



Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, March 6, 2023

6:00 PM

Agriculture and Conference Center

INVOCATION and PLEDGE OF ALLEGIANCE

Chair Howard asked everyone to pause for a moment of silence after which she invited all able to stand for the Pledge of Allegiance.

Present: 5 - Vice Chair Mike Dasher, Commissioner David Delaney, Chair Karen Howard, Commissioner Katie Kenlan and Commissioner Franklin Gomez Flores

CALL TO ORDER

The Chair called the meeting to order at 6:01 pm.

APPROVAL OF AGENDA and CONSENT AGENDA

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Delaney, that the agenda be approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Dasher, Commissioner Delaney, Chair Howard, Commissioner Kenlan, and Commissioner Gomez Flores

[23-4691](#)

Vote on a request to adopt a resolution to convey property to North Carolina Department of Public Safety and authorize the county manager to execute the agreement.

Attachments: [Chatham County Donation Acceptance Form](#)
[Chatham P25 VIPER System Equipment Donation 2-13-23](#)
[VIPER Equipment Resolution](#)

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Delaney, that this Resolution #22-09 to convey property to North Carolina Department of Public Safety, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Vice Chair Dasher, Commissioner Delaney, Chair Howard, Commissioner Kenlan, and Commissioner Gomez Flores

[23-4693](#)

Vote to approve competitive bid exemption and sole source for Southern Software Inc., for computer aided dispatch software licenses and third-party software integration development fees.

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Delaney, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Dasher, Commissioner Delaney, Chair Howard, Commissioner Kenlan, and Commissioner Gomez Flores

[23-4694](#)

Vote on a request to approve reappointments to the Board of Equalization and Review

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Delaney, that the Appointments be approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Dasher, Commissioner Delaney, Chair Howard, Commissioner Kenlan, and Commissioner Gomez Flores

[23-4697](#)

Vote on a request to approve an amendment to the FY2023 Chatham County-Council on Aging Contract

Attachments: [COA-County Contract Amendment FY23](#)

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Delaney, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Dasher, Commissioner Delaney, Chair Howard, Commissioner Kenlan, and Commissioner Gomez Flores

[23-4701](#)

Vote on a request to authorize the County Manager to sign an Addendum to the service contract with Randolph Telephone Telecommunications to activate internet service at the Emergency Operations Center on Renaissance Drive, Pittsboro at the cost of a recurring fee of \$560.00 per month for 60 months totaling \$33,600.

Attachments: [RTTI Renaissance Drive EOC_FullyExcutedFullDocument](#)
[RTTI Renaissance Drive Service Order_Revised_signedFull Doc](#)
[Addendum_Renaissance Drive Service Order_2023](#)

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Delaney, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Dasher, Commissioner Delaney, Chair Howard, Commissioner Kenlan, and Commissioner Gomez Flores

[23-4703](#)

Vote on a request to approve the Early Childhood Community Assessment and Action Plan contract between Chatham County Partnership for Children and Chatham County.

Attachments: [Early Childhood Study - Contract - Partnership for Children - Feb 2023](#)

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Delaney, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 4 - Commissioner Delaney, Chair Howard, Commissioner Kenlan, and Commissioner Gomez Flores

Recuse: 1 - Vice Chair Dasher

NOTE: On January 16, 2023, Commissioner Mike Dasher stated that on March 6, 2023 he unknowing voted for a contract that was on the consent agenda and would like his vote changed to "Recuse" for this agenda item. The Board of Commissioners agreed since those minutes have not been prepared. The Board of Commissioners instructed the Clerk to the Board to make the change.

[23-4710](#)

Vote to approve five year lease for the County Board of Elections offices.

Attachments: [Asaram Ventures 2023 Lease - Commons](#)

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Delaney, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Dasher, Commissioner Delaney, Chair Howard, Commissioner Kenlan, and Commissioner Gomez Flores

End of Consent Agenda

SPECIAL PRESENTATION

[23-4707](#)

Vote to adopt a Resolution Proclaiming March 2023 as Women's History Month in Chatham County

Attachments: [Board of Commissioners Proclamation - Womens History Month 2023 - 3.2.23](#)

Chair Howard read the resolution into the record.

