

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**JUNE 15, 2009**

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The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in the District Courtroom, 12 East Street, located in Pittsboro, North Carolina, at 6:00 PM on June 15, 2009.

Present: Chairman George Lucier, Vice Chair Sally Kost, Commissioner Mike Cross, Commissioner Carl Thompson, and Commissioner Tom Vanderbeck

Staff Members Present: County Manager Charlie Horne, County Attorney Jep Rose, Assistant County Manager Renee Paschal, Finance Officer Vicki McConnell, and Clerk to the Board Sandra B. Sublett

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Commissioner Thompson delivered the invocation after which Chairman Lucier invited everyone present to stand and recite the Pledge of Allegiance.

**ZONING BOARD OF ADJUSTMENT**

The Chairman informed those in attendance that the Chatham County Zoning Board of Adjustment would reconvene after Item #19, Request for Extension of Development Schedule for "The Bluffs Subdivision".

**CALL TO ORDER**

The meeting was called to order by the Chairman at 6:04 PM.

**APPROVAL OF AGENDA and CONSENT AGENDA**

Commissioner Carl Thompson moved, seconded by Commissioner Tom Vanderbeck, to approve the Agenda and Consent Agenda as follows:

1. **Minutes:** Approval of Board Minutes for Regular Meeting held June 01, 2009, Work Session held June 01, 2009, and Budget Public Hearing held May 21, 2009

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

2. **Tax Releases and Refunds:** Approval of tax releases and refunds, attached hereto and by reference made a part hereof.

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

3. **Fiscal Year 2008-2009 Budget Amendments:** Approval of a request to approve Fiscal Year 2008-2009 Budget Amendments, attached hereto and by reference made a part hereof.

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

4. **Proposed Project Ordinances:** Approval of a request to approve Proposed Project Ordinances: Northeast High School Project Ordinance and Northeast District Park Project Ordinance

The motion carried five (5) to zero (0). The Northeast High School Project Ordinance and Northeast District Park Project Ordinance are attached hereto and by reference made a part hereof.

5. **Annual Capital Projects Report:** Approval of the Annual Capital Projects Report

The motion carried five (5) to zero (0). The report is attached hereto and by reference made a part hereof.

6. **Funds Reallocation Between Capital Outlay Projects:** Approval of a request to reallocate funds between capital outlay project

The motion carried five (5) to zero (0). The letters are attached hereto and by reference made a part hereof.

7. **Reappointment of Tax Collector:** Approval of a request to reappoint Frances L. Wilson as the Chatham County Tax Collector

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

8. **Board of Health Reappointments:** Approval of a request to reappoint Dr. James Kurz, Dr. Timothy Scheetz, Dr. Van S. Romine, Jane Miller, RPh and Linda Brewer Ellington, RN to the Chatham County Board of Health, effective July 01, 2009

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

9. **Grant Application for Edward Bryne Memorial Justice Assistance Grant Local Solicitation:** Approval of a grant application for the Edward Byrne Memorial Justice Assistance Grant Local Solicitation in the amount of \$10,874.00 to provide cameras for two patrol cars which cover a substantial number of DUI or drug arrests

The motion carried five (5) to zero (0). The grant application is attached hereto and by reference made a part hereof.

10. **Grant Application for Rural Center Building Reuse and Restoration Grant:** Approval of a grant application for Rural Center Building Reuse and Restoration Grant - for Mann's Chapel Farm-to-Table Café and Faircloth Farm in the amount of \$245,000.00

The motion carried five (5) to zero (0). The grant application is attached hereto and by reference made a part hereof.

11. **Grant Application for Rural Center Building Economic Infrastructure Grant:** Approval of a grant application for Rural Center Building Reuse and Restoration Grant - for Mann's Chapel Farm-to-Table Café and Faircloth Farm in the amount of \$150,500.00

The motion carried five (5) to zero (0). The grant application is attached hereto and by reference made a part hereof.

12. **Approval to Grant Authority to Surplus Property, Electronic Sale, and Authorize Use of Electronic Advertisement:** Approval of a request to:

A. Increase the authorized property disposal threshold up to the North Carolina Statute level under North Carolina General Statute 160-266(c)

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

B. Authorize the County to utilize electronic auction either through public or private established on-line services under North Carolina General Statute 160a-270(c)

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

- C. Authorize the use of electronic advertisement solely, newspaper ads, or both

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

- D. Adoption of **Resolution #2009-49 Authorizing Sale of Surplus Property by Electronic Service, Authorizing Electronic Advertisement as an Option and Increase the Dollar Threshold the County Manager May Declare Personal Property as Surplus**

The motion carried five (5) to zero (0). The resolution is attached hereto and by reference made a part hereof.

**END OF CONSENT AGENDA**

**PUBLIC INPUT SESSION**

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

**BOARD OF COMMISSIONERS' MATTERS**

**Adoption of FY 2009-2010 Budget Ordinance:** Approval of FY 2009-2010 Budget Ordinance

Assistant County Manager, Renee paschal, gave a brief overview of the budget changes to the General Fund, West Sanford Fire District, Water Fund, Waste Management Fund, and Special Revenue Funds, etc. Chairman George Lucier expressed appreciation for Ms. Paschal's work, and that of the Commissioners, on the budget under difficult economic circumstances.

