

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, JULY 5, 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 July 5, 1994.

ATTENDANCE

Present: Chairman Henry H. Dunlap, Jr.; Vice Chair Uva Holland; Commissioner Margaret Bryant Pollard; Commissioner E. T. Hanner; County Manager Ben Shivar; County Attorney Robert L. Gunn; and Clerk to the Board Sandra B. Lee

Note: Commissioner Holmes was not present for the first forty-five minutes of the meeting. However, she joined the meeting at 10:45 a.m.

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

AGENDA

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

The Manager asked that the Board add to the agenda consideration of the fire service contract as Item #29.

Commissioner Hanner moved to approve the agenda as presented with the above requested addition. Commissioner Holland seconded the motion.

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

APPOINTMENT OF CLERK TO THE BOARD

Chairman Dunlap asked for a motion to appoint the new Clerk to the Board. Commissioner Holland moved to appoint Sandra B. Lee as Clerk to the Board of Commissioners. Commissioner Hanner seconded the motion.

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

Ms. Lee was sworn in by Ann G. Mason, Assistant Clerk of Court. A copy of the oath is attached hereto and by reference made a part of the minutes. Ms. Lee was welcomed as the Clerk by the Chairman.

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 read by the Clerk with the above requested addition. 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 minutes of the Regular Meeting, June 27, 1994

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

2. **Solid Waste Disposal Fees Paid in Error:** Consideration of a request by the Tax Assessor to refund solid waste disposal fees paid in error

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

3. **Solid Waste Disposal Fees Releases:** Consideration of a request by the Tax Assessor to authorize releases of solid waste disposal fees. A copy of the release is attached hereto and by reference made a part of the minutes

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

4. **Tax Releases:** Consideration of a request by the Tax Assessor to approve tax releases. A copy of the release is attached hereto and by reference made a part of the minutes.

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

5. **Out-Of-State Travel:** Consideration of a request by the Sheriff's Department for the DARE Officer to attend the National DARE Officers' Conference in Orlando, Florida

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

6. **Set Date for Public Hearing:** Consideration of a request by the Tax Assessor to set July 18, 1994 as the date for a public hearing on the "Schedules, Standards, and Rules" for the 1995 Revaluation

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

7. **NCACC Annual Conference Delegation:** Consideration of a request to designate Vice Chair Uva Holland as the voting delegate for the NCACC Annual Conference

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

8. **PIC Resolution #94-22:** Consideration of approval of a resolution to join in a consortium with other counties as designated service delivery area. A copy of the resolution is attached hereto and by reference made a part hereof.

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

PRESENTATIONS

Resolution #94-23 Honoring Ray Greenlaw

Ben Shivar, County Manager, read a resolution of appreciation for the service of Ray Greenlaw who began service on the Chatham County Planning Board on July 1, 1988 as an appointee of Chatham County Commissioner Holmes.

The resolution was signed by the Board of Commissioners. A copy of the Resolution is attached hereto and by reference made a part hereof.

Commissioner Pollard moved to adopt the Resolution, seconded by Commissioner Hanner.

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

Industrial Development Resolution: Dr. Tom Wagner read a Resolution adopted at the Spring Convention of the Democratic Party dealing with industrial development.

PLANNING

Public Hearing

CDBG Amendment: Keith Megginson, Planning Director, proposed an amendment to the Greenhill Community Development Block Grant and action to approve amendment to send to the Division of Community Assistance.

Kenneth Brooks, spoke in favor of the proposal and presented plans and cost estimates for renovations to his mother's house.

S. J. Farrar, building contractor, stated that he had prepared the estimate for Exie Brooks' house and commented on that estimate.

Quinton Baker, employee of JOCCA, urged the Board to proceed with priorities as set in a previous meeting.

Christine Brooks, asked a question regarding the length of time before amendment work begins.

Commissioner Holland moved that the amendment to the DCA be submitted with revisions as described. Commissioner Holmes seconded the motion.

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

EMERGENCY OPERATIONS

Public Hearing

STAR Team (Special Tactics and Response Team) Presentation: The Manager advised the public of the current manner in which the STAR Team is organized and operated which creates at least two problems: liability exposure and duplication of service for the County.

The Manager suggested that the County contract for these services. To do otherwise would leave the County with unacceptable liability exposure. However, the Manager felt that there is some range of alternatives the Board could consider within this option.

The STAR Team should not be allowed to use any County assets, including the Haz-Mat truck, until there is a resolution of the STAR Team organizational status. The telecommunicators should also be instructed not to refer calls to the STAR Team. The Manager suggested that the Board direct him to investigate all alternatives for contracting and to provide a report and recommendation to the Board at the August 15, 1994 meeting.

