



Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, May 16, 2022

3:00 PM

Historic Courthouse Courtroom

Work Session - 3:00 PM - Historic Courthouse Courtroom

Meeting went into Recess

Meeting Reconvened

Present: 5 - Commissioner Mike Dasher, Commissioner Diana Hales, Vice Chair Franklin Gomez Flores, Chair Karen Howard and Commissioner Robert Logan

PUBLIC INPUT SESSION

No one signed up to speak.

SPECIAL PRESENTATION

[22-4292](#)

Recognition of recent County retirees

Chair Howard recognized May 2022 Chatham County retirees Major Ken McDaniel, Marvin Dowdy, Thelma Alexander and Lieutenant Joe Birchett. She wished all the retirees health and happiness and if they found themselves bored then they were welcome to come back and serve.

[22-4294](#)

Recognize Chatham County Director of Social Services Jennie Kristiansen for being named the 2022 Director of the Year by the NC Association of County Directors of Social Services (NCACDSS).

Chair Howard recognized Director of Social Services Jennie Kristiansen. Ms. Kristiansen would be recognized as 2022 Director of the Year by the North Carolina Association of County Directors of Social Services (NCACDSS) on May 5th. Ms. Kristiansen has served as Director of DSS for fifteen years. Chair Howard said Ms. Kristiansen has been a pleasure to work with. She was thoughtful, professional, and calm in the most challenging of circumstances. Chair Howard thanked and congratulated Ms. Kristiansen.

BOARD PRIORITIES

[22-4289](#)

Receive update from Wastewater Study Commission for Northeast Chatham County and discuss next steps.

Attachments: [Wastewater Study Commission May 16 2022 - Final](#)

Co-chair Perry James began presentation for the Wastewater Study Commission for Northeast Chatham County. Mr. James outlined the expertise and experience of the Commission members.

Co-chair Liz Rolison reviewed the 'problem statement' of the Commissioner and how it was developed. Commissioner Dasher questioned how the County was involved in the solution as the problems were with individual wastewater facilities within private subdivisions. Co-chair Rolison said it would be helpful to continue with the presentation and come back to potential solutions.

Co-chair Scott Peck reviewed the Commission's ten ideas.

Commissioner Hales asked why Siler City was not included. Co-chair Peck said their list of ten ideas was made earlier and Mr. LaMontagne said he would probably answer the Commission's questions about Siler City.

Commissioner Logan explained his personal experience with his neighborhood and his personal expenses that went into wastewater and the County's jurisdiction over these facilities and who was responsible for these violations. Co-chair Peck explained how poorly the Briar Chapel facility was operated and that these neighborhoods were managed by the State.

Commissioner Dasher mentioned how both private and public (municipality) owned facilities reached an "end of life" and required routine maintenance. When the facilities were new, they functioned better. Co-chair Peck explained his experiences in Virginia. Commissioner Dasher asked if there were differences in regulation of private versus publicly owned facilities. Co-chair Peck answered that there were differences in the discharge levels. Co-chair Rolison shared that levels were different across the state when comparing private and public. She said the Department of Environmental Quality's focus was not permitting and that it was cheaper for facilities to have violation rather than fix their violations. Chair Howard asked about the facilities with violations and what they were doing right. She asked about the technology at the facilities. Co-chair Peck shared that the more recent facilities would be different.

Chair Howard requested the Commission include the sources of their information because she was having difficulty accepting their narrative. She was curious about what triggered larger facilities and concerned about seeing more retail development along the 15-501 corridor and how it would impact the development of a larger regional facility. Co-chair Rolison outlined how the Commission came to their estimates based on information provided by Planning Director Jason Sullivan.

Commissioner Dasher explained that the plan from 2017 was what was agreed upon, but what had changed.

Chair Howard asked what did the Commission review that was different from the information the Commissioners had received. Co-chair Peck explained that the water taken from Jordan Lake was not being treated and replaced. This model was not sustainable and could limit future potential developments.

Vice Chair Gomez Flores asked when the Commission returned would they provide ten solutions or would there be one. Co-chair Peck explained that a professional would need to analyze the information of the Commission to develop a short-term or long-term solution. As a citizen committee they were limited in their scope.

Commissioner Hales agreed that investigation into neighboring systems was a good place to start and there were agreements with Sanford already in place. She acknowledged that VinFast would provide changes to the Moncure area and residents in the area would likely remain on private wells in the future and technology was now more available. Co-chair Peck said the Wastewater Plan was developed five years ago and was not provided by the Commission. Commissioner Hales asked Mr. LaMontagne about what the focus of the Wastewater Plan was.

Commissioner Logan said there needed to be an alignment between the Land Use Plan and Wastewater Treatment Plan and both plans needed to support one another in the long-term.

Commissioner Hales asked if the Commission had looked to Chatham Park. She asked if the County had an Odor Ordinance. Co-chair Peck explained that odor eliminators and digesters could be used and sometimes waste could be transported away from the site.

Commission member, Perry James, summarized the Commission's points and how it hoped to continue to work with the County Manager on the elimination of some of the points that were not applicable, potential funding available on the federal level and how time was of the essence.

RECESS

The meeting recessed until 6:00pm.

End of Work Session

Regular Session - 6:00 PM - Historic Courthouse Courtroom

Present: 5 - Commissioner Mike Dasher, Commissioner Diana Hales, Vice Chair Franklin Gomez Flores, Chair Karen Howard and Commissioner Robert Logan

INVOCATION and PLEDGE OF ALLEGIANCE

Chair Howard asked everyone to pause for a moment of silence after which she asked everyone present to stand and recite the Pledge of Allegiance.

CALL TO ORDER

Chair Howard welcomed those in attendance and called the meeting to order at 6:00 PM.

APPROVAL OF AGENDA and CONSENT AGENDA

A motion was made by Vice Chair Gomez Flores, seconded by Commissioner Hales, that the Agenda and Consent Agenda be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

[22-4211](#)

Vote on a quasi-judicial request to approve a Special Use Permit

requested by Chatham County Facilities and Construction for a new EMS station to be located on Parcel No. 62221 (2.3 acres) and 94711 (.69 acres), 9251 US 15-501 N, Baldwin Township.

Attachments: [More information from the Planning department website](#)

A motion was made by Vice Chair Gomez Flores, seconded by Commissioner Hales, that this Resolution #2022-23 approving Special Use Permit requested by Chatham County Facilities and Construction for a new EMS station, attached hereto and by reference made a part of, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

[22-4271](#)

Vote on a request to approve Pyrotechnic display at The Governors Club located at 11000 Governors Dr. Chapel Hill NC 27516 during a celebration on July 4, 2022

Attachments: [Attachment A-N.C.G.S 14-410 and 14-413](#)
[Attachment B - Pyrotechnics Request](#)
[Bellings Operators License](#)
[Governors Club Insurance Cert Wed Apr 6 2022 12-15-46](#)
[Show Layout - Governors Club Wed Apr 6 2022 14-16-28](#)
[Signed License - 3-19-21 Wed Apr 6 2022 12-16-26](#)

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

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

[22-4272](#)

Vote on a Request to Approve a Pyrotechnics Display at the Governors Club, 11000 Club Dr. Chapel Hill 27517, on July 4, 2022.

Attachments: [Attachment A - N.C.G.S. Pyrotechnic Displays](#)
[Attachment B - Pyrotechnic Display Request Gov. Club 2022](#)
[Attachment C - Bellings Pyrotechnic License 2022](#)
[Attachment D - Pioneer Certificate of Insurance 2022](#)
[Attachment E - Pioneer ATF License 2022](#)
[Attachment F - Gov. Club Site Plan 2022](#)

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

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

[22-4273](#)

Vote on a request to approve Fiscal Year 2021-2022 Budget

Amendments

Attachments: [Budget Amendment 2021-2022 May](#)

A motion was made by Vice Chair Gomez Flores, seconded by Commissioner Hales, that the Budget Amendments, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

[22-4278](#)

Vote on a request to adopt a Resolution Approving Chatham County Entering into Phase IX of the Triangle Area Water Supply Monitoring Project (TAWSMP) Interlocal Agreement and authorize the county manager to execute the agreement on behalf of the County.

Attachments: [Triangle Area Water Supply Monitoring Project Resolution](#)
[TAWSP ILA and TJCOG Agreement IxDraft04272022 -](#)

A motion was made by Vice Chair Gomez Flores, seconded by Commissioner Hales, that this Resolution #2022-024 Approving Chatham County Entering into Phase IX of the Triangle Area Water Supply Monitoring Project (TAWSP) Interlocal Agreement and authorize the county manager to execute the agreement on behalf of the County, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

[22-4279](#)

Vote on a request to approve additional \$150,158 from the State of NC for a Low Income Household Energy Assistance Program (LIHWAP).

Attachments: [Additional LIHEAP](#)

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

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

[22-4280](#)

Vote on a request to accept the offer in the amount of \$10,000 for real property in ownership of Chatham County located at 5618 Piney Grove Church Road, Siler City, NC 27344, with Parcel ID number 0064987 as authorized by the prescribed method of "negotiated offer, advertisement, and upset bids" process defined by NC General Statute 160A-269

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

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

[22-4285](#)

Vote on a request to approve the naming of one (1) private road in

Chatham County

Attachments: [Melvins Way Petition](#)
[MELVINS WAY](#)
[MELVINS WAY AREA MAP](#)

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

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

[22-4286](#)

Vote on a request to approve Tax Releases and Refunds

Attachments: [April 2022 Release and Refund Report](#)
[April 2022 NCVTS Pending Refund Report](#)

A motion was made by Vice Chair Gomez Flores, seconded by Commissioner Hales, that the Tax Releases and Refunds, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

[22-4287](#)

Vote on a request to approve a contract with Xybix Systems Inc. in the amount of \$487,285.61 and authorize the County Manager to execute the agreement.

Attachments: [Xybix Systems and Chatham County EOC Contract 22773-23293 v1](#)

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

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

[22-4291](#)

Vote on a Request to Approve a Contract Extension with Weiser Security Services, Inc. to Provide Attendants at Solid Waste and Recycling Collection Centers and authorize the county manager to execute the agreement on behalf of the County.

Attachments: [Weiser second amendment contractor signed](#)

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

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

[22-4297](#)

A request to schedule a legislative public hearing on June 21, 2022 to rezone parcels 5601, 5368 and a portion of 85322.

Attachments: [2022.05.11_VB103_200-135_Proj Blue Rezoning-Duke\[2\]](#)
[2022.05.11_VB103_200-135_Proj Blue Rezoning-Gen Shale\[2\]](#)

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

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

End of Consent Agenda

SPECIAL PRESENTATION

22-4295

Vote on a request to adopt a Resolution Urging the State of North Carolina to Fulfill its Constitutional Duty to Provide Every Child Access to a Sound Basic Education

Attachments: [boc leandro resolution](#)

A motion was made by Commissioner Logan, seconded by Commissioner Hales, that this Resolution that this Resolution #22-034 Urging the State of North Carolina to Fulfill its Constitutional Duty to Provide Every Child Access to a Sound Basic Education, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

22-4298

Vote on a request to adopt a Resolution Supporting State Trail Designation for the Haw River Trail

Attachments: [Haw River Resolution](#)

A motion was made by Vice Chair Gomez Flores, seconded by Commissioner Hales, that this Resolution #22-035 Supporting State Trail Designation for the Haw River Trail, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

PUBLIC INPUT SESSION

No one signed up to speak.

PUBLIC HEARINGS

22-4290

Public Hearing to receive public comment on the FY 2022-2023 Recommended Budget

Attachments: [Recommended Budget Presentation--BOC Initial Presentation FY2023 Final](#)

Bryan Thompson presented to the board. (Presentation attached)

Mark Barroso urged the Commissioners to increase the Board of Election staff's salaries.

Victoria Shea urged the Commissioners to increase the Board of Election staff's salaries.

Commissioner Howard shared that the County recently underwent a pay study that all department heads participated with and the County Attorney was consulted about the legalities of increasing the department's salaries. The County Attorney, Bob Hagemann, shared that the Commissioners made the appropriation of the funds, and the Board of Election decided how to delegate those salary decisions. The Commissioners' appropriations can be more or less detailed in how the funds are used.

Mr. Barroso asked how the County came to the conclusions about the salaries. Carolyn Miller provided the pay study information to the Director of Elections back in February 2022. Mr. Barroso asked how the County came to their conclusions in comparison to what results he was able to find.

Frank Dumphy raised his hand and asked if he could speak. Mr. Dumphy spoke on the qualifications and credentials of the Elections staff was that of highly skilled and not to be compared with other County directors.

The Board of Commissioners will hold its Budget Work Session on May 24th, 25th, and 26th at the Agriculture and Conference Center.

[22-4275](#)

A quasi-judicial public hearing for a request by Chatham County Emergency Operations for a new 380-foot telecommunications tower to be located at 5410 Big Woods Rd, Northeast Park, Parcel 19573, in an area of approximately .275 acres of the 66-acre tract, Williams Township.

Attachments: [More information from the Planning department website](#)

Chair Howard asked those present to take an oath.

Zoning Administrator, Angela Plummer, presented to the Board.

No one signed up to speak.

This item was referred to the Planning Board.

[22-4276](#)

A legislative public hearing for a request by the Chatham County Manager to amend Attachment A, Permitted Uses, of the Watershed Protection Ordinance to add the following use - Wireless Telecommunication Towers.

Attachments: [More information from the Planning department website](#)

Planning Director Jason Sullivan presented to the Board.

No one signed up to speak.

This Agenda Item was referred to the Planning Board.

22-4277

A legislative public hearing for a request by the Chatham County Planning Department to consider amendments to the Chatham County Flood Damage Prevention Ordinance; specifically, Article 1 Section A Statutory Authorization, and Article 3 Section B Basis for Establishing the Areas of Special Flood Hazard.

Attachments: [More information from the Planning department website](#)

Chatham County Planner II Hunter Glenn presented to the Board.

No one signed up to speak.

This Agenda Item was referred to the Planning Board.

CLERK'S REPORT

Lindsay Ray reminded the Board of the upcoming Budget Work Sessions to be held May 24th, 25th, and 26th at the Agriculture Center.

The June 6th regular Board meeting will begin at 1 PM.

On June 9th at 6 PM there will be a joint meeting with the Town of Pittsboro at the Agriculture and Conference Center.

On June 10th the School of Government will host a virtual offering for leaders on race entitled Race Matters: Courageous Conversations for Leaders. If commissioners wished to attend, Ms. Ray would have them registered.

Ms. Ray was voted as Vice President for the year at the annual Municipal and County Administration Alumni Association seminar update. She was excited about the awesome and diverse board this year and thanked the Board for their support.

MANAGER'S REPORT

Dan LaMontagne said the G.R.E.A.T grant applications have not been completed but he hoped to have the information as soon. He would gather the information and maps with the County GIS department and bring them to the Board as soon as possible.

COMMISSIONERS' REPORTS

Commissioner Dasher had nothing to report.

Vice Chair Gomez Flores said grant money was needed for expanding school gyms in the West. They had not received grand funding and would continue to work with the schools.

Commissioner Hales spoke about the Remembrance Coalition. She would like to pursue a County Odor Ordinance and asked if it would be part of the Unified Development Ordinance, or could the ordinance be separate? Mr. LaMontagne would discuss this with the Unified Development Ordinance consultants.

Commissioner Logan had nothing to report.

Chair Howard said the district nine meeting will be held May 26th at 5:30 PM at the Agriculture and Conference Center. The meeting would look to planning policies that were not in line with personal beliefs and values for the DCHC-MPO to ensure equity and protection of the natural environment. Live, Work, and Play was more than a phrase and incorporated in the beginning. Walking, cycling and other modes of transportation were just as important as four-wheel drive transportation. The staff of the MPO did an incredible job and it was good to know county staff were also listening in from the Chatham County Planning Department.

Howard stated that a women voter's panel talked with the Hillsborough Mayor and Chair that were women and discussed collaboration with surrounding counties as Chatham developed.

Howard spoke with high school civics students, and it gave her hope. She asked how we as professionals can help students with making decisions that impact their futures.

Howard stated that the Community Remembrance service on Saturday had excellent turnout by young people. Four high schools were represented and a wonderful turn out for the remembrance of the five lynching victims.

Commissioner Hales wanted to thank County staff for hosting the Legislative Breakfast two weeks ago.

Commissioner Logan asked to invite the President and Chair of the Community College Board of Trustees. Mr. LaMontagne said staff can certainly invite them.

Commissioner Howard has her final meeting of Elevate NC and believed there was a need to have meaningful change regionally.

ADJOURNMENT

A motion was made by Commissioner Diana Hales, seconded by Commissioner Mike Dasher, that this meeting be adjourned. The motion carried by the following vote:

Aye: 5 - Commissioner Dasher, Commissioner Hales, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan