



# Chatham County, NC

## Meeting Minutes

### Board of Commissioners

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Monday, April 4, 2022

4:30 PM

Historic Courthouse Courtroom

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#### Work Session - 4:30 PM - Historic Courthouse Courtroom

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

#### **CLOSED SESSION**

[22-4245](#)

Vote on a request to go into Closed Session pursuant to G.S. 143 318.11(a) (3) to consult with an attorney in order to preserve the attorney-client privilege, and pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses, including agreement on a tentative list of economic development incentives that may be offered by the public body.

**A motion was made by Commissioner Hales, seconded by Vice Chair Gomez Flores, to go into Closed Session pursuant to G.S. 143 318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege, and pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses, including agreement on a tentative list of economic development incentives that may be offered by the public body. The motion carried by the following vote:**

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

*Dan LaMontagne introduced Roy Lynch, the new Finance Officer for Chatham County.*

*Mr. Lynch said it was great to be in Chatham and for the opportunity to serve.*

#### **RECESS**

#### **End of Work Session**

#### **Regular Session - 6:00 PM - Historic Courthouse Courtroom**

**Present:** 5 - Chair Mike Dasher, Vice Chair Diana Hales, Commissioner Franklin Gomez Flores, Vice 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 invited 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 6:01 PM.

## **APPROVAL OF AGENDA and CONSENT AGENDA**

The public input session was divided into two sessions.

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

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

### **22-4241**

Vote on a request to accept \$16,444 from NCDHHS Food Protection and Facilities Branch

**Attachments:** [\\$16,444 F & L Funds](#)

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

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

### **22-4242**

Vote on a request to appoint Alan E. Rimer to fill the vacant Engineer Seat on the Board of Health effective April 4, 2022.

**Attachments:** [Alan Rimer - Chatham County Volunteer Application Form xYG3xIGSYIY3VA6I](#)

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

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

### **22-4219**

Vote on a request to adopt a resolution proclaiming April 4 through April 10 as Public Health Week.

**Attachments:** [Proclaiming April 4 through 10 as Public Health Week -BOC resolution](#)

**A motion was made by Vice Chair Dasher, seconded by Commissioner Hales, that this Resolution #22-039 proclaiming April 4 through April 10 as Public Health Week, attached heretof and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

## End of Consent Agenda

### SPECIAL PRESENTATION

[22-4244](#) Recognition of recent County retirees

*Chair Howard thanked Vicky Guetgemann for her twenty years of service.*

[22-4246](#) Vote on a request to adopt a resolution proclaiming April 2022 as National County Government Month

*Chair Howard read information about the National County Government Month. She read the resolution into the record. Commissioner Hales encouraged students to participate.*

**A motion was made by Commissioner Hales, seconded by Vice Chair Gomez Flores, that this Resolution #22-033 proclaiming April 2022 as National County Government Month, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

### PUBLIC INPUT SESSION

*James Stevens submitted comments and spoke in-person about the Cary-Chatham Joint Land Use Plan. Mr. Stevens was concerned about the implementation of the plan by the Town of Cary.*

*Patrick O'Neal submitted comments and spoke in-person about the Cary-Chatham Joint Land Use Plan. Mr. O'Neal was not opposed to development but was concerned about the rural character of the county not being protected. This was addressed in the plan and minimum lot size was not being followed by the Town of Cary. There were no schools planned for the east side of Jordan Lake. Students were traveling over an hour to the west side of the lake for school.*

*Timothy Moore spoke on the Cary-Chatham Joint Land Use Plan. Mr. Moore encouraged the board to think about future growth and how schools and affordable housing needed to be planned for now.*

*Jim Fletcher spoke on the Cary-Chatham Joint Land Use Plan and said the development density did not reflect the reality of the buildable land of the land tracts.*

*Keri Strickland-Ward spoke in-person. Ms. Strickland-Ward said there was no reference in Unified Development Ordinance (UDO) of the Cary-Chatham Joint Land Use Agreement. Cary was not listening to residents' concerns about development and its impact on their neighborhood. She was also concerned about the overcrowding in schools.*

### BOARD PRIORITIES

[22-4243](#)

## Unified Development Ordinance Code Audit Presentation by White &amp; Smith, LLC

**Attachments:** [Code Audit.Public Review Draft 03-28-22.reduced](#)  
[CCNC Audit Review 04-04-22.FINAL.v1](#)

*Tyson Smith, Unified Development Ordinance consultant with White & Smith, LLC, introduced the item. Mr. Smith introduced Kelly Cousino, who continued the presentation. (Presentation attached)*

*Commissioner Hales said this was brief and a high-level overview but asked if wastewater in subdivisions was going to be addressed. Ms. Cousino said it was being looked at and would be considered. Commissioner Hales was interested in the State requirements to have a wastewater treatment system installed.*

*Commissioner Hales asked if there was a reason the Cary-Chatham Joint Land Use Plan was not included in the Unified Development Ordinance. Ms. Cousino said it could be added to the audit. The concern was timing, but it can be incorporated into some of the policies in the Unified Development Ordinance. Commissioner Hales thought it was important due to the area of the County. Mr. Smith said the consultants were aware of the joint plan and things can be folded in as they were updated.*