Danny Wimberly, 3956 Corinth Road, Moncure, NC, Chairman of the STAR Team Steering Committee, spoke in favor of the STAR Team.

Fred Judge, Route 3, Box 38, Pittsboro, NC, member of the volunteer fire service for twenty years and Chairman of the Chatham County Local Emergency Planning Committee, spoke about his concern regarding the development of the multi-hazard plan and the hazardous materials response.

Mark Scott, 4124 McLaurin Road, Bear Creek, NC, expressed concern regarding the controversy of the STAR Team and insurance coverage issues. He spoke on the STAR Team Haz-Mat response.

Cloyce Anders, 1015 Wade Avenue, Raleigh, NC, President of VFIS of North Carolina, spoke on insurance coverage for Chatham County and the County's liability regarding the fire departments' STAR Team's involvement with hazardous materials.

Martyne Self, Route 3, Box 265, Pittsboro, NC, STAR Team co-captain and member of the Silk Hope Fire Department, spoke on Chatham County Firemen's response to hazardous materials situation.

Scot Brooks, PO Box 542, Siler City, NC, Chief of the Chatham County Rescue Squad in Siler City, spoke on behalf of the Chatham County Rescue Squad.

David Reeves, PO Box 542, Siler City, NC, member of the Chatham County Rescue Squad, spoke on behalf of the Board of Directors regarding the future of Chatham County Emergency Services.

Commissioner Holmes moved to establish a committee consisting of the Manager, County Attorney, the Sheriff, the Fire Marshall, one member of the Firemen's Association, one Commissioner, a member from LEPC, a member of the Rescue Squad, and a member of the STAR Team Steering Committee to discuss possible solutions to the problems. Commissioner Holland seconded the motion.

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

Pyrotechnics Resolution: Consideration of a request by Rob Pearce for Board permission to conduct a pyrotechnics (fireworks) display on July 9, 1994.

Commissioner Holmes moved that the Board adopt Resolution #94-24, entitled "Resolution Authorizing Issuance Of A Permit For A Fireworks Display Upon Conditions". Commissioner Holland seconded the motion.

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

RECREATION

Earl Thompson Park Recommendation: Consideration of a request by Tracy Burnett, Recreation Specialist, for implementation of recommendations developed by the Recreation Advisory Board and the Bynum Community

Commissioner Holmes moved that the Board approve the request by Tracy Burnett, Recreation Specialist, for implementation of recommendations developed by the Recreation Advisory Board and the Bynum Community. Commissioner Holland seconded the motion.

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

LUNCH RECESS

The Chair recessed the meeting at 1:15 p.m.

The Chair reconvened the meeting at 2:07 p.m.

BOARDS AND COMMITTEES

Humane Society: The Board heard a presentation by Barbara Long, a member of the Board of Directors of the Chatham Humane Society, regarding issues that are of direct concern to the Chatham County Board of Health

Commissioner Holmes moved that this matter be referred to the Board of Health for review. Commissioner Pollard seconded the motion.

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

BOARD OF COMMISSIONERS MATTERS

Bloodborne Pathogens Training Contract: Consideration of an approval of the Contract for Consulting Services between Donna Smith Johnson and Chatham County'

Commissioner Pollard expressed concern regarding the \$10 per hour rate increase in Ms. Johnson's rate.

Commissioner Holmes moved that the approval be tabled until further research can be done regarding fees. Commissioner Pollard seconded the motion.

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

Cable Rates: Consideration of approval of the order establishing the rates of Crown Cable for basic cable service and equipment and installation charges.

Commissioner Pollard moved to adopt the order approving Crown Cable's rates for basic cable service, installation, and equipment. Commissioner Holmes seconded the motion.

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

Cable Rates: Consideration of approval of the order establishing the rates of Time Warner Cable for basic cable service, installation, and equipment.

Commissioner Pollard moved to adopt the order approving Time Warner Cable Television rates. Commissioner Hanner seconded the motion.

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

EXECUTIVE SESSION

Personnel Matter: Attorney David Rooks, III, representing the person who was the object of the personnel matter, requested on his client's behalf to have the matter discussed in open meeting. Consideration was given by Board members and the County Attorney to holding an open session at the next Board meeting on July 18, 1994.

Commissioner Holmes moved to have the personnel matter discussed in open session. Commissioner Pollard seconded the motion.

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

Note: Chairman Dunlap asked to be excused from the balance of the meeting.

Commissioner Holland seconded the motion.

The motion was carried five (5) to zero (0) and Chairman Dunlap left the meeting. Vice Chair Holland assumed the position as Acting Chair.