Vice Chair Sally Kost moved, seconded by Commissioner Tom Vanderbeck, to adopt the FY 2009-2010 Budget Ordinance.

The motion carried four (4) to one (1). Commissioner Mike Cross opposed.

**Chatham County/Central Carolina Community College Joint Use Library and Siler City Central Carolina Community College Campus:** Adoption of Resolution Approving a Contract, Deed of Trust, Lease Agreement, and Agency Agreement Relating to the Borrowing of Funds for the Construction of the Central Carolina Community College (CCCC) Environmental Resources Building, the Chatham County/CCCC Joint Use Library and the Siler City CCCC Campus

- A. Resolution Approving a Contract, Deed of Trust, Lease Agreement, and Agency Agreement
- B. Deed of Trust
- C. Installment Financing Contract
- D. Lease Agreement
- E. Agency Agreement

Commissioner Carl Thompson moved, seconded by Commissioner Mike Cross, to adopt **Resolution #2009-50 Approving a Contract, a Deed of Trust, a Lease Agreement, and An Agency Agreement With Respect Thereto and Delivery Thereof and Providing for Certain Other Related Matters**

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

**Preliminary Plat Approval for "Briar Chapel Subdivision":** Approval of a request by Keith Hurand, Sr., Vice President, on behalf of NNP Briar Chapel, LLC, for subdivision preliminary plat approval of "Briar Chapel, Phase 5, South A", consisting of 28 lots on 9.86 acres, located off US #15-501 North Briar Chapel Parkway, Baldwin Township

Jason Sullivan, Assistant Planning Director, explained the specifics of the request.

Grey Styers, attorney, spoke regarding the request.

Commissioner Tom Vanderbeck moved, seconded by Commissioner Carl Thompson, to approve, as per the Planning Board and Planning Department (by unanimous vote), road names "Serenity Hill Circle" and "Hill Creek Boulevard" and subdivision preliminary plat approval of "Briar Chapel, Phase 5, South A", with the following condition:

1. The final plat shall state that no affordable lots are located within Phase 5, South A.

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

**Request for Extension of Development Schedule for "Laurel Ridge Subdivision":**

Consideration of a request by Nicolas P. Robinson, Attorney-at-Law for a three (3) year extension of the development schedule for Phase 1B of the Laurel Ridge Subdivision extending the final plat deadline from December 31, 2009 to December 31, 2012

**Request for Extension of Development Schedule for "The Bluffs Subdivision":**

Consideration of a request by Nicolas P. Robinson, Attorney-at-Law for a three (3) year extension of the development schedule for Phase 1B of The Bluffs Subdivision extending the final plat deadline from December 31, 2009 to December 31, 2012

**Request for Extension of Development Schedule for "The Bluffs Subdivision":**

Consideration of a request by Nicolas P. Robinson, Attorney-at-Law, for a three (3) year extension of the development schedule for Phase 2A of The Bluffs Subdivision extending the final plat deadline from December 31, 2010 to December 31, 2013

Jason Sullivan, Assistant Planning Director, explained the specifics of the Laurel Ridge Subdivision and The Bluffs extension requests.

Nick Robinson, attorney, spoke regarding the extension requests.

Alice Yeaman, 232 Rock Rest Road, Pittsboro, NC, spoke regarding the request.

Tom Marriott, 663 Rock Rest Road, Pittsboro, NC asked questions of the developer.

Jerry Markatos, 800 Rock Rest Road, Pittsboro, NC, spoke regarding the request.

Commissioner Tom Vanderbeck moved, seconded by Commissioner Carl Thompson, to deny the request for the three-year extension of the development schedule for Phase 1B of the Laurel Ridge Subdivision extending the final plat deadline, to deny the three-year extension of the development schedule for Phase 1B of The Bluffs Subdivision extending the final plat deadline, and to deny the three-year extension of the development schedule for Phase 2A of The Bluffs Subdivision extending the final plat deadline.

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

**MANAGER'S REPORTS**

The County Manager had no reports.

**COMMISSIONER'S REPORTS**

**Senate Bill 239:**

Commissioner Tom Vanderbeck spoke regarding proposed legislation, Senate Bill 239, regarding Jordan Lake Nutrient Rules.

Commissioner Carl Thompson moved, seconded by Commissioner Tom Vanderbeck, to send a letter to the County Legislators, Senators, North Carolina Department of Transportation, and the Governor of North Carolina recommending approval of Senate Bill 239 regarding the

Jordan Lake Nutrient Rules, acceptable to stakeholders, encouraging them to protect and model accountability and responsibility in moving on this bill before them.

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

**House Bill 852:**

Commissioner Tom Vanderbeck spoke regarding House Bill 852 which refers to subsidizing business by deferring taxes by builders.

**Joint Meeting with Town of Cary:**

Vice Chair Sally Kost informed the Board of the joint meeting with the Town of Cary to be held on June 16, 2009 at the Cary Fire Station at 9:00 AM. Future meetings will be held in Chatham County.

**Congratulations to Phil Dark:**

Commissioner Tom Vanderbeck congratulated Phil Dark regarding his hybrid gardenia stating that he was locally and nationally known.

**ADJOURNMENT**

Commissioner Mike Cross moved, seconded by Commissioner Tom Vanderbeck, to adjourn as the Board of Commissioners and convene as the Chatham County Southeast Water District Board.

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

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George Lucier, Chairman

ATTEST:

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