the subdivision regulations and not approved as a separate building lots. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

Zoning and Ordinance Amendments:

Matthews Conditional Use Request: Consideration of a request by Bud Matthews for a conditional use light industrial district and a conditional use permit for a sheet metal shop on 2.06 acres east of U.S. 15-501 and north of Cole Park Plaza

The Planning Director presented information on this request and stated the following: this item has come before the Board previously; approval was denied because of condition of the gravel road; the previously proposed business would have included walk-in customers; this request is for a business which would have be open to the public; Mr. Matthews will improve the gravel road to State standards except for paving; and Planning Department and Planning Board both recommend granting approval, with conditions as listed in the agenda abstract, after the five findings of fact are made, as required by County Ordinance.

Commissioner Pollard moved that the Board make the five findings of fact as required by the Zoning Ordinance and approve the request by Bud Matthews for a conditional use light industrial district and a conditional use permit for a sheet metal shop on 2.06 acres east of U.S. 15-501 and north of Cole Park Plaza with the following conditions: (1) Buildings, parking areas and the entrance drive from the proposed public road to the building be

located outside the water hazard setback area; (2) The proposed public road be designed and constructed to the department of Transportation (DOT) standards (with the exception of paving) from the end of the existing pavement to the driveway access to the property; and (3) the construction of the public road specified in item 2 shall occur prior to final building permit approval. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

Hardin Conditional Use Request: Consideration of a request by Mary Hardin for a conditional use permit for four residential units in the Cole Place planned Unit development to be used for after-school programs with 20 children each

The Planning Director presented information on this request and stated the following: This matter has come before the Board previously with a request for eight day care residential units; proposal was for day care to be downstairs while living upstairs in the already constructed dwelling; the Board granted four units with consideration to be given of the additional four units after six months; Ms. Hardin requested that it not be considered at that time; Ms. Hardin has now asked that consideration be given to after-school programs rather than day care programs; after-school programs are not restricted by State regulations because it involves caring for children less than four hours per day; there appears to be a real need for this type program; question before the Board is whether to act on this request now or must this request go back through the full procedure since it was not acted upon within the six month of the time of original request and is a different use than originally requested; and the Planning Department recommended that the request be required to be resubmitted as a new request prior to Board action.

Commissioner Holmes moved that the Board require that the request made by Mary Hardin for a conditional use be resubmitted as a new request prior to Board action. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

Miscellaneous Planning and Zoning:

Extension for Governors Club: Consideration of a request by Governors Club for an extension of time for completion of improvements in Phases Eight and Nine

The Planning Director presented information on this request and stated the following: a letter was received by the Planning Department from Governors Club Executive Vice President William J. Brinn, Jr., requesting an extension of the two-year time period within which to complete the required improvements; the request is for an additional one (1) year period of time; a financial guarantee is in effect for Governors Club; and the Planning Board and Planning Department recommend approval of the extension as requested.

Commissioner Holmes moved that the Board grant an extension of the completion date for the required improvements for an additional twelve (12) months to Governors Club, Phases Eight and Nine. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Planning Board Appointments: Consideration of three appointments to the Planning Board and proposed amendment to "An Ordinance to Establish a Planning Board for Chatham County"

The Planning Director presented this item and stated the following: there are three members whose terms will expire July 1,

1994 (Jim Diggs, Tom Wagner and Ray Greenlaw); the Ordinance establishing a Planning Board prohibits a person from serving more than two consecutive three year terms until after a one year waiting period; each of the three of the above-listed persons have served two terms; and the Board has three option (appoint a citizen to fill the upcoming vacancy; proceed to amend "An Ordinance to Establish a Planning Board for Chatham County" to allow members to serve more than two consecutive terms; or delay making new appointments and allow existing members to continue to serve until new appointments are made).

Commissioner Pollard asked that the Board delay making a new appointment to fill the position of Jim Diggs and allow Mr. Diggs to continue to serve until such time as the Commissioner elected to serve in the position currently held by her has an opportunity to appoint.

Commissioner Holmes moved to appoint John Graybeal to serve as a member of the Planning Board for a term of three (3) years commencing July 1, 1994 and expiring June 30, 1997. The Board voted five (5) to zero (0) in favor of this appointment.

Chairman Dunlap stated that he wished reappoint Tom Wagner and requested that the Board delay making a new appointment to fill this position until such time as the existing Ordinance has been amended to allow for additional terms.

Commissioner Holmes asked that a Resolution of Appreciation be prepared for presentation at the next regular meeting to Ray Greenlaw for his dedicated service to the Planning Board.