BOARD OF EQUALIZATION AND REVIEW

The Board of Commissioners recessed to convene as the Board of Equalization and Review.

The Board of Equalization and Review recessed and reconvened as the Board of Commissioners.

BOARD OF COMMISSIONER'S MATTERS (cont.)

Child Protective Services Contract: Consideration of a contract between the Chatham County Commissioners and the Chatham County Department of Social Services and Lunday A. Riggsbee, Attorney, for Child Protective Services Program

Commissioner Pollard moved to approve the Legal Services Contract for the Department of Social Services, a copy of which is attached hereto and by reference made a part hereof. Commissioner Hanner seconded the motion.

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

Child Support Services Contract: Consideration of a contract between the Chatham County Commissioners and the Chatham County Department of Social Services and Robert L. Gunn, Attorney, for Child Protective Services Program whereas Lunday A. Riggsbee, Attorney has a conflict or for other reasons is unable to represent the Department

Commissioner Pollard moved to approve the Legal Services Contract for the Department of Social Services, a copy of which is attached hereto and by reference made a part hereof. Commissioner Hanner seconded the motion.

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

Budget Amendments: Consideration of a request by the Finance Officer to amend the F. Y. 1994-95 Budget to correct clerical errors and establish the tax rate for the West Sanford Fire District

Commissioner Pollard moved to approve the Budget Amendment 1 and Budget Amendment 2 for F. Y. 1994-95, a copy of which is attached hereto and by reference made a part hereof. Commissioner Holmes seconded the motion.

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

MANAGER'S REPORTS:

The Manager informed the Commissioners of the meeting he and Commissioner Holland had with Orange County on the Criminal Justice Partnership Act. He stressed the need for both counties to co-operate and hire a consultant to help develop a plan for which we can apply for grant money. This would be possible from monies already appropriated through the State. He stated that the Sheriff talked about aspects of criminal justice which need addressing. A follow-up meeting will be held in July or August.

The Manager stated that he and Commissioner Holland also attended a meeting with the Town of Cary. He noted that the Town of Cary's annexation policy is that it will respond to a property owner who requests annexation and meets its criteria. Cary officials feel that once development begins on this side of Cary, it is probably going to begin rapidly in Chatham County.

Impact Fees: Commissioner Pollard asked what the County's position was on Impact Fees and the amount which could be charged. She moved that the staff be instructed to develop some proposed Impact Fee schedules for the Board's consideration at the first meeting in August. The motion was seconded by Commissioner Hanner.

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

Avron Upchurch Appreciation Letter: Commissioner Holmes moved that a letter be written to the family of Avron Upchurch, recognizing his work, interest in regionalism, his concern regarding water-shed protection, and his relationship with Chatham County through the Triangle J Council on Government. Commissioner Holland also suggested that such a letter be sent to the editor of the News and Observer. The motion was seconded by Commissioner Pollard.

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

BOARDS AND COMMITTEES

Water Board Appointments: Consideration of two appointments to the Water Committee

Commissioner Pollard stated that the Steering Committee of the Democratic Party will make a nomination regarding whom will run for this particular seat soon. She felt that it would be beneficial to wait until that decision is made before an appointment is made. She stated that she will make a recommendation at that time.

Environmental Affairs Committee: Commissioner Holmes moved that Ben Shivar, County Manager, and Keith Megginson, Planning Director, be instructed to bring the Board a report the first meeting in September, regarding the feasibility of an Environmental Affairs Committee. Commissioner Hanner seconded the motion.

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

EXECUTIVE SESSION

Commissioner Holmes moved that the Board go out of Regular Session and go into Executive Session.

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

REGULAR SESSION

Commissioner Holmes moved that the Board go out of Executive Session and return to Regular Session. Commissioner Hanner seconded the motion.

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

BOARD OF COMMISSIONER'S MATTERS (cont.)

1995 Revaluation Schedules, Standards, and Rules: Presentation of "Schedules, Standards, and Rules" by the Jim Spell, County Tax Assessor

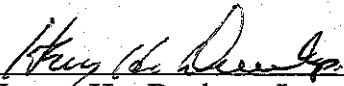
County Tax Assessor, Jim Spell presented the "Schedules, Standards, and Rules" on which the 1995 Revaluation will be based.


ADJOURNMENT

Commissioner Holmes moved that the Board adjourn the meeting. Commissioner Pollard seconded the motion.

The motion carried four (4) to zero (0), and the meeting was adjourned at 5:30 p.m.

ATTEST:


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


Sandra B. Lee, Clerk to the Board