



Chatham County, NC

Meeting Agenda - Final

Board of Commissioners

Monday, February 17, 2020

6:00 PM

Historic Courthouse Courtroom

Work Session - 2:30 PM - Historic Courthouse Courtroom

PUBLIC INPUT SESSION

The Public Input Session is held to give citizens an opportunity to speak on any item. The session is no more than thirty minutes long to allow as many as possible to speak. Speakers are limited to no more than three minutes each and may not give their time to another speaker. Speakers are required to sign up in advance. Individuals who wish to speak but cannot because of time constraints will be carried to the next meeting and given priority. We apologize for the tight time restrictions. They are necessary to ensure that we complete our business. If you have insufficient time to finish your presentation, we welcome your comments in writing.

BOARD PRIORITIES

[20-3409](#)

Receive update on usage of the Chatham County Agriculture and Conference Center

Attachments: [CCACC Presentation to BOC 02172020](#)

[20-3412](#)

Vote on a request to approve Parkers Ridge Park Master Plan and Master plan for Northeast Park Expansion

Attachments: [Parkers Ridge Park Master Plan and Northeast Park Expansion powerpoint](#)

[20-3408](#)

Receive an update from Planning Staff on the Unified Development Ordinance (UDO) and give direction on the options provided for the project's next steps. Additionally, vote on Request to authorize notice of advertising for the Request for Proposals (RFP) for the Chatham County UDO by electronic notice.

Attachments: [Feb 2020 BOC UDO Update](#)

[20-3420](#)

Sheriff wishes to share information about Detention Center daily population, employee pay, and new staffing requests.

CLOSED SESSION

- [20-3419](#) Closed session for the purposes of discussing matters relating to economic development.

ADJOURNMENT

End of Work Session

Regular Session - 6:00 PM - Historic Courthouse Courtroom

INVOCATION and PLEDGE OF ALLEGIANCE

CALL TO ORDER

APPROVAL OF AGENDA and CONSENT AGENDA

The Board of Commissioners uses a Consent Agenda to act on non-controversial routine items quickly. The Consent Agenda is acted upon by one motion and vote of the Board. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Board member or citizen. The Consent Agenda contains the following items:

- [20-3417](#) Vote on a request to approve the December 16, 2019 Work and Regular Session Minutes.
Attachments: [12.16.2019 Draft Minutes](#)
- [19-3346](#) Vote on a request to approve \$2,314.36 Association of Foods and Drug Officials (AFDO) Grant Funds.
Attachments: [\\$2,314.36](#)
- [19-3354](#) Vote on a request to approve \$2,552.36 Association of Foods and Drug Officials (AFDO) Grant Funds.
Attachments: [\\$2552.36-AFDO Grant-Env Health](#)
- [20-3396](#) Vote on a request to appoint Tammy Kirkman, Joseph J. Birchett, and Bryan Phillips as Deputy Finance Officers for the purpose of signing inmate trust account checks
- [20-3397](#) Vote on a request to approve Fiscal Year 2019-2020 Budget Amendments
Attachments: [Budget Amendment 2019-2020 Feb](#)
- [20-3382](#) Vote on a legislative request by the Board of Commissioners to consider county-initiated rezoning of thirty two (32) parcels in Gulf Township from R5- Residential to R1- Residential.
Attachments: [More information on the Planning Department website](#)

[20-3405](#) Vote on a request to approve by Karelian Homes, Inc. for subdivision **Final Plat** review and approval of **The Lane at Cattail Creek**, consisting of 19 lots on 58.67 acres, located off Rebecca Lane, S. R. 2524, Hadley Township, parcel #60065.

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

[20-3410](#) Vote on a request to approve Tax Releases and Refunds

Attachments: [1-7-20 to 1-31-20 Release and Refund Report](#)
[January 2020 NCVTS Pending Refund Report](#)

[20-3411](#) Vote on a request to approve the 2019 tax lien advertisement

[20-3403](#) Vote on request to approve contract between the State of North Carolina and Chatham County for water supply storage in B. Everett Jordan Lake

Attachments: [Jordan Lake Water Storage Contract - Round 4](#)

[20-3413](#) Vote on a request to approve a Fire Protection Contract for Goldston Rural Fire Department

Attachments: [Goldston Rural Fire Department Contract](#)

[20-3414](#) Vote on a request to approve Chatham County Public Libraries submitting a grant application to the State Library to request funding to hire a consultant to conduct a community assessment.

[20-3416](#) Vote on a request to approve having the Board of Commissioners authorize Dan LaMontagne as County Manager to sign and execute the construction contract for the new Chatham County Animal Services facility.

End of Consent Agenda

SPECIAL PRESENTATION

[20-3418](#) Present Certificate of Extended Volunteer Committee Service with County Advisory Committees

PUBLIC INPUT SESSION

The Public Input Session is held to give citizens an opportunity to speak on any item. The session is no more than thirty minutes long to allow as many as possible to speak. Speakers are limited to no more than three minutes each and may not give their time to another speaker. Speakers are required to sign up in advance. Individuals who wish to speak but cannot because of time constraints will be carried to the next meeting and given priority. We apologize for the tight time restrictions. They are necessary to ensure that we complete our business. If you have insufficient time to finish your presentation, we welcome your comments in writing.

PUBLIC HEARINGS[20-3380](#)

A Legislative public hearing for general use rezoning request by Jeff Wilson dba Wilson Brothers Milling Co., Inc to rezone Parcel No. 63839, from R-1 Residential to IL Light Industrial, located off NC HWY 902, Bear Creek Township.

Attachments: [More information on the Planning Department website](#)

[20-3404](#)

A Legislative public hearing for a request by Paul Brewer for a conditional district rezoning from R-1 Residential to CD-CB, Conditional District Community Business, for an indoor/outdoor storage facility, Parcel No. 60167 being 38.4 of 48.8 acres, located off Jordan Dam Rd, Haw River Township.

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

BOARD PRIORITIES[20-3406](#)

Vote on a request by Mark Ashness, P.E. on behalf of Shaddox Creek Developers, LLC for subdivision **First Plat** review and approval of **The Conservancy at Jordan Lake**, consisting of 47 lots on 105 acres, located off Old US #1, SR-1011, parcel #66894, 5334, 5545, & 5557.

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

[20-3407](#)

Vote on a request to approve by Mark Ashness, P.E. on behalf of Swain Land & Timber, LLC for subdivision **First Plat** review and approval of **Seaforth Place**, consisting of 17 lots on 64.71 acres, located off Seaforth Road, SR-1941, parcel #91403.

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

[19-3294](#)

Vote on a Legislative request by Pitt Hill X, LLC for a conditional district rezoning from R-1 Residential to CD-NB for retail shopping center, Parcel No. 2721, located at 10329 US 15-501 N, Baldwin Township on approximately 5.01 acres.

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

MANAGER' S REPORTS**COMMISSIONERS' REPORTS****ADJOURNMENT**



Chatham County, NC

Text File

File Number: 20-3409

Agenda Date: 2/17/2020

Version: 1

Status: Work Session

In Control: Human Resources

File Type: Agenda Item

Receive update on usage of the Chatham County Agriculture and Conference Center



Chatham County
Agriculture &
Conference Center

Usage Update
Board of Commissioners
February 17, 2020



Events and Revenue

Who, What and How Much

Who is Using CCACC?

Building Occupants

- Many educational programs (CES)
- Hemp Workshop (2nd Annual)-over 300 participants

Chatham Non-Profits

- Fundraisers
- Holiday galas
- Pastor appreciations

Central Carolina Community College

- Administrative meetings
- Instructor meetings

Revenue Clients

- Corporate meetings
- Weddings
- Car shows
- Quinceaneras

Internal Departments

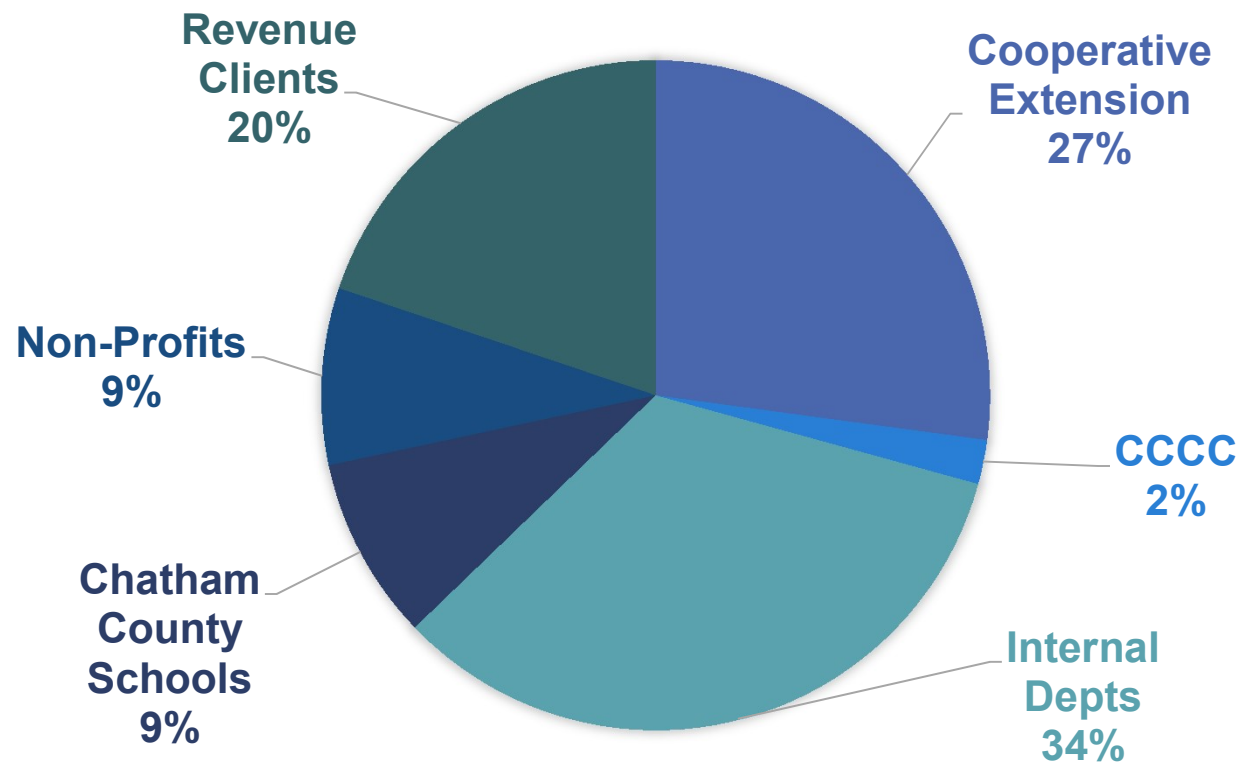
- Board meetings
- Regional meetings
- All-staff meetings

Chatham County Schools

- Northwood prom
- State mandated testing
- Awards ceremonies

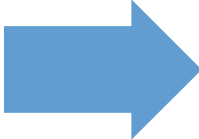
Who is Using CCACC?

FY 20 Year to Date



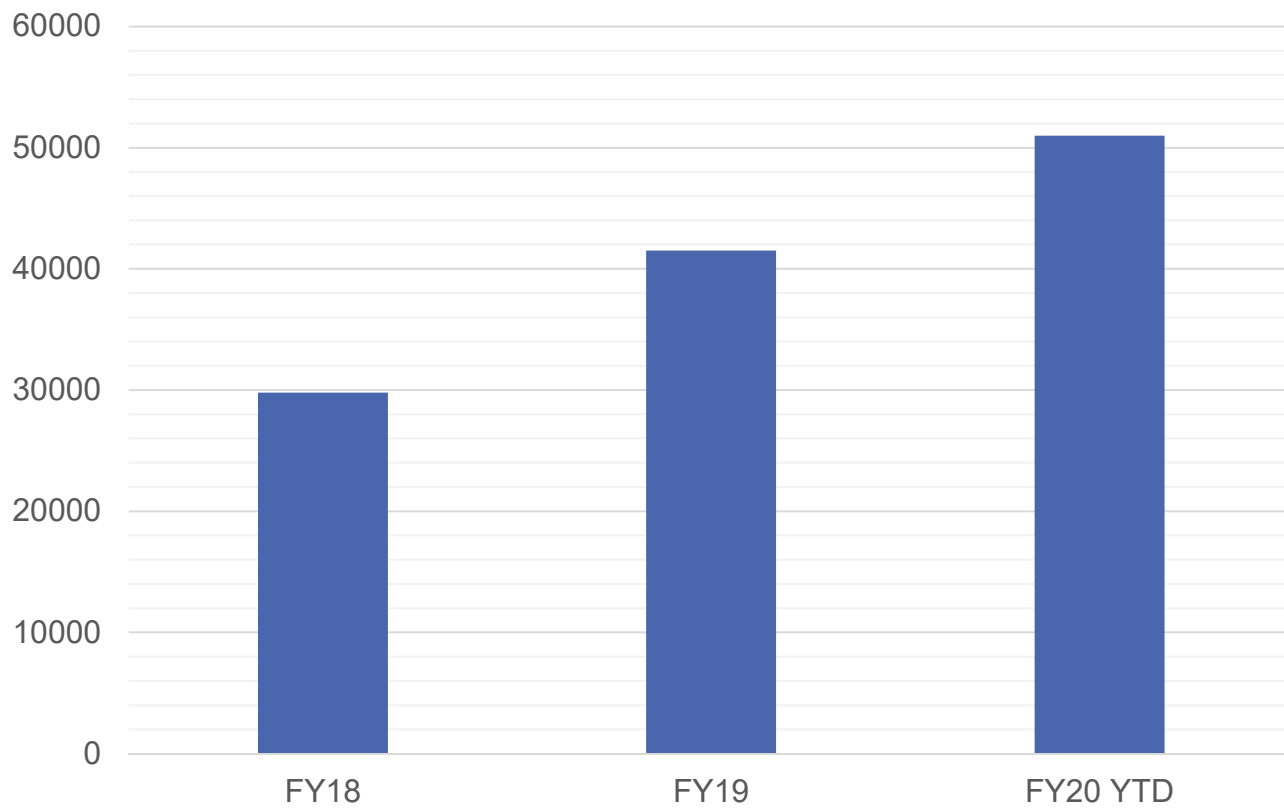
 **\$50,990**
FY20 Revenue to Date

 **33,982 attendees**
FY20 Scheduled to Date

 **23%**
Increase in revenue from FY19 to FY20



Revenue by Year



Ag Fest

2019

- ▷ Over 2,700 attendees
- ▷ Largest county-sponsored event

2020

- ▷ Expanded hours, 10:00am-4:00pm
- ▷ More livestock arena events
- ▷ Smokehouse Dedication, 10:00am
- ▷ **NEW!** Non-perishable food collection for Chatham food pantries



Internal & Building Occupant Events



School & College Events



Social Events



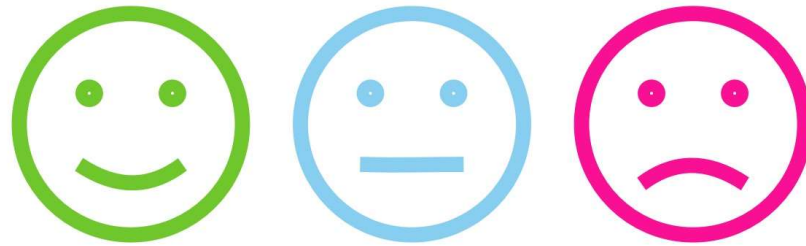
Public Events



Livestock Arena Events



New In FY20



FEEDBACK



I cannot say how pleased we were with the facility for our show. The acoustics were great, the A/V setup gave all a good view (especially since we rented the whole area). Plenty of room and the staff that night was beyond excellent. Brandi [sic] & Marty especially were very nice, professional and met all our needs. Others of the staff that night were excellent as well. We will definitely use the CCACC for future events of this type. YOU ROCK!! If there had been an Excellent + button, that's the one I would've chosen!!



We received superb customer service from the entire staff at the Chatham County Ag Center. Our company was well cared for while at the venue. We will be back!

Looking Ahead

Phase 2

- Current future project in CIP
- Development of outdoor arena/demonstration space
- Collaborative focus on education and accessibility for users of all ages

Step 1: Feasibility Study



Thanks!

Any questions?



Chatham County, NC

Text File

File Number: 20-3412

Agenda Date: 2/17/2020

Version: 1

Status: Agenda Ready

In Control: Parks and Recreation

File Type: Agenda Item

Vote on a request to approve Parkers Ridge Park Master Plan and Master plan for Northeast Park Expansion

Action Requested:

Motion to approve Parkers Ridge Master Plan and Master plan for Northeast Park Expansion

Introduction & Background:

The Comprehensive Parks and Recreation Master Plan was completed February 2019. A recommendation from the master plan is to upgrade park master plans and cost estimates to reflect changes in demographics, recreation trends, and current construction costs. To determine the upgrades for the Northeast Park, a master plan expansion was created. Another recommendation from the master plan is to build a park in Southeast Chatham. In order to begin the process, a park master plan and cost estimates to reflect changes in demographics, recreation trends, and current construction costs must be complete.

Discussion & Analysis:

Northeast District Park is located on Big Woods Road in Northern Chatham County. The Southeast Park land is located in Moncure and is named Parkers Ridge Park. The overall approach for the expansion and master plan was to leverage the results of the Parks and Recreation Comprehensive Plan input as well as facilitate additional public open houses specific to the parks. For Parkers Ridge Park three public meetings were held. Attendees were asked to provide input on response boards as well as complete a small questionnaire. As part of the planning process, the recreation staff offered desired park amenities and park programming. The Recreation Advisory committee provided their feedback on the plan as well. The Landscape Architects gathered all the information to produce the master plan and expansion plan. The final product is a park rendering, community engagement summary and a master plan level cost estimate.

How does this relate to the Comprehensive Plan:

Provide recreational opportunities and access to open space

Budgetary Impact:

Full buildout cost estimate of \$4,230,525.00 for Northeast Park. Grants and other funding options will be pursued to potentially offset the cost.

Full buildout cost estimate of \$18,486,452.00 for Parkers Ridge Park. Grants and other funding options will be pursued to potentially offset the cost in phases.

Recommendation:

Motion to approve the Parkers Ridge Park Master Plan and Master Plan for Northeast Park Expansion

PARKERS RIDGE PARK MASTER PLAN & NORTHEAST DISTRICT PARK EXPANSION MASTER PLAN

Board of Commissioners Presentation

February 17, 2020

AGENDA

SITE INVENTORY AND ANALYSIS

PUBLIC ENGAGEMENT PROCESS

SITE PROGRAMMING

CONCEPTUAL PLANS

FINAL MASTER PLAN

OPINION OF COSTS

PHASE ONE PLAN



PARKERS RIDGE PARK MASTER PLAN

SITE INVENTORY AND ANALYSIS

- › Located in Moncure, along Pea Ridge Road off Highway US 1 (Claude E. Pope Memorial Highway)
- › Approximately 15 miles from Pittsboro, Sanford, and Western Wake County
- › 147 acres site named Parkers Ridge in honor of the Atlas and Lola Parker
- › Property sold by Lola Tart Parker Trust at reduced cost to Chatham County
- › Natural Resources- Jordan Lake, Harris Lake County Park, Haw River, Deep River
- › Goals for Parks and Recreation Comprehensive Plan:
 - › Goal 2 Objective 2.1 : Develop Master Plan



SITE INVENTORY AND ANALYSIS

EXISTING SITE CONDITIONS



LEGEND

- PROJECT AREA
- STREAM
- CHATHAM COUNTY WATERSHED PROTECTION BUFFERS
- 100 YEAR FLOODPLAIN
- BUILDING SETBACK

SITE DATA

PIN: 9688 00 64 7059
 TOTAL ACREAGE: 138.04 ACRES

NOTE

All base data has been provided by Chatham County GIS On-line services and should be confirmed with a topographic and boundary survey prior to development of construction drawings.



SITE INVENTORY AND ANALYSIS

EXISTING SITE CONDITIONS



1

BUILDINGS



2

CROP FIELDS



3

WATER BODY-1



4

CROP FIELDS



5

SHADDOX CREEK



6

WATER BODY-2



7

WILDLIFE



8

WELL

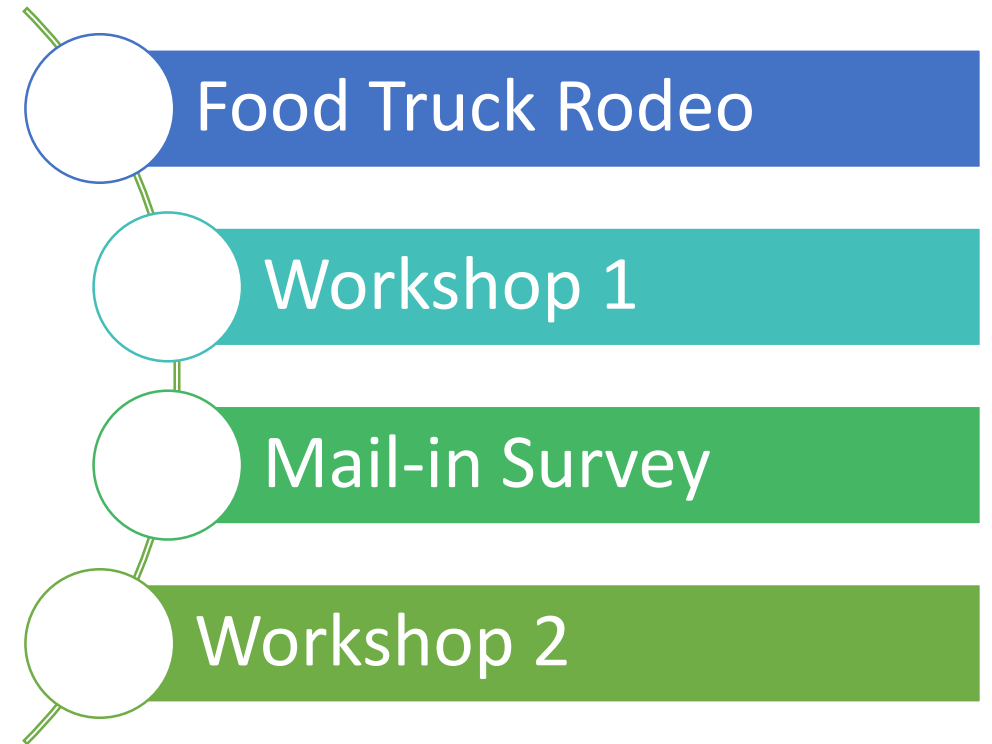


9

CROP FIELDS

PUBLIC INPUT OPPORTUNITIES

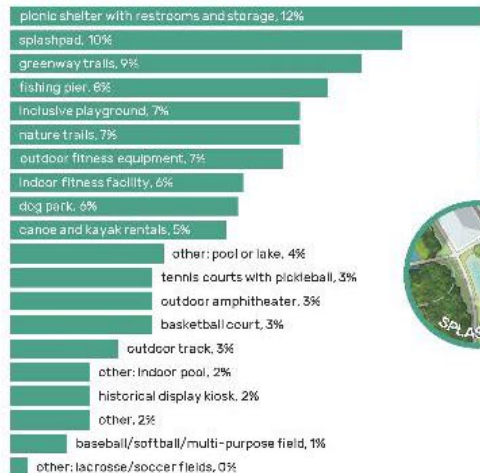
- › Preferred Park Character
- › Preferred Amenity Needs
- › Preferred Program Needs
- › Health and Wellness Preferences
- › Criteria for Prioritization



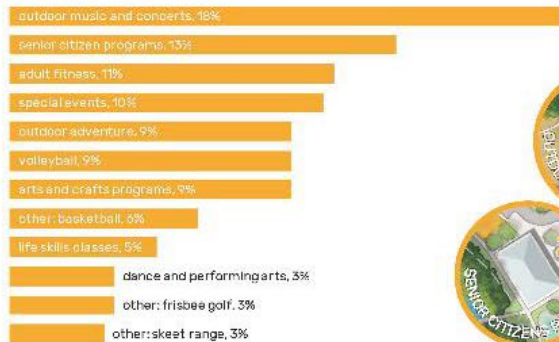
SITE PROGRAMMING

COMMUNITY ENGAGEMENT

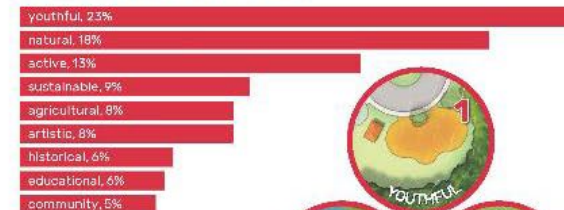
AMENITY NEEDS



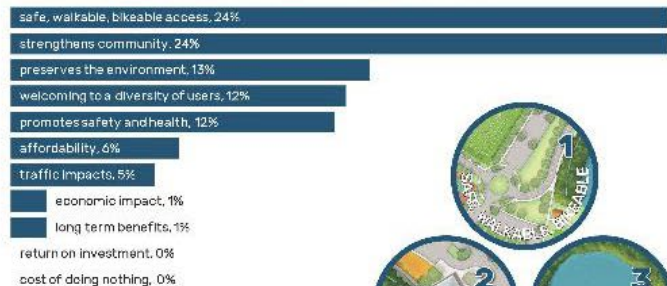
PROGRAM NEEDS



PARK CHARACTER



CRITERIA FOR PRIORITIZATION



CORE PROGRAMMING

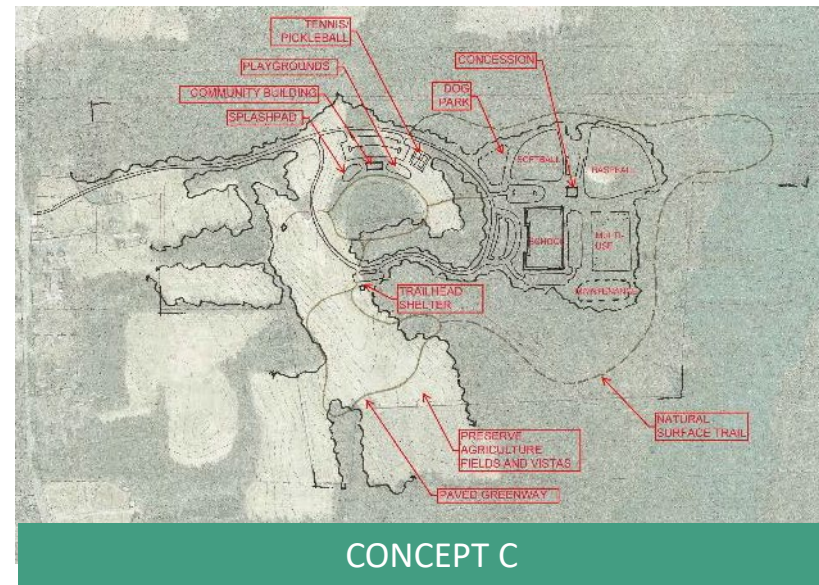
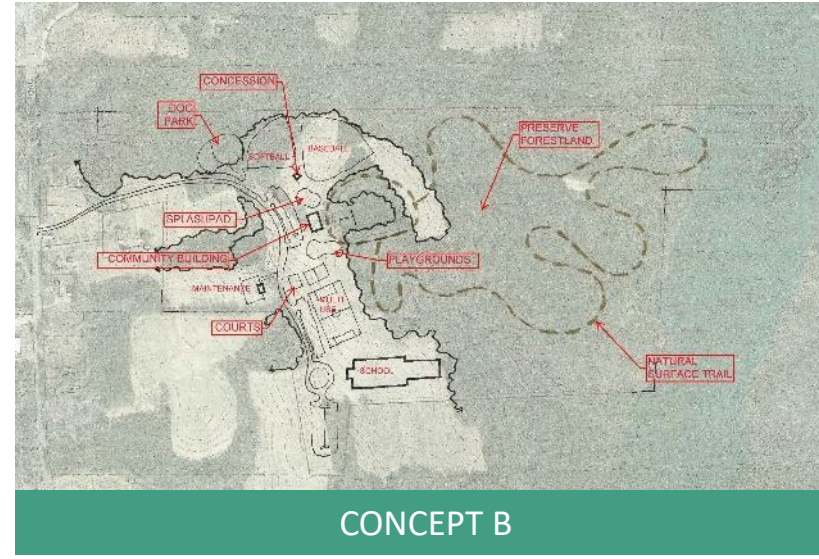
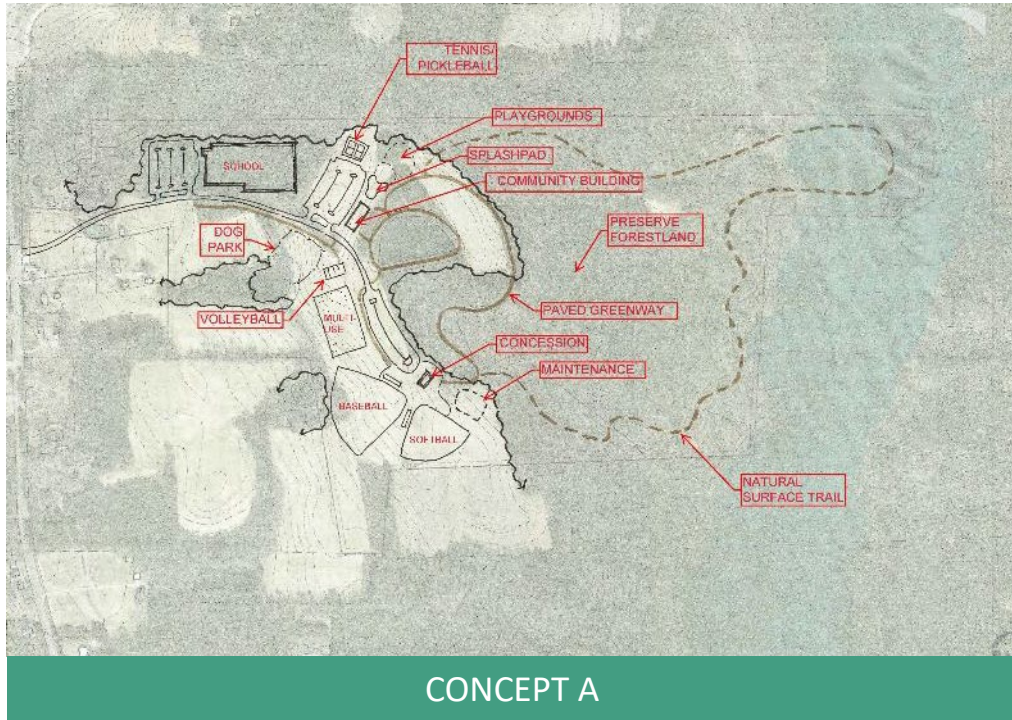
	COMPREHENSIVE PARKS + RECREATION PLAN	COMMUNITY ENGAGEMENT	STAFF INPUT
Tennis / pickleball	X		
Playground	X	X	
Splashpad	X	X	
Community building	X		
Greenway	X	X	
Baseball / softball	X		X
Multi-use field	X		X
Volleyball			X
Dog park	X	X	
Basketball courts			X
Picnic shelters	X	X	
Natural surface trails	X	X	
Reserve space for school site			X

YOUTHFUL

NATURAL

ACTIVE

CONCEPTUAL MASTER PLANNING



FINAL MASTER PLAN



PARK AMENITY SUMMARY*

INTERPRETIVE AREA + SHELTER	1 AC (+/-) 600 SF SHELTER
SHELTER AT POND	(+/-) 600 SF
EVENT LAWN	(+/-) 70,000 SF
CONCESSION + RESTROOMS	(+/-) 1,000 SF
MULTI-PURPOSE FIELDS	2 @ 360' X 180'
TENNIS/PICKLEBALL COURT	2 @ 36' X 78'
FITNESS COURSE	(+/-) 8,000 SF
COMMUNITY CENTER	(+/-) 10,000 SF
SPRAYGROUND	(+/-) 3,500 SF
PLAYGROUND	(+/-) 8,000 SF
SHELTER AT SPRAYGROUND	(+/-) 600 SF
DOG PARK	0.35 AC (16,000 SF)
DISC GOLF COURSE	(+/-) 18 AC
NATURAL SURFACE TRAIL	1.5 MILE

* PROPOSED AMENITY SIZE. CALCULATIONS ARE APPROXIMATE AND SUBJECT TO CHANGE

PARKING DATA

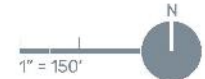
PARKING AREA	
INTERPRETIVE AREA/PARK ENTRY	(+/-) 18 SPACES
EVENT LAWN/BALL FIELD	(+/-) 72 SPACES
MULTI-PURPOSE FIELD	(+/-) 105 SPACES
COMMUNITY CENTER	(+/-) 130 SPACES
TURF OVERFLOW PARKING (not in total)	approx 30 SPACES
TOTAL PARKING	(+/-) 325 SPACES

LEGEND

- ASPHALT
- SIDEWALK
- 0.5 MILE PAVED GREENWAY LOOP
- NATURAL SURFACE TRAIL
- SPORT FACILITY
- PARKING
- STRUCTURE
- NATURALIZED AREA
- EXISTING POND
- EXISTING STREAM
- WETLAND
- 50' STREAM BUFFER
- PROPERTY LINE
- SETBACK
- LOW IMPACT STORMWATER MANAGEMENT

NOTES:

1. This concept plan is preliminary in nature and subject to change.
2. All base data has been provided by Chatham County or line services and should be confirmed with a topographic and boundary survey prior to development of construction drawings.
3. This concept diagram does not consider subsurface conditions such as utilities, unsuitable soils, rock or other elements that may influence the park configuration or location of amenities. A preliminary soils, geotech or similar investigations should inform the final concept design.
4. Disc golf course final design to be completed by disc golf course designer. Course may expand into natural trails to increase size as needed.
5. Design and location of future school building and all associated vehicular and pedestrian circulation is conceptual and subject to change.



FINAL MASTER PLAN
PRECEDENT IMAGES



FINAL MASTER PLAN
PRECEDENT IMAGES



Tennis/ Pickleball



Dog Park



Fitness Course



Baseball/ Softball



Meadow



Boardwalk through wetlands

OPINION OF COSTS

Major Construction Items

› Site prep & Earthwork	\$ 756,000.00
› Park Improvements	\$ 8,942,950.00
› Infrastructure (Utilities, Roadwork, Stormwater)	\$ 1,760,000.00
SUBTOTAL	\$ 11,428,950.00

Soft Costs

› Contingency	(30%)
› Contractor General Conditions	(10%)
› Bond & Insurance	(1.75%)
› Design Costs	(10%)
› Escalation	(4.5%)

<u>Grand Total</u>	<u>\$ 18,486,452.00</u>
---------------------------	--------------------------------

› Phase One Amenities

- › -
- › -
- › -

› Phase One Opinion Of Costs

- › -
- › -
- › -

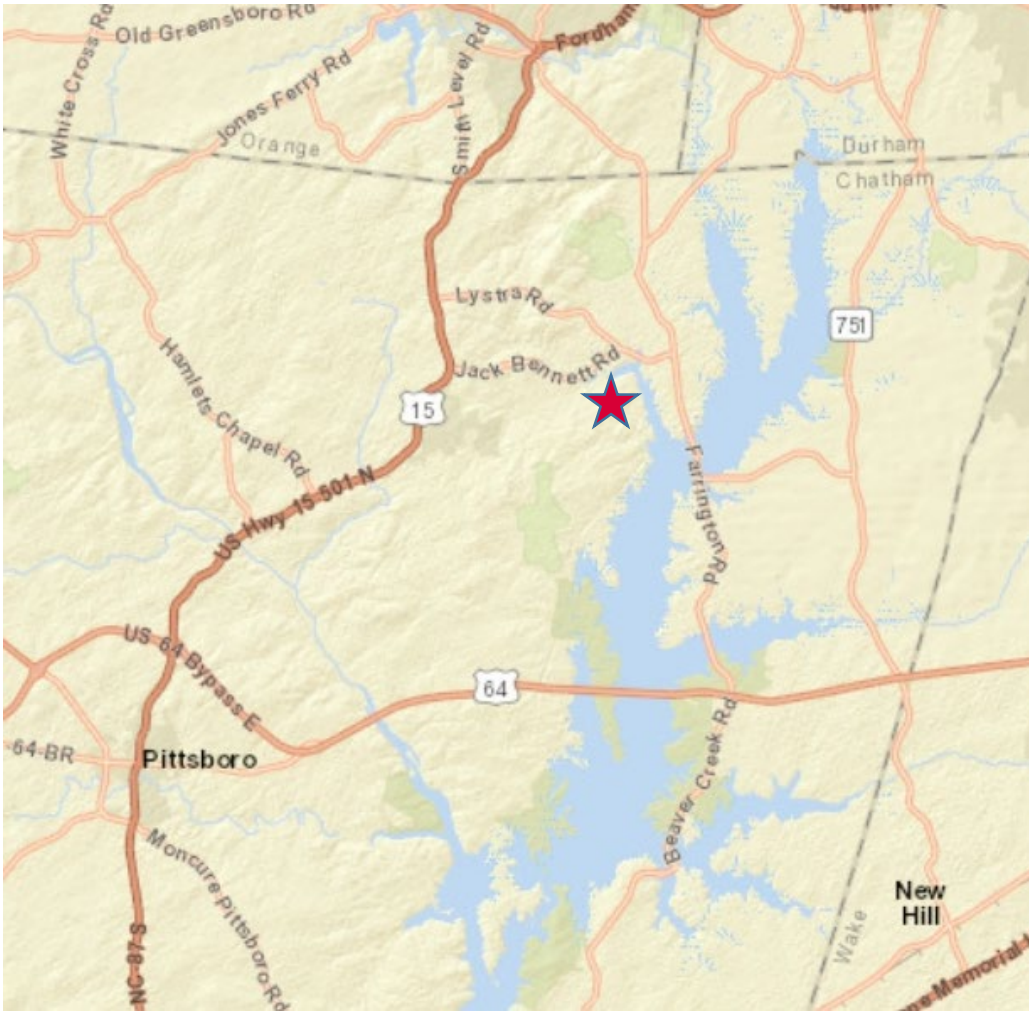
› Phase One PARTF Funding

- › -
- › -
- › -

NORTHEAST DISTRICT PARK EXPANSION MASTER PLAN

SITE INVENTORY AND ANALYSIS




- › Existing park facility, located at 5408 Big Woods Road, Chapel Hill, NC 27517
- › Jordan lake and game lands around 66 acres of park property
- › Existing facilities
 - › Multipurpose field, softball/baseball field, 2 pickle ball courts, picnic shelter, fishing pond, 1/4-mile paved walking trail, tennis courts, concession stand, restrooms & playground.
- › Extreme slopes
- › Conservation Easement
- › “New” construction, master plan update
- › Goals for Parks and Recreation Comprehensive Plan:
 - › Goal 1, Objective 1.1 : Develop Park Master Plan for NE District Park



EXISTING SITE CONDITIONS



LEGEND

-  PROJECT AREA
-  EXISTING SITE ACCESS
-  CONSERVATION EASEMENT

SITE INVENTORY AND ANALYSIS

EXISTING SITE CONDITIONS



1

Playground



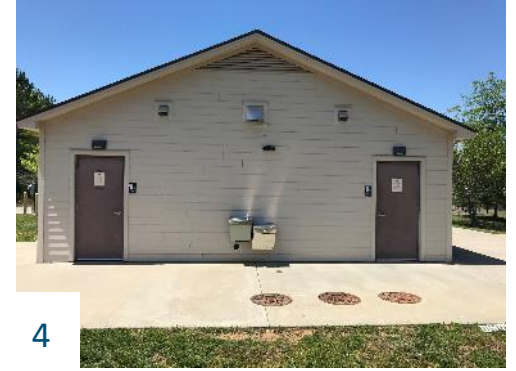
2

Trails



3

Library



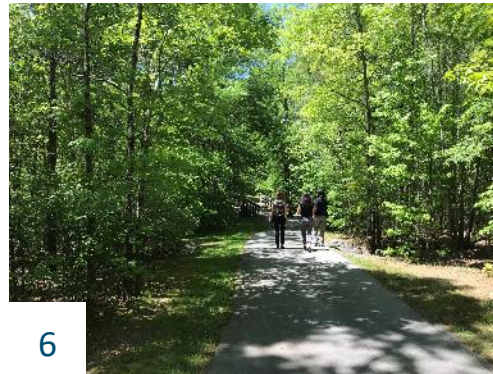
4

Restrooms



5

Existing pond



6

Trails



6

Picnic shelter



6

Tennis courts

CORE PROGRAMMING

2019 Comprehensive Master Plan

- › 2 additional Tennis / Pickleball
- › Lighting at the existing courts
- › Basketball courts
- › Horseshoe/ Bocce
- › Playground expansion
- › Additional picnic shelter
- › Extend walking trails
- › Community center

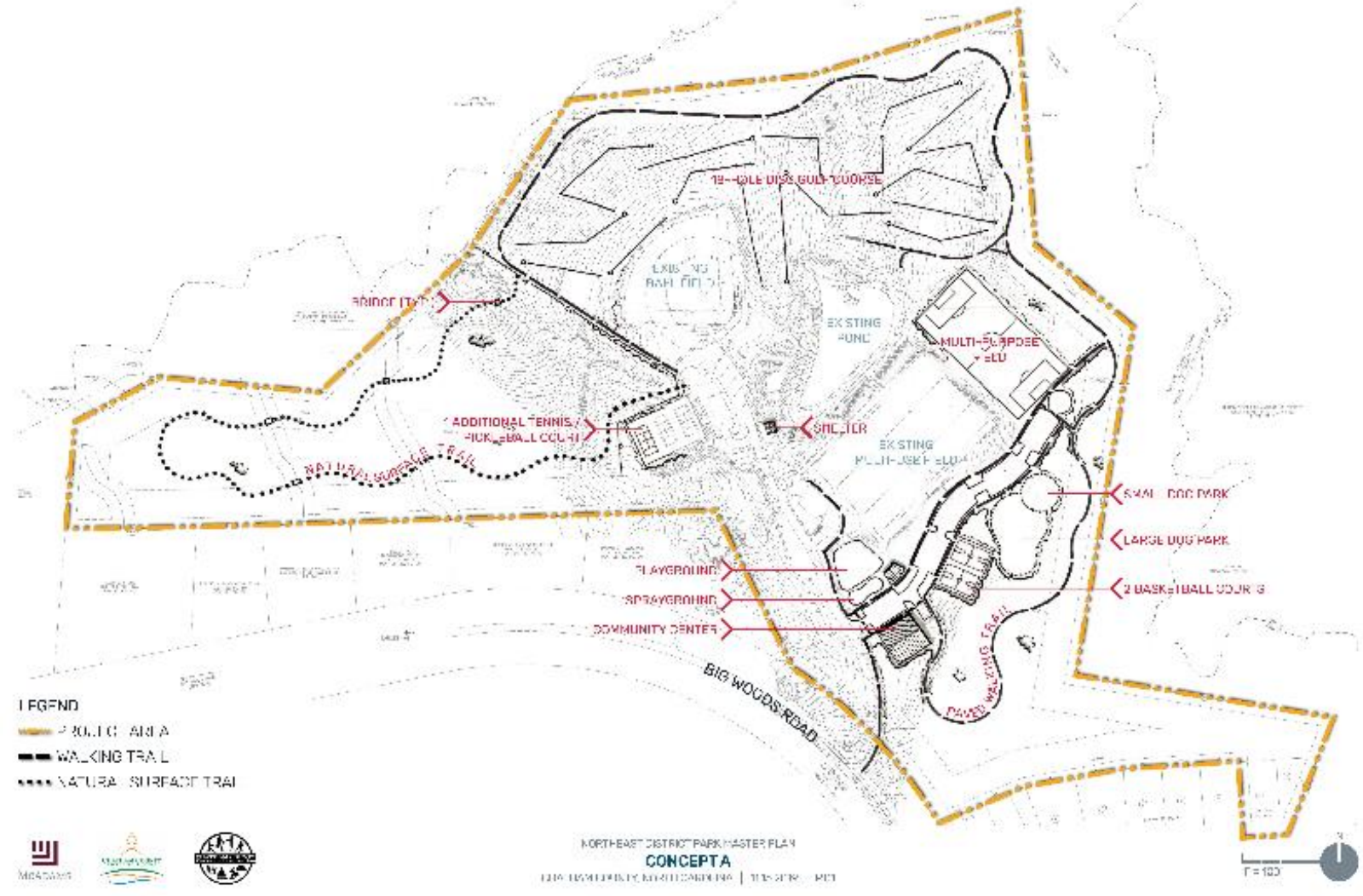
Conservation Easement

- Allowable Uses
- › Mountain bike trails
 - › Nature trail (4' width), Bridges, overlooks
 - › 1.5 ac of allowable disturbance

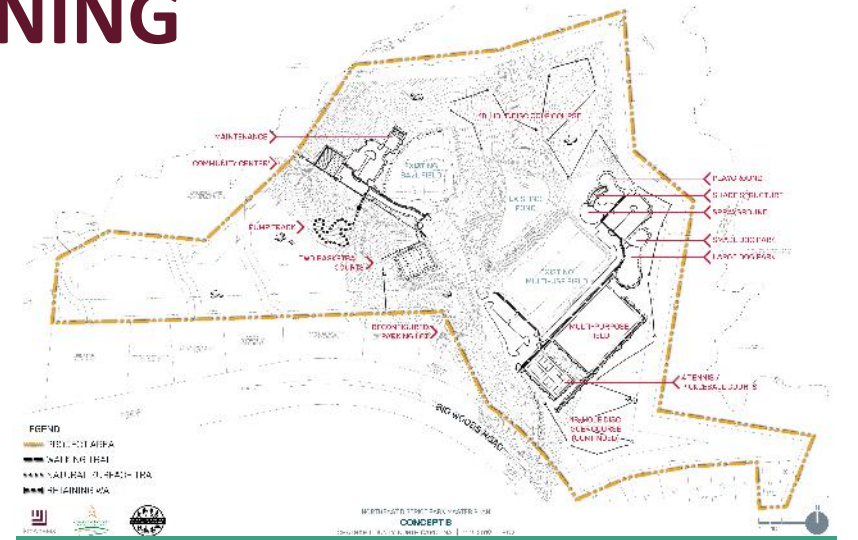
Desired Amenities

- › Adult softball
- › Multi use field
- › Enlarged Playground
- › Disc golf
- › Dog park
- › Recreation center
- › Splash pad
- › Maintenance building & shop yard

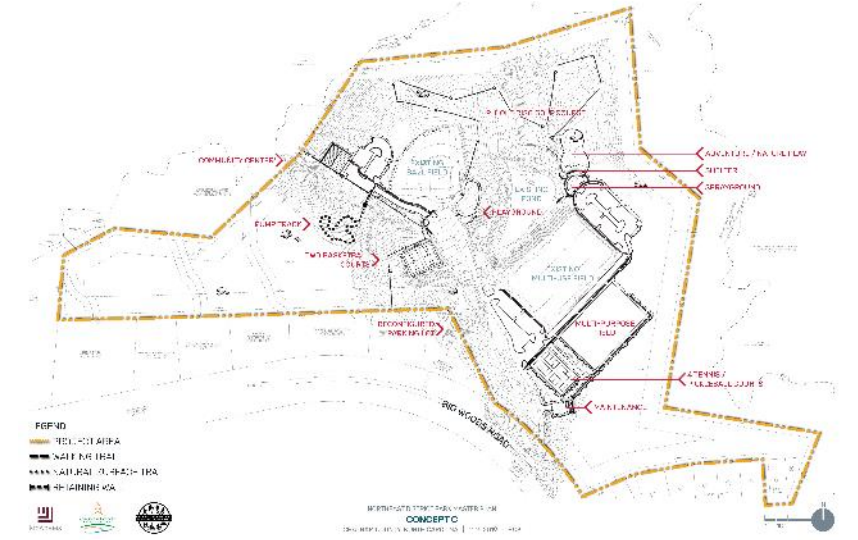
CONCEPTUAL MASTER PLANNING



CONCEPT A



CONCEPT B



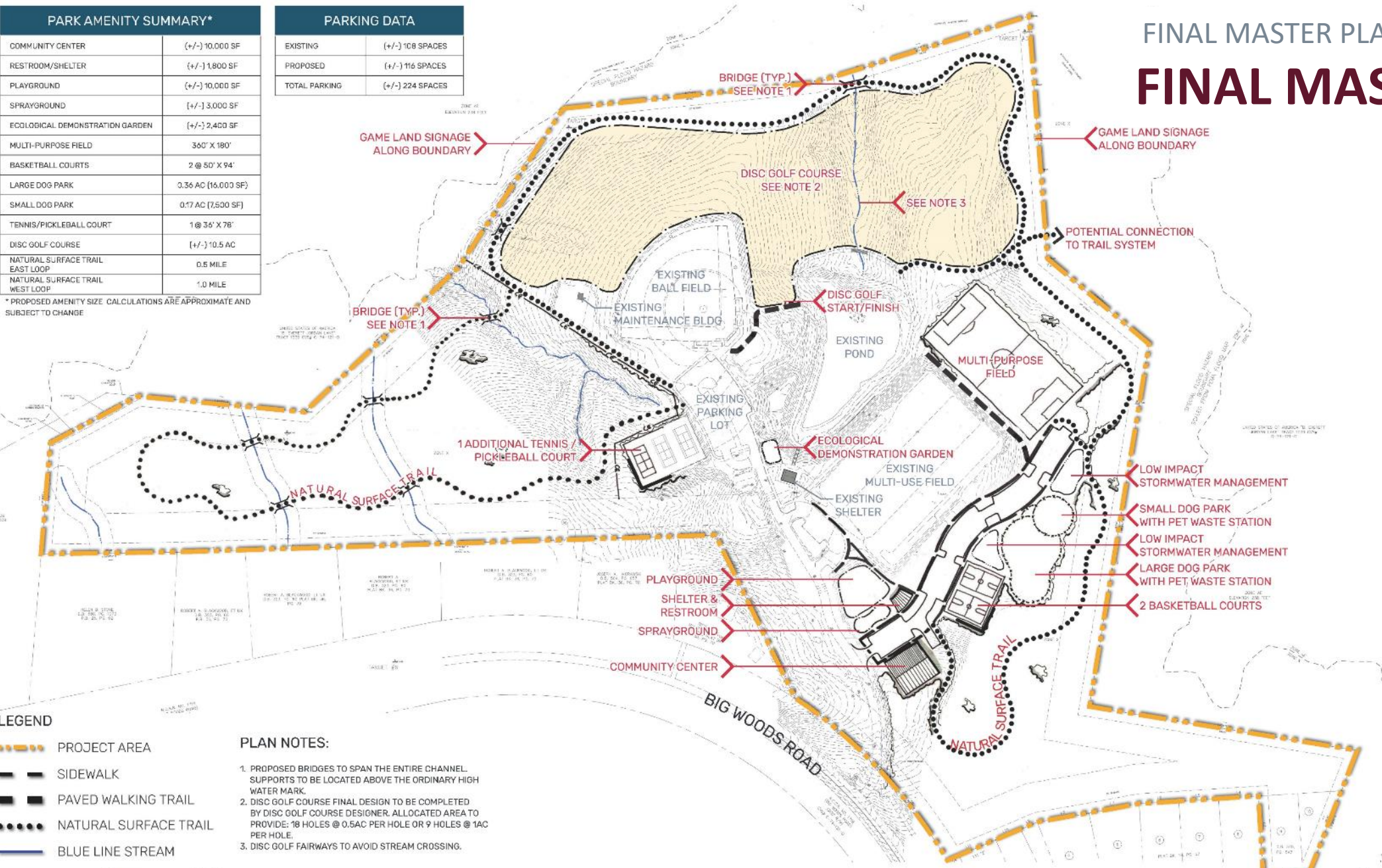
CONCEPT C

FINAL MASTER PLAN

PARK AMENITY SUMMARY*	
COMMUNITY CENTER	(+/-) 10,000 SF
RESTROOM/SHELTER	(+/-) 1,800 SF
PLAYGROUND	(+/-) 10,000 SF
SPRAYGROUND	(+/-) 3,000 SF
ECOLOGICAL DEMONSTRATION GARDEN	(+/-) 2,400 SF
MULTI-PURPOSE FIELD	350' X 180'
BASKETBALL COURTS	2 @ 50' X 94'
LARGE DOG PARK	0.36 AC (16,000 SF)
SMALL DOG PARK	0.17 AC (7,500 SF)
TENNIS/PICKLEBALL COURT	1 @ 36' X 78'
DISC GOLF COURSE	(+/-) 10.5 AC
NATURAL SURFACE TRAIL EAST LOOP	0.5 MILE
NATURAL SURFACE TRAIL WEST LOOP	1.0 MILE

PARKING DATA	
EXISTING	(+/-) 108 SPACES
PROPOSED	(+/-) 116 SPACES
TOTAL PARKING	(+/-) 224 SPACES

* PROPOSED AMENITY SIZE CALCULATIONS ARE APPROXIMATE AND SUBJECT TO CHANGE



- LEGEND**
- PROJECT AREA
 - SIDEWALK
 - PAVED WALKING TRAIL
 - NATURAL SURFACE TRAIL
 - BLUE LINE STREAM

- PLAN NOTES:**
1. PROPOSED BRIDGES TO SPAN THE ENTIRE CHANNEL. SUPPORTS TO BE LOCATED ABOVE THE ORDINARY HIGH WATER MARK.
 2. DISC GOLF COURSE FINAL DESIGN TO BE COMPLETED BY DISC GOLF COURSE DESIGNER. ALLOCATED AREA TO PROVIDE: 18 HOLES @ 0.5AC PER HOLE OR 9 HOLES @ 1AC PER HOLE.
 3. DISC GOLF FAIRWAYS TO AVOID STREAM CROSSING.



FINAL MASTER PLAN
PRECEDENT IMAGES



Tennis/ Pickleball



Disc Golf



Multipurpose Fields



Playground



Trails



Basketball Court

FINAL MASTER PLAN
PRECEDENT IMAGES



Shelter with restrooms



Dog Park



Splashpad



Community Center



Ecological Demonstration Garden



Low Impact Stormwater Management

OPINION OF COSTS

Major Construction Items

› Site prep & Earthwork	\$ 180,000.00
› Park Improvements	\$ 4,836,850.00
› Infrastructure (Utilities, Roadwork, Stormwater)	\$ 182,160.00
SUBTOTAL	\$ 2,587,446.00

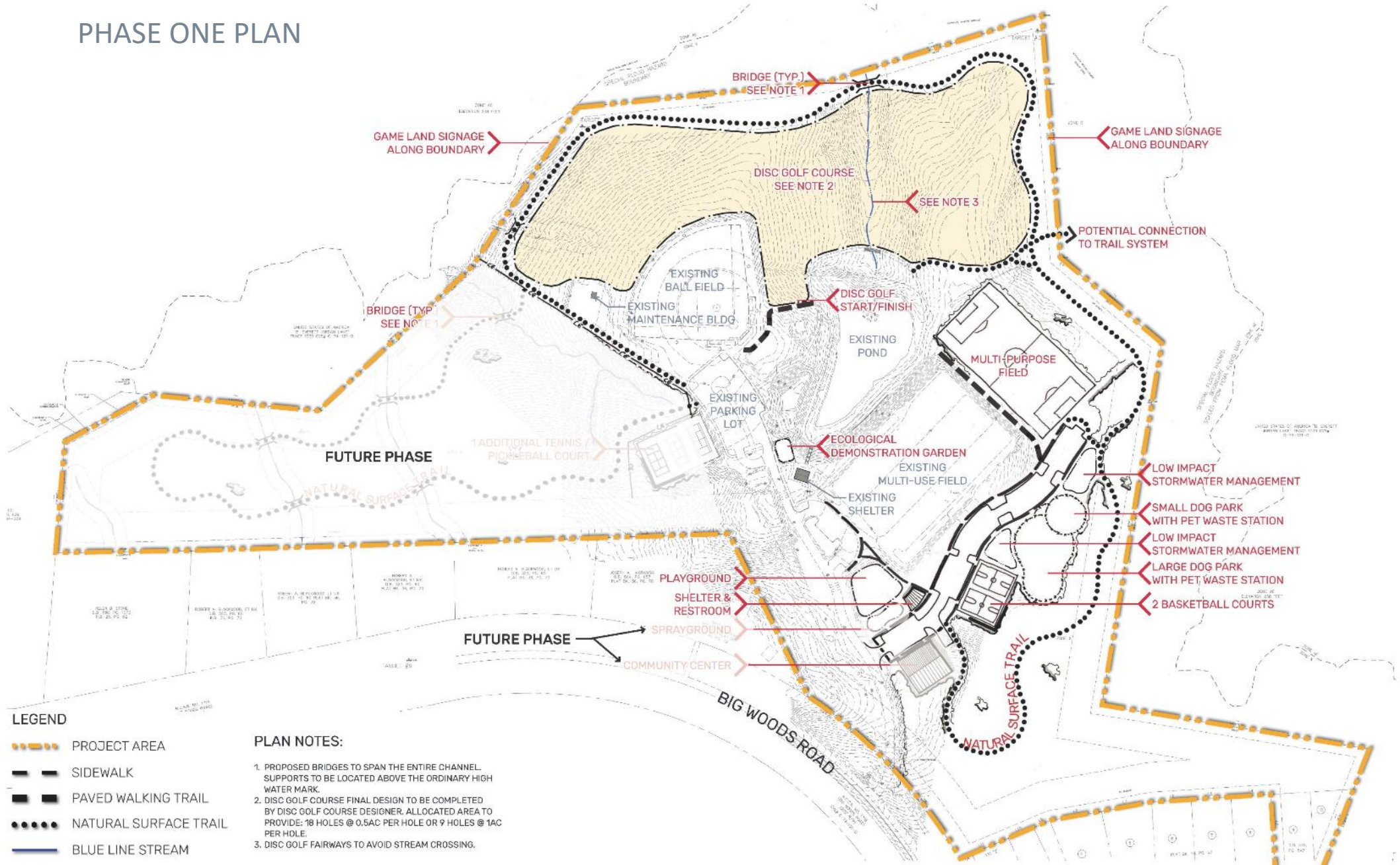
Soft Costs

› Contingency	(30%)
› Contractor General Conditions	(10%)
› Bond & Insurance	(1.75%)
› Design Costs	(10%)
› Escalation	(4.5%)

Grand Total \$ 7,661,169.00

Phase I Total \$ 4,230,525.00

PHASE ONE PLAN



LEGEND

- PROJECT AREA
- SIDEWALK
- PAVED WALKING TRAIL
- NATURAL SURFACE TRAIL
- BLUE LINE STREAM

PLAN NOTES:

1. PROPOSED BRIDGES TO SPAN THE ENTIRE CHANNEL. SUPPORTS TO BE LOCATED ABOVE THE ORDINARY HIGH WATER MARK.
2. DISC GOLF COURSE FINAL DESIGN TO BE COMPLETED BY DISC GOLF COURSE DESIGNER. ALLOCATED AREA TO PROVIDE: 18 HOLES @ 0.5AC PER HOLE OR 9 HOLES @ 1AC PER HOLE.
3. DISC GOLF FAIRWAYS TO AVOID STREAM CROSSING.



Thank You!



Chatham County, NC

Text File

File Number: 20-3408

Agenda Date: 2/17/2020

Version: 1

Status: Work Session

In Control: Planning

File Type: Agenda Item

Receive an update from Planning Staff on the Unified Development Ordinance (UDO) and give direction on the options provided for the project's next steps. Additionally, vote on Request to authorize notice of advertising for the Request for Proposals (RFP) for the Chatham County UDO by electronic notice.

Action Requested:

Receive an update from Planning Staff on the Unified Development Ordinance (UDO) and give direction on the options provided for the project's next steps. Additionally, vote on Request to authorize notice of advertising for the Request for Proposals (RFP) for the Chatham County UDO by electronic notice.

Introduction & Background:

As part of the on-going implementation of the comprehensive plan, the Planning Department in conjunction with Watershed Protection Department continue to seek to modernize the county's land development regulations. This modernization will address major issues and content in moving toward a Unified Development Ordinance that combines all land use and development regulations and ordinances into a single document.

Current land use related ordinances and regulations are not only numerous (reflective of the County previously being partially zoned), but are also outdated and cumbersome to navigate. Some regulations use contradictory language in tandem with others. There is a lack of graphics, illustrations, and clear definitions. There are insufficient cross-references, and outdated standards and design guidelines, and vague language.

The following goals are anticipated to be accomplished through this process:

- Draft and adopt a Unified Development Ordinance with commonly accepted modern planning practices and contemporary zoning tools; compliant with North Carolina state statutes.
- Create clear procedures and guidelines that are simple, flexible, and easily administered by staff; a user friendly document for residents, elected officials, appointed boards, and the development community.
- Create a streamlined and clearly outlined development review process tailored uniquely to Chatham County. All the while, incorporate innovative and creative approaches to land-use regulation, building upon the best design principles and

practices throughout the United States and NC laws/codes.

- Integrate and cross reference other land use regulations, to ensure consistency with local, state, and federal laws and regulations.
- Incorporate the recommendations of the County's Comprehensive Plan adopted in November 2017. The UDO should encourage development and redevelopment of designated centers, support sound economic development, support preservation of agricultural areas, integrate multimodal transportation where it is appropriate, and provide a platform to support sustainable infrastructure investment and affordable housing.
- Build an illustrated code: depiction of requirements, concepts, process flowcharts, etc.
- Coordinate with other county development related departments as well as other entities, including but not limited to: adjacent counties, regional partners, Army Corps of Engineers, North Carolina Natural Resource Wildlife Commission, North Carolina Department of Transportation, and municipalities to ensure consistency in land use patterns at boundaries as needed.

The Board of Commissioners approved the release of the Request for Proposals (RFP) for the Chatham County's Unified Development Ordinance at the Board of Commissioners Retreat in January 24th, 2019. The County received a total of 3 proposals and on April 15th 2019 and the Board approved the recommendation from the Unified Development Ordinance Selection Committee to award the UDO contract to Code Wright LLC. The Contract was signed by the County Manager July 8th 2019 and the UDO Project began. The Contract was terminated as indicated by the Memo sent by the County Manager to the Commissioners December 3rd, 2019. Prior to termination, the Project Kickoff was partially completed, documents were reviewed, and outreach to boards and committees had been completed to start the formation of focus groups for the annotated outline.

Discussion & Analysis:

After the termination of contract, staff evaluated multiple paths to continue moving forward to complete a Unified Development Ordinance for the County.

The following paths were evaluated:

1. Reissue the RFP with no revision
2. Reissue the RFP with revisions
3. Consider options to complete project if consultant is not able to be selected (evaluate if the entirety of the project, or to what degree any components of the project could be completed by staff)

Planning staff conducted extensive research into other jurisdictions code updates and rewriting processes by organizing and analyzing the components of the project that would need to be coordinated.

- First component being compliance. State legislative changes are going to require some significant change to the County's land use related regulations before January 2021. This will need to be handled by staff to ensure compliance with state law by deadline.
- Second, the consolidation of the number of ordinances that need to be reconciled, made consistent, clear, and streamlined. This component would require extensive legal review and drafting.
- Third, the implementation of the recommendations from the Comprehensive Plan will require careful collection of input to be integrated into the process.
- Fourth being, the modernization of code. Staff determined that this would best be performed by a consultant as it requires technical expertise. If staff were to handle this component, additional technical training and software would be required.
- Fifth, the adoption/enactment of the code text and map will take a significant amount of time outside of the drafting and codification of the document occurs. Initial guidance will come from the project, but ultimately staff will be heavily involved in the implementation for years to come.

There were very few projects from other jurisdictions interviewed that were exactly the same. Staff evaluated jurisdictions that completed or are completing their code rewrite or update project by contracting with a firm, by prioritizing the project to be done by staff, and other hybrid approaches. Additionally the setting, type, and scope of the project were varied. However, the comparison of components and approaches proved to be a valuable exercise. From these comparisons, staff was able to identify the potential benefits and drawbacks to each option.

Option 1: Reissue RFP from 2019 with minimal revisions (i.e. date changes and minor grammatical corrections). One benefit of this option is the budget would be controlled by a single contract. Another benefit, would also be its drawback. The County, to some degree, will know what to expect. A low number of proposals could potentially result in a firm not being selected and would restart the conversation about options in approximately 3-4 months.

Option 2: Release two RFP's; each related to the overall project. One RFP for the planning services of meeting facilitation, and coordination to incorporate feedback in the drafting process. The second RFP specifically to draft the UDO with incorporation of feedback. This approach would assign the County project manager as the lead for both firms to work together and receive direction from. It also can potentially reduce travel costs for firms out of state while still ensuring that the outreach needed for Chatham County is integrated into the process. It also directs the most critical component of a final consolidated and legally compliant document to be the focus of output product by one firm, while leaving the second most critical component; public engagement, to be carefully incorporated into the process by County staff and a local planning facilitator.

Option 3: Organize a Staff led project. If the project were to become staff led, some short term benefits include the ability to start quickly on the Audit Report. However, if additional staff is not in place to accommodate the workload, in the long term, this would result in the overall project time lengthening extensively. A thorough evaluation would need to be

conducted and considered before starting with this option. The following variety would need to be evaluated; budget estimates for staffing, software, and training needed. Additionally details for staff roles and current workload would need to be considered. Also managing multiple and interlocking contracts at once would need to be investigated to ensure everything is covered in the scope of contracts, as well as ensuring continuity of each contract, and the overall project cost. It may become difficult to ensure the project to stay in budget and operate as fluidly. The overall process would also be ordered and broken down into phases that if not carefully messaged could potentially present as confusing to the public.

How does this relate to the Comprehensive Plan:

The completion of the Unified Development Ordinance is the implementation of the Comprehensive Plan and supports all 10 goals.

Recommendation:

1. Receive update and provide any comments, feedback, or questions regarding the options to move forward.
2. Provide direction for the project's next steps given the 3 options.
3. Vote to adopt a Resolution of the Chatham County Board of Commissioners to authorize Electronic Advertising for the Request for Proposals for the Unified Development Ordinance to authorize notice of advertising by electronic notice for all Request for Proposals (RFP) associated with service contracts for the Chatham County UDO.




Unified Development Ordinance



Update to Board of Commissioners
February 17th 2020



OVERVIEW

- Update
 - Project Components
 - Research
 - Options
 - Questions, Feedback & Direction
- 


UPDATE

- 2017 Comprehensive Plan Adopted
- 2018 Comprehensive Plan Implementation & Strategic Planning
- 2019 Unified Development Ordinance Kickoff & Contract Termination
- 2020 Unified Development Ordinance Research & Next Steps





PROJECT COMPONENTS

1. Compliance
 2. Consolidation
 3. Input Incorporation & Implementation
 4. Modernization
 5. Adoption/Enactment
- 

RESEARCH

Jurisdiction	Approach	YRS	Codes	Highlights
Orange County, NC	Staff	2.5	>1	Consultant for formatting
Wake County, NC	Firm	1.5	>1	After adoption, staff led predictable process for annual ordinance review
Jackson County, NC	Firm	2	>1	Partially zoned, small area planning for unincorporated areas
Pender County, NC	Firm	2+	1	Update, Similar Growth Pressures in constrained unincorporated areas as well as rural areas
New Hannover County, NC	Hybrid	3+	>1	Project split into prioritized phases comprehensive rewrite
Norfolk, VA	Firm	3-4	1	Heavy staff review, resiliency component innovation
Fairfax County, VA	Firm	2.5*	1	Evaluated in house approach, but ultimately consultant led with multiple staff heavily involved
Raleigh, NC	Hybrid	3-4	>1	Zoning Map Implementation 2+ years (1/3 city, around 100 staff)
Carroll County, MD	Staff	3+	1	Agricultural County & Map/District Based approach in pieces (multi year & multi staff)
Knoxville, TN	Firm	2	1	Website & Map component to outreach
Bridgeport, CT	Firm	1.5*	1	Outreach component & interactive website



OPTIONS


1. Release RFP

- Minimal changes from 2019

2. Hybrid Approach

- Release 2 RFPs
 - Planning Services for meeting facilitation & incorporation of input into drafting
 - Code Writing & Drafting with integration of information from input

3. Staff Led Approach

- Workload impacts & resources evaluation
 - Phasing & contract(s) details would still be needed to complete the project
- 

QUESTIONS, FEEDBACK & DIRECTION

1. Release RFP
 - Recommendation to Board of Commissioners approximately in early summer
2. Hybrid Approach (2 RFPs)
 - Release planning services RFP first, then release project drafting RFP
 - Recommendation to Board of Commissioners for RFP late summer/early fall
3. Staff Led Approach
 - Direction to evaluate further
 - Update to Board in 2-3 months





Chatham County, NC

Text File

File Number: 20-3420

Agenda Date: 2/17/2020

Version: 1

Status: Agenda Ready

In Control: Board of Commissioners

File Type: Agenda Item

Agenda Number:

Sheriff wishes to share information about Detention Center daily population, employee pay, and new staffing requests.



Chatham County, NC

Text File

File Number: 20-3419

Agenda Date: 2/17/2020

Version: 1

Status: Agenda Ready

In Control: Board of Commissioners

File Type: Agenda Item

Agenda Number:

Closed session for the purposes of discussing matters relating to economic development.



Chatham County, NC

Text File

File Number: 20-3417

Agenda Date: 2/17/2020

Version: 1

Status: Agenda Ready

In Control: Board of Commissioners

File Type: Minutes

Agenda Number:

Vote on a request to approve the December 16, 2019 Work and Regular Session Minutes.



Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, December 16, 2019

6:00 PM

Historic Courthouse Courtroom

Rollcall

Present: 5 - Chair Mike Dasher, Vice Chair Diana Hales, Commissioner Jim Crawford, Commissioner Karen Howard and Commissioner Andy Wilkie

Work Session - 3:00 PM - Historic Courthouse Courtroom

PUBLIC INPUT SESSION

No one signed up to speak.

BOARD PRIORITIES

[19-3256](#)

Receive 4-H Presentation from the Cooperative Extension

Attachments: [2019 BOC Meeting - Chatham County 4-H Presentation](#)

Victoria Brewer and Liz Mauney of Cooperative Extension gave a presentation to the Board. (Presentation attached)

Commissioner Howard asked what the 4-H represents. Head, Heart, Hands, Help

Vice Chair Hales asked if 4-H received funding this year from United Way. Ms. Brewer stated they will apply in February.

[19-3308](#)

Receive Update on Chatham Aging Plan

Attachments: [Update on Chatham Aging Plan November 11 2019](#)

Council on Aging Director Dennis Streets gave a presentation to the Board. (Presentation attached)

Vice Chair Hales asked about respite care for family caregivers. Mr. Streets stated trained volunteers would serve at the churches to provide that care.

Commissioner Howard asked if the Council on Aging is working with faith-based organizations other than churches. Mr. Streets said they use the term faith-based in a general broad sense, it covers more than churches.

Commissioner Howard asked if there is a similar trend in younger age groups or is this a temporary challenge. Mr. Streets stated nationally it is the face of aging. Chatham is seeing major immigration of older adults. Moore County has also experienced this.

Chair Dasher asked if assisted living facilities are pricing out some of the local older residents. Are there lower cost facilities? Mr. Streets said affordable housing is a critical need for the older population. The only option available in the county now is private pay.

Vice Chair Hales asked if there is any discussion about going back to a model where there would be county homes. Mr. Streets said he has only heard that around veterans. Vice Chair Hales said it might be worth having a discussion about how the County can help house the elderly.

[