Community Based Alternatives Expansion Funds: Consideration of a request by the Community Based Alternatives (CBA) Youth Services Advisory Committee to allocate \$30,990 received as expansion funds

CBA Secretary George Greger-Holt presented information on this request and stated the following: during its special crime session, the North Carolina General Assembly allocated an additional \$30,990 in expansion funds to Chatham County; proposals were submitted for these additional funds; and the CBA recommends a distribution of the funds as set out in the agenda abstract.

Commissioner Holmes moved that the Board adopt the recommendations of the Community Based Alternatives Youth Services Advisory Committee to allocate \$30,990 in expansion funds as follows: \$4,809 to Chatham County Together; \$7,180 to the Conflict Manager's Program through Dispute Settlement; and \$19,001 to JOCCA's At-Risk Youth Employment and Training Program. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

Animal Control Advisory Board Appointment Term Correction: Consideration of a request from the Health Director to correct the term expiration date of Robert Burns, who serves on the Chatham County Animal Control Advisory Board, from June 30, 1995 to June 30, 1997

Commissioner Hanner moved that the Board approve correction of Robert Burns' term on the Animal Control Advisory Board from June 30, 1995 to June 30, 1997. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

Board of Health Appointments: Consideration of three appointments to the Chatham County Board of Health

Commissioner Holmes moved that the Board re-appoint Shirley Jenkins, nurse, Rouse Wilson, dentist, and Susan Watson,

pharmacist, to serve on the Chatham County Board of Health, representing the statutory-appointed professions, for a term from July 1, 1994 through June 30, 1997. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS MATTERS

MAPS Reclassifications: Consideration of a request from the county Manager to adopt the salary upgrades and reclassifications recommended by Management and Personnel Services (MAPS)

Assistant to the County Manager Renee Dickson presented this request and stated the following: As part of the F.Y. 1993-94 budget, several departments requested that positions be studied by MAPS for possible reclassification and/or salary upgrades; MAPS has completed the study; MAPS recommendations are outlined in the agenda abstract; budgetary impact is roughly \$3,255 if all recommendations are approved; and the Manager is recommending approval of MAPS recommendations.

The Board requested that this matter be discussed in Executive Session and delayed this matter until the Executive Session of the current meeting.

Year-End Budget Amendments: Consideration of a request by the Finance Officer for approval of Budget Amendments 44-73 and Project Ordinances for the Siler City Health Department, addition to the Social Services Building, and the renovation of the Health and Office Facility in Pittsboro.

Commissioner Pollard moved that the Board approve Budget Amendments 44-73, 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).

Commissioner Hanner moved that the Board approved the following project ordinances: "A Project Ordinance Concerning the Renovation of the Health and Office Facility, Pittsboro, North Carolina;" "A Project Ordinance Concerning the Construction of a Health Department Facility;" and "A Project Ordinance Concerning the Construction of an Addition to the DSS Building." Copies of these project ordinances are attached hereto and by reference made a part hereof. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

MANAGER'S REPORTS

Criminal Justice Partnership: The Manager reported that a meeting was scheduled for Orange County officials, the OPC Director, the District Attorney, and Chatham County officials to meet on June 27.

Amberly Development/Cary Annexation: The Manager stated that a meeting was scheduled with Town of Cary officials for June 30. He also noted that no date had been determined as yet for a community meeting with the developer.

BOARD OF COMMISSIONERS MATTERS (Continued)

Chatham County Partnership for Children: Commissioner Holland read the Resolution to Endorse the Formation of the Initial Board Members for the Chatham County Partnership for Children."

Commissioner Holland moved that the Board adopt the Resolution to Endorse the Formation of the Initial Board Members for the Chatham County Partnership for Children, a copy of which is attached hereto, marked Res. #94-21, and by reference made a part

hereof. Commissioner Holmes seconded the motion. The motion carried five (5) to zero (0).

Triangle J Council of Governments/Department of Commerce Regions for Economic Development: Commissioner Holmes stated that the Department of Commerce has proposed development of regions for the purpose of working together for economic development.

