

Special Meeting
Board of Aldermen--Chapel Hill, N. C.
February 19, 1951

A special meeting of the Board of Aldermen was held in the Town Hall on February 19, 1951 at 8:00 P.M.

In the absence of the Mayor, the Mayor Pro-Tem, R. J. M. Hobbs, presided.

Mr. Rose presented a proposed bill for introduction in the North Carolina General Assembly that would amend Chapter 629, Session Laws of 1949, extending the zoning powers of the Town of Chapel Hill four miles beyond the corporate boundaries. Mr. Hobbs explained to the members that this would be merely an enabling act, and that if it were passed, the Board would then have to make its own Ordinances to affect certain sections of the County. This would also mean that the Zoning Commission and the Board of Adjustment would have to be enlarged by three members each. After discussing this bill, Mr. Putnam moved an approval of the bill as prepared and read to the Board and recommended its passage, with a request for Mr. Umstead to introduce it and use his best efforts to secure its passage. This motion was seconded by Mr. Davis and passed unanimously.

A BILL TO BE ENTITLED "AN ACT TO AMEND CHAPTER 629, SESSION LAWS OF 1949, EXTENDING THE PLANNING AND ZONING POWERS OF THE TOWN OF CHAPEL HILL."

The General Assembly of North Carolina do enact:

Section 1. That Section 1 of Chapter 629 of the Session Laws of 1949 is hereby amended by substituting for the words "for a distance of one mile of and beyond such corporate boundaries in all directions" in lines 21 and 22 of said section the words "for a distance of not more than four (4) miles of and beyond such corporate boundaries in all directions, but not beyond the boundaries of Orange County or within the corporate limits of the Town of Carrboro."

Section 2. That three new sections are hereby added to said Chapter as follows:

"Section 1 1/4. In order to exercise the powers granted in the preceding section, the Governing Body of the Town of Chapel Hill shall create a Zoning Commission Enlarged of the Town of Chapel

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Hill. This Commission shall have authority to exercise the powers, duties, and functions of a zoning or planning commission with respect to ordinances, regulations, maps and plans only insofar as they are applicable, or proposed to be applicable, to the said territory outside and beyond the corporate limits of the Town of Chapel Hill, as defined in this Act. This Commission shall be composed of all members of the Town Planning Board of the Town of Chapel Hill, as now or hereafter constituted according to statute, and three (3) additional members who shall be appointed by the Orange County Board of Commissioners.

Each such additional member shall be a citizen and resident of said territory beyond and surrounding the corporate limits of the Town of Chapel Hill, as defined by this Act. The additional members shall be appointed for terms beginning within thirty (30) days after the ratification of Act, one for a term of one year, one for a term of two years, and one for a term of three years, and until their respective successors shall have been appointed and qualified; thereafter the appointment of such additional members shall be for terms of three years, and until their respective successors shall have been appointed and qualified. The chairman and the secretary of the Town Planning Board shall hold those offices, ex officio, on the Zoning Commission Enlarged. The laws, ordinances, rules and regulations applicable to the members of the Town Planning Board of the Town of Chapel Hill shall be applicable to the members of the Zoning Commission Enlarged of the Town of Chapel Hill. For all other purposes, except as herein specifically provided, the membership, powers, duties, and functions of the Town Planning Board of the Town of Chapel Hill shall be and remain as constituted by the Charter of the Town of Chapel Hill and by the General Statutes of North Carolina applicable thereto, and except as herein specifically provided, the powers, duties and functions of the Town Planning Board of the Town of Chapel Hill, as constituted by law, shall not be affected by the provisions of this Act.

"Section 1 1/2. If a zoning ordinance is adopted for the territory beyond the corporate limits of Chapel Hill, as authorized by this act, three (3) additional members of the Zoning Board of Adjustment of the Town of Chapel Hill, provided for by Section 160-178 of the General Statutes of 1943 as amended, shall be appointed by the Orange County Board of Commissioners.

Each such additional member shall be a citizen and resident of said territory beyond and surrounding the corporate limits of the Town of Chapel Hill, as defined by this Act. The additional members shall be appointed for terms beginning within thirty (30) days after ratification of this Act, one for a term of one year, one for a term of two years, and one for a term of three years, and until their

respective successors shall have been appointed and qualified; thereafter, the appointment of such additional members shall be for terms of three years and until their respective successors shall have been appointed and qualified. Such additional members shall exercise their powers and perform their duties as members of said Zoning Board of Adjustment only with respect to said territory beyond and surrounding the corporate limits of the Town of Chapel Hill, as defined by this Act."