A motion was made by Commissioner Delaney, seconded by Commissioner Gomez Flores, that this Resolution #23-10 Proclaiming March 2023 as Women's History Month in Chatham County, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Vice Chair Dasher, Commissioner Delaney, Chair Howard, Commissioner Kenlan, and Commissioner Gomez Flores

[23-4708](#)

Vote to adopt a Resolution Requesting the NCGA to Revise and Expand the Good Samaritan Law GS 90-96.2

Attachments: [Good Samaritan Law Resolution](#)

Chair Howard read the resolution into the record.

A motion was made by Commissioner Gomez Flores, seconded by Vice Chair Dasher, that this Resolution #23-11 Requesting the NCGA to Revise and Expand the Good Samaritan Law GS 90-96.2, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Vice Chair Dasher, Commissioner Delaney, Chair Howard, Commissioner Kenlan, and Commissioner Gomez Flores

PUBLIC INPUT SESSION

No one signed up to speak.

BOARD PRIORITIES

[23-4700](#)

Vote on a request to approve the LGC FPIC FY2022 Audit Submission Response.

Attachments: [Response to LGCFPIC - Board Memo](#)
 [Response to LGCFPIC 02-27-23](#)

Finance Officer Roy Lynch reviewed the specifics of the request. No formal motion is needed but all commissioners need to sign.

The Board agreed by consensus to approve the audit submission response.

[23-4690](#)

Receive a presentation and provide feedback to White and Smith, LLC about Module 1: Zoning of the Unified Development Ordinance and receive public input.

Attachments: [CCNC.Annotated Outline.WORKING DRAFT 02-20-23](#)
 [01 Introduction.PUBLIC REVIEW DRAFT 02-20-23](#)
 [02 Zoning Districts.PUBLIC REVIEW DRAFT 02-20-23](#)
 [03 Use Regulations.PUBLIC REVIEW DRAFT 02-20-23](#)
 [18 Definitions & Acronyms.WORKING DRAFT 02-20-23](#)
 [CCNC Zoning Module Review v2](#)

Chance Mullis introduced Kelly Cusino and Sean Scoopmire with White and Smith, LLC. Ms. Cusino and Mr. Scoopmire gave a presentation to the Board.

Commissioner Dasher asked if lots with public water and sewer included community systems. Ms. Cusino said lot area with public water and/or sewer were reduced to a 20,000 square feet requirement. A lot with individual well with wastewater disposal would require a minimum lot size of one and a half acres. Commissioner Dasher said the distinction is whether there is a well and septic on the lot versus access to public water and sewer. Ms. Cusino said yes, there could still be community septic.

Commissioner Gomez Florez asked if it is common to have a height limit of 75 feet for industrial districts. Ms. Cusino said she had not seen a lot of consistency when it came to industrial building height limits. Some rural jurisdictions determine that based on what fire district service is available. Uses in a light industrial district should not necessitate a use over 75 feet.

Chair Howard asked why an RHC district would be attractive for a developer. Ms. Cusino said in some cases it would allow more heavy commercial uses such as contractor storage yards, machine shops, larger agriculture supported uses, greenhouses, ag equipment sales, and lumber yards. Chair Howard asked if it would be something people would intentionally be coming to. Ms. Cusino said yes.

Commissioner Gomez Flores asked if it also included the Old 421 HWY and other

older transportation routes. Ms. Cusino said she would have to check. Chair Howard said maybe the roads today might be great for today but may be very restrictive as the county continues to develop. Vice Chair Dasher said it sounded like a hodgepodge and not all that different to how HWY 15 501 developed. Chair Howard said it feels more intentional than what happened on 15 501 in Chatham. She does not anticipate that the Board would see applications for apartments and townhomes. It is intended for more business growth that would complement agriculture. Vice Chair Dasher said Moncure Pittsboro Road would probably be considered a minor arterial road. Commissioner Gomez Flores said maybe the transition from towns to the county is something to consider.

Planning Director Jason Sullivan said Old HWY 421 in the city is a minor arterial but not in the county. Staff will look into it. Vice Chair Dasher said the land use plan is more interchange-oriented and not road-oriented and it is the road distinction that makes him nervous.

Ms. Cusino said the Board could provide input directly to Mr. Mullis at any time. Chair Howard said perhaps the Board could have a separate agenda item at these meetings to discuss and ask questions and get answers and provide input. Vice Chair Dasher is not interested in slowing down the process but there are things he has concerns about and doesn't want to wait until adoption to bring things up and have controversial discussions that delay adoption. He asked if the design standards were something the sub-committee came up with. For example, facade requirements in mixed-use districts, etc. Ms. Cusino said the conditional districts carried over most of the standards from the current regulations. The UDO subcommittee has reviewed it and didn't have a lot of feedback, but the consultants are happy to revisit that.

Chair Howard was concerned that they were providing certainty for developers at the expense of the certainty of neighbors from surrounding properties. She does not want there to be an administrative approval of something that potentially disadvantages a homeowner. Mr. Sullivan said a court decision several years ago said that the jurisdiction has to be able to allow for all uses somehow, even if they were not listed in the ordinance. Commissioner Delaney said that is what he was getting at with his question about what is driving the need for this. Mr. Sullivan said it has happened in Chatham a handful of times and staff always tried to find the most similar use and follow those guidelines.

Chair Howard asked about the dangerous materials use. The list does not include what could be harmful in the future. Ms. Cusino said they could look into that.

Chair Howard was concerned about limiting two corner stores per intersection. Ms. Cusino said they could remove that limitation.

Commissioner Gomez Flores said there was a good amount of mileage in the county without gas stations and he was concerned about the limitation of four pumps. Chair Howard said she saw the value in the limitation. Vice Chair Dasher did not know that four-pump gas stations were even economically viable today. The Board discussed the quarter-mile separation.

The consultants will come back to the Board in a few months with a draft of Module 2: Development Standards.

Commissioner Gomez Flores said he would be open to having homework for the next meeting and also having additional meetings specifically for the Unified Development Ordinance.

This Agenda Item was received and filed

[23-4706](#)

Vote on a request to approve appointment to the Appearance Commission

This item was postponed to the March 20th meeting.

PUBLIC COMMENT ON UNIFIED DEVELOPMENT ORDINANCE

Affordable Housing Advisory Committee Vice Chair Richard Poole spoke to the Board. He asked the Board to think about housing affordability as the UDO is developed. Density, cottage courts, tiny home communities, increased height requirements, and accessory dwellings are just a few of the things to address in the UDO.

CLERK'S REPORT

Clerk Lindsay K. Ray had nothing to report.

MANAGER'S REPORT

County Manager Dan LaMontagne said CBS Sunday Morning did a story on the Chips Act and showed Siler City on the map. Governor Cooper also mentioned Chatham County in his State of the State address this evening.

Mr. LaMontagne will head to Martin County to speak at their board retreat about economic development.

COMMISSIONERS' REPORTS

Commissioner Kenlan said she was impressed with the Affordable Housing Advisory Committee after attending her first meeting. She also thanked Chatham County Schools for the orientation they provided last week.

Vice Chair Dasher said TJCOG is doing a rebranding and will transition to Central Pines Council of Governments.

Commissioner Gomez Flores said Chatham Hospital is looking for an ambulance to be stationed at the hospital. The County currently contracts with FirstHealth which cannot always respond.

Commissioner Delaney will attend the planning board meeting tomorrow. He asked for an agenda item on March 20th to revisit the retreat.

Chair Howard read to students at Bonlee School. She and Commissioner Delaney spoke to third graders about government. There have been MPO conversations about the County's participation and how staff can be more involved in those conversations. Thursday, March 9th Chatham will be part of WRAL's Big Night In for the Arts.

A motion was made by Commissioner Kenlan, seconded by Commissioner Delaney, to appoint Diana Hales to the Environmental Review Advisory Committee to represent District 4. The motion carried by the following vote:

Aye: 5 - Vice Chair Dasher, Commissioner Delaney, Chair Howard, Commissioner Kenlan, and Commissioner Gomez Flores

ADJOURNMENT

A motion was made by Vice Chair Dasher, seconded by Commissioner Gomez Flores, that this meeting be adjourned. The motion carried by the following vote:

Aye: 5 - Vice Chair Dasher, Commissioner Delaney, Chair Howard, Commissioner Kenlan, and Commissioner Gomez Flores