Commissioner Holmes moved that the Manager prepare a letter to Chatham County's House and Senate Members showing concern about this proposal. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

EXECUTIVE SESSION

Commissioner Holmes moved that the Board go out of regular session and into executive session for the purpose of discussing personnel. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

Commissioner Holmes moved that the Board go out of executive session and return to regular session. Commissioner Hanner seconded the motion. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS MATTERS (Continued)

MAPS Reclassifications and Salary Upgrades

Commissioner Holmes moved that the Board approve the MAPS recommendations to become effective with the first pay period in July 1994 as follows:

- * Accounting Specialist position in Council on Aging be placed at salary grade 14 (upgraded from grade 13)
- * EMS Manager position be placed at salary grade 16 (upgraded from grade 15)
- * Public Works Director position be placed at salary grade 27 (upgraded from grade 25)
- * Administrative Support Specialist II position in Public Works be reclassified to an Administrative Support Specialist III and placed at salary grade 9 (upgraded from grade 7)
- * Recreation Specialist position be placed at salary grade 13 (upgraded from grade 12)
- * Tax Collector position is properly assigned to grade 18 (no change recommended)
- * Deputy Tax Collector position is properly assigned to grade 9 (no change recommended)
- * Tax Clerk position is properly assigned to grade 7 (no change recommended)

Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

F.Y. 1994-95 BUDGET

Commissioner Holmes moved that Board approve the following salaries: Register of Deeds at \$37,500; Sheriff at \$45,000; and the Manager at \$62,000. Commissioner Hanner seconded the motion. The motion carried five (5) to zero (0).

Commissioner Holmes recommended the following:

1. **Tax Rate:** The tax rate be raised by three cents (\$0.03/\$100);
2. **Schools:** Allot an additional \$100,000 over Manager's recommendation to the School Board (\$40,000 for teacher supplements and \$60,000 for non-certified personnel and current expenses);
3. **Revenue:** For additional revenue, raise ASCS office rent to \$8,000;

Hospital: Commissioner Pollard moved that the Board approve a one-time funding for the Hospital in the amount of \$150,000, contingent upon the following: said \$150,000 shall be used specifically for improvements to and equipment for the Hospital Emergency Room; said funding shall be disbursed upon receipt from the Hospital of specified expenditure on a reimbursement basis in coordination with the reimbursements by the Town of Siler City, and upon consummation of contract for University of North Carolina Hospitals as outlined by the Hospital's presentation to the Board. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

The Board discussed and made the following recommendations:

4. **Board of Elections:** Deny Board of Elections software per Manager's recommendations; approve full-time position;
5. **Sheriff's Department:** Approve Sheriff's request for two deputies and records clerk as recommended by the Manager; and that the Sheriff be encouraged to place more officer coverage in North Chatham County; deny funding for additional DARE position until after results report in four or five years;
6. **Soil & Water Conservation:** Deny additional position in Soil & Water Conservation;
7. **Health Department:** Approve Health Department as recommended by Manager;
8. **Emergency Operations:** Approve Emergency Operations as recommended by Manager;
9. **Mental Health:** After discussion on concerns regarding the need for an out-reach person specifically for Chatham County, the recommendation was made to add \$20,000 over and above Manager's recommendation as a separate line item, not specified for OPC or any specific mental health program, for the purpose of having an out-reach person to work with people in the community with mental problems and attempt to obtain additional State funding for such a position, contingent upon a program being designed specifically for Chatham County;
10. **Grants:** Approve \$15,000 in the County Manager's budget to be used for the purpose of researching and preparing grant applications for which the County may qualify;

Solid Waste Revenues: Commissioner Holmes moved to reduce Collection Fee from \$50 to \$45 for a total Solid Waste Fee of \$75 - - not \$80 as recommended by Manager, and to pursue collection of penalties and fines for violations. Commissioner Hanner seconded the motion. The motion carried five (5) to zero (0).

Sales Tax: Commissioner Holmes moved that the one cent (\$0.01) sales tax be shown as a General Fund Revenue, and that it be shown as a General Fund transfer to the Water Capital Reserve and Solid Waste Fund. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

Sales Tax: Commissioner Holmes moved that the additional 10% in sales tax (beyond the 30% that the State requires) allocated to the schools be shown as a General Fund Revenue and a transfer to the School Capital Reserve to show what is given to the schools. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

Tax Rate: Commissioner Holmes moved that the Board set the tax rate at seventy-four cents (\$0.74) per \$100. Commissioner Hanner seconded the motion. The motion carried five (5) to zero (0).


Adoption of F.Y. 1994-95 Chatham County Budget: Commissioner Holmes moved that the Board adopt the F.Y. 1994-95 Chatham County Budget as recommended with the above set forth changes and recommendations. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS MATTER

Personnel: Commissioner Pollard moved that the Board set Tuesday, July 5, 1994, at 2:00 p.m., for the purpose of holding an Executive Session to discuss personnel. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:40 p.m.



Henry H. Dunlap, Jr., Chairman

ATTEST:



Clerk to the Board