Section 1 3/4. The Building Inspector for the Town of Chapel Hill shall also be the Building Inspector of the area or areas zoned under the powers granted by Chapter 629 Session Laws of 1949 and Amendments to that Statute. Appeals from any decision by said Building Inspector shall be made in writing to the Board of Adjustment Enlarged.

Section 3. That Section 2 of Chapter 629 of the Session Laws of 1949 is hereby amended by substituting for the words "for a distance of one mile beyond the same in all directions provided that it shall not extend to any area within the corporate limits of the Town of Carrboro" in lines 5, 6, and 7 of said section the words "for a distance of four (4) miles beyond the same in all directions, but not including any area within the corporate limits of the Town of Carrboro or any area beyond the boundaries of Orange County."

Section 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed to the extent of such conflict.

Section 5. That this Act shall be in full force and effect from and after its ratification.

A letter written by Mr. Phillips Russell was read to the Board asking the Board to request the General Assembly to pass a law making Chapel Hill a Bird Sanctuary. Mr. Burch moved that the following Bill be recommended to the General Assembly for passage, sent to Mr. Umstead and requested that he introduce it and secure its passage, if possible. This motion was seconded by Mr. Putnam and unanimously passed.

A BILL TO BE ENTITLED AN ACT TO CREATE A BIRD SANCTUARY WITHIN THE TOWN OF CHAPEL HILL IN ORANGE COUNTY

The General Assembly of North Carolina do enact:

Section 1. The territory within the corporate limits of the Town of Chapel Hill in Orange County is hereby declared to be a bird sanctuary.

Section 2. It shall be unlawful for any person to kill,

trap, or otherwise take any bird within the corporate limits of the Town of Chapel Hill except English Sparrows, Great Horned Owls, Cooper's Hawks, Sharp-shinned Hawks, Crows, Starlings, Pigeons, and domesticated fowls. Any person violating the provisions of this Section shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than fifty dollars (\$50.00) or imprisoned not more than 30 days.

Section 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

Section 4. This Act shall become effective upon its ratification.

Mr. Hinshaw requested that an Assistant Tax Collector be legally appointed for the Town of Chapel Hill. He maintained that any assistance we have had has been without legal authority and should be legalized. Mr. Fowler moved that we have prepared an Act for passage by the General Assembly authorizing the appointment of an Assistant Tax Collector. This motion was seconded by Mr. Fitch and unanimously passed.

The question of amending Chapter 725, Session Laws of 1947, so as to make possible the levying of municipal taxes on areas annexed between February 1 and November 30, inclusive, on a pro-rated basis was brought before the members of the Board, but was not acted upon at this meeting.

Mr. Hinshaw brought up the question of letting people living within the jurisdiction of the Chapel Hill Recorder's Court vote for the Judge of the Recorder's Court. After discussing this matter, the Board decided to take this suggestion under advisement.

Mr. Rose reported that Mrs. Wagner, Clerk of the Recorder's Court, was sick and that Mr. W. W. Durham was helping in her absence.

Upon motion of Mr. Burch, seconded by Mr. Putnam, and unanimous consent, the meeting was adjourned at 9:00 P.M. o'clock.

Helen J. Bidney
Town Clerk

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REPORT OF RECORDER'S COURT
FOR THE MONTH OF JANUARY, 1951

NUMBER OF CASES BEFORE THE COURT	97
NUMBER OF NEW CASES BEFORE THE COURT	69
NUMBER OF CASES CONVICTED	62
NUMBER OF CASES NOT GUILTY	7
NUMBER OF CASES NOL PROSSED	5
NUMBER OF CASES CALLED AND FAILED TO ANSWER	2
NUMBER OF CASES SENTENCED	7
NUMBER OF CASES APPEALED TO SUPERIOR COURT	2
NUMBER OF CASES TRANSFERRED TO SUPERIOR COURT FOR JURY TRIAL	2
NUMBER OF CASES NOW PENDING	19
NUMBER OF TRAFFIC CASES	37

FINANCIAL REPORT

FUNDS ON HAND AT BEGINNING OF MONTH

RECEIPTS:

COURT COSTS COLLECTED	\$ 579.40
FINES COLLECTED	1,180.90
TAX FOR STATE TREASURER	104.00
COURT COSTS FOR CARRBORO	36.05
WITNESS FEES, NON-SUPPORT, ETC.	20.00
CASH BOND	50.00
TOTAL AMOUNT OF MONEY HANDLED	1,970.35

DISBURSEMENTS:

TO TOWN OF CHAPEL HILL	\$1,760.30
TO STATE TREASURER	104.00
TO CARRBORO	36.05
TO WITNESSES, NON-SUPPORT, ETC.	20.00
TO CLERK OF SUPERIOR COURT, (CASH BOND)	50.00
TOTAL DISBURSEMENTS	\$1,970.35

BALANCE ON HAND

POLICE REPORT FOR JANUARY, 1951

SPEEDING	6
RECKLESS DRIVING	9
DRIVING INTOXICATED	5
HIT AND RUN	1
NO OPERATORS LICENSE	4
DRIVING AFTER LICENSE HAD BEEN REVOKED	4
AIDING AND ABETTING IN DRIVING AFTER LICENSE HAD BEEN REVOKED	1
IMPROPER EQUIPMENT; LIGHTS, BRAKES, STEERING, ETC.	7
INSTALLATION AND USE OF EXHAUST WHISTLE	1
OPERATING TRAILER WITHOUT LICENSE	1
OBSTRUCTING TRAFFIC	1
DRIVING ON SIDEWALK	1
PASSING ON CURVE AND PASSING RED LIGHT	2
PARKING IN RESTRICTED AREA	3
PARKING OVERTIME	2
DRIVING ON WRONG SIDE OF ROAD	1
LARCENY OF AUTOMOBILE	3
LARCENY	1
DRUNKENNESS AND DRUNK AND DISORDERLY	21
DISORDERLY CONDUCT AND RESISTING OFFICER	2
CARRYING CONCEALED WEAPON	1
ILLEGAL POSSESSION OF WHISKEY	2
ASSAULT AND BATTERY AND ASSAULT & BATTERY ON FEMALE	3
NON-SUPPORT	1
CARNAL KNOWLEDGE	1
ARRESTED ON CAPIAS	4

THE DISTRICT HEALTH DEPARTMENT

ORANGE-PERSON-CHATHAM-LEE COUNTIES

O. DAVID GARVIN, M.D., M.P.H.
DISTRICT HEALTH OFFICER

GASTON W. ROGERS, M.D.
ASSISTANT DISTRICT HEALTH OFFICER

DONALD R. CHADWICK, M.D.
ASSISTANT DISTRICT HEALTH OFFICER

DISTRICT OFFICES:

CHAPEL HILL, N. C., HEADQUARTERS
ROXBORO, N. C.
HILLSBORO, N. C.
PITTSBORO, N. C.
SILER CITY, N. C.
SANFORD, N. C.

OFFICE AT

Report of Sanitation Activities, Town of Chapel Hill Month of January, 1951

The following is a report of sanitation activities of the Health Department in Chapel Hill for the month of January, 1951:

Dairy Farms

T. R. Tapp	Compliance
Winford Shambley	Grade
Oldham Brothers	Grade
Jessie Neville	Compliance
J. F. Whitfield	Compliance
Dr. Howard Odum	Degraded to C, failure to comply
Guernsdel	Grade
John W. Cates	Grade
John Strowd	Not certified for Grade A
Jeff Atwater	Compliance
S. A. Whitfield	Compliance
Jim McIver	Compliance
Ralph Neville	Compliance
Wade & Matthew Atwater	Compliance
Dr. Howard Odum	Certified for Grade A Milk
E. K. Alexander	Compliance
J. O. Blackwood	Grade
W. R. Womble	Grade
Shelton Ray	Grade
John Mann	Compliance
Lloyd Brothers	Grade
L. L. Conner	Compliance
L. R. Cheek	Compliance
W. D. Neville	Compliance

Restaurants, Markets, Fraternities

Sigma Phi Epsilon	Grade
Chi Phi	Grade
University Cafe	Compliance, new equipment, cafeteria
Colonial House System	Compliance
Delta Sigma Pi	Compliance
Campus Cafe	Grade
Chapel Hill School Lunch	Grade
Gooch's Cafe	Compliance
Andrews	Compliance
Terminal Lunch	Compliance
Village Grocery	Compliance
Colonial Store	Compliance
The Circus Bar	Compliance
Porthole	Grade

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OFFICE AT

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Harry's Grill	Grade
Aggie's	Compliance
Sutton's Drug Store	Grade
Gray's Market	Compliance
Carolina Coffee Shop	Compliance

Pasteurization Plants Visited

Long Meadow Farms (3 visits)	Compliance
Durham Road Dairy (2 visits)	Compliance

Milk Samples Analyzed

Wholesale samples	106
Retail samples	18


In addition to the above, two visits were made to the sewage plant, one visit to the water plant, several septic tanks installed, and several complaints investigated.

Respectfully submitted,


H. Dobson, Jr.
Sanitarian

HD:dld

Approved by:


O. David Garvin, M. D., M. P. H.
District Health Officer

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OFFICE AT

Chapel Hill, North Carolina
February 6, 1951

Mr. Thomas D. Rose
City Manager
Chapel Hill, North Carolina

Dear Mr. Rose:

For your information and not for publication, I send you, reluctantly, the average bacteria counts on those milk producers and dairy plants examined during the month of January. Average bacteria count cannot exceed 200,000 per milliliter for Grade A milk to be pasteurized.

Name	Recorded Count	
1-8-51		
J. O. Blackwood	5,000	
W. I. Suitt	91,000	
Elvin Cate	19,000	
Dr. Carr	16,000	
George Shambly	9,000	
John Kirk	11,000	
W. D. Neville	44,000	
Dr. Howard Odum	44,000	
Lacy Neville	24,000	
Aubrey McLennan	16,000	
Clyde Bowden	15,000	
Ralph Neville	51,000	
Lloyd Brothers	13,000	
Clyde Merritt	3,000	
W. R. Womble	13,000	
James Poythress	3,000	
Hubert Meachum	6,000	
1-12-51		
Dr. Howard Odum	3,000,000 - Degraded.	High counts, unclean utensils,
Lacy Neville	5,000	failure to paint.
Aubrey McLennan	7,000	
Clyde Bowden	4,000	
Ralph Neville	124,000	
Lloyd Brothers	10,000	
Clyde Merritt	4,000	
W. R. Womble	14,000	
Hubert Meachum	11,000	
Hubert Meachum (2nd can)	16,000	
James Poythress	5,000	

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OFFICE AT

1-16-51

S. A. Whitfield	65,000
George Shambley	5,000
John Kirk	6,000
Joel Crawford	29,000
S. E. Teer	10,000
W. D. Neville	9,000
Dodson Brothers	13,000
L. R. Cheek	8,000
J. M. Snipes	6,000
W. F. Lloyd	40,000
John Cate	57,000
Dr. Howard Odum	225,000
Lacy Neville	3,000
Ralph Neville	17,000
Clyde Merritt	4,000
W. R. Womble	6,000
Hubert Meachum	3,000
Hubert Meachum (2nd can)	55,000

1-19-51

George Shambley	16,000
John Kirk	29,000
Joel Crawford	3,000
S. E. Teer	3,000
W. D. Neville	9,000
Dodson Brothers	4,000
L. R. Cheek	9,000
Cecil Lloyd	17,000
J. M. Snipes	6,000
W. F. Lloyd	34,000
Oldham	21,000

1-22-51

Cecil Crawford	3,000
Aubrey Ivey	7,000
Tom Atwater	6,000
Grady Durham	38,000
Charles Atwater	17,000
Wade and Matthew Atwater	180,000
John Mann	350,000
Grady Snipes	90,000
Bob Harris	4,000

-One cow with mastitis. Sold.

1-23-51

L. L. Conner	8,000
J. F. Whitfield	7,000
C. D. Wilson	22,000

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-3-

OFFICE AT

C. W. Stanford	8,000
Shelton Ray	5,000
S. R. Durham	19,000
J. W. McIver	3,000
J. D. Atwater	11,000
W. I. Suitt	11,000
J. W. Cates	9,000
Dr. Carr	6,000
H. S. Hogan	115,000
John Kirk	5,000
Joel Crawford	13,000
S. E. Teer	6,000
Dodson Brothers	14,000
L. R. Cheek	5,000
J. M. Snipes	9,000
W. F. Lloyd	16,000

1-24-51

S. A. Whitfield	60,000
Oldham Brothers	13,000
C. W. Stanford	11,000
Shelton Ray	3,000
S. R. Durham	49,000
J. W. McIver	7,000
J. D. Atwater	6,000
J. V. Clark	3,000
John Kirk	8,000
John Teer	7,000
W. D. Neville	11,000

1-25-51

L. L. Conner	10,000
C. W. Stanford	8,000
J. M. McIver	5,000
J. D. Atwater	9,000
C. D. Wilson	18,000
H. S. Hogan	36,000
J. F. Whitfield	5,000
G. W. Shambley	12,000
S. E. Teer	8,000
Dodson Brothers	10,000
L. R. Cheek	14,000

Respectfully submitted,

O. David Garvin

O. David Garvin, M. D., M. P. H.
District Health Officer

ODG:dld