*Chair Howard said there have been recent issues at Board of Commissioners meetings around conservation subdivisions. She asked if this information was being communicated. Ms. Cousino said county staff kept the consultants updated.*

*Commissioner Logan asked if the webpage for the Unified Development Ordinance allowed residents to ask questions. Chance Mullis said there was a participate feature to get all the updates. There was an email address that residents could email questions directly to Mr. Mullis. He checked it every day and made sure to keep the Unified Development Ordinance consultants and staff updated.*

*Commissioner Dasher said part of the document could be understanding planning and the County's role and authority. Ms. Cousino said typically a how-to executive summary of how to use the code was included but this suggestion could be folded into that summary.*

*Chair Howard thought that was a great idea. She said it would be helpful if differences between jurisdictions like Chatham County Schools and the Board of Commissioners could be included because it was confusing for the public.*

*Vice Chair Gomez Flores would like to provide more choice with state minimum requirements versus what the County required. Ms. Cousino said the consultants heard a lot of that feedback from the public. Commissioner Logan asked if there were examples of other jurisdictions in North Carolina that referenced minimum standards specifically to what Vice Chair Gomez Flores referenced. He asked how the County standards could be reflective of County values. Chair Howard said the Board needed to be thoughtful about options that encouraged and incentivized the values of the Board of Commissioners and the residents of Chatham County.*

*Commissioner Dasher said that was the challenge and how the Board could make it simple and flexible but not overly prescriptive. Mr. Smith said the consultants would likely come back to the Board around May 16th to talk more about some of the threshold policies.*

Chair Howard asked how does the announcement about the VinFast development from last week, impact the timeline. Mr. Smith said it would be a significant impact to the timeline and workload.

Anne Stomp had two specific comments on the draft. Ms. Stomp said there was no mention of RVs under housing types on page sixty-seven. She was concerned about RVs in Moncure being permanent housing. On page ninety-one, the community meetings were not presented as a plan. She said there was a map presented but it was more of a drawing. If the Board wanted community feedback, there should be more details. The Unified Development Ordinance needed to make the developer go into more detail beyond just a map. In the 2017 Comprehensive Plan on page 144, action item 02 a small area plan for the development in Moncure was mentioned. She asked what was the status of the Moncure megasite. She thought a much larger comprehensive plan needed to be developed rather than a small area plan.

Planning Director, Jason Sullivan said staff would be looking into it and the public will be updated.

## **CLERK'S REPORT**

Lindsay Ray reminded the commissioners of their one-on-ones with staff on April 14th and April 29th. The Board will attend the Legislative Breakfast at the Agriculture Center on May 4th, and they would receive more information in the coming weeks. Ms. Ray said she would register the commissioners interested in attending the Chatham Development Briefing. They just needed to let her know and she would purchase their tickets for the event.

## **MANAGER'S REPORT**

Dan LaMontagne thanked the City of Sanford for their partnership in making the VinFast project possible. We are beginning the small area plan process.

FedEx is being constructed at Triangle Innovation Point (TIP) West.

The Wastewater Study Commission work has changed significantly, and he felt as such he should come back to the BOC to get guidance. Staff would probably need to look into a feasibility study with a consultant and not necessarily with an advisory committee. Much of the work was not for a citizen group. Commissioner Dasher said the problem statement was what he was expecting as a final product. Chair Howard felt the board needed to be able to ask some questions of the commission and how they arrived at the problem statement. Mr. LaMontagne and the consultant agreed.

Mr. LaMontagne said maybe the three co-chairs could come and answer questions. Chair Howard said she was not comfortable saying scrap the commission and have the staff pursue these recommendations. Mr. LaMontagne said this seemed like final options, but the commission wanted to explore each of the commissions' recommendations and they were beyond a citizen group's scope and not appropriate. Commissioner Hales said a lot of times residents were unclear about how government functions and things were not as easy as they often think.

Commissioner Dasher suggested the commission come to give a presentation with an explanation as to how they arrived at the problem statement.

## **COMMISSIONERS' REPORTS**

*Commissioner Logan said the One Chatham meeting with the school district's strategic planning meeting will be held on April 8th, 1pm – 5pm at the Agriculture Center. The school district asked that residents attend. Ms. Ray would email today's public input speakers about the meeting.*

*Commissioner Hales will be talking to a group of University of North Carolina students and Triangle Land Conservancy staff on Wednesday about land conservation along the Rocky and Deep Rivers.*

*Vice Chair Gomez Flores said the Board should consider hiring a grant writer for the County. He congratulated all of Chatham County on the VinFast announcement. It was a humbling experience. On April 9th, he will be volunteering at Mountaire for a community food event for Easter.*

*Commissioner Dasher said he wanted to echo Vice Chair Gomez Flores' comments and thanked staff for all the work getting VinFast to the TIP site. It took a lot of people to make it happen.*

*Chair Howard attended the North Carolina Association of County Commissioners (NCACC) executive board meetings last week. They were going through a forced sale of the land for the NCACC property in Raleigh. We could not get an agreement with the League. On April 13th, the NCACC public education steering committee meetings will have a presentation on the Leandro outcome and a presentation from the community college system on micro-credentialing. This will be for students and residents to skill up and have more earning potential. The meeting starts at noon and will be held virtually on Zoom. She thanked staff for all the work done to secure the landing of VinFast in Chatham County.*

## **ADJOURNMENT**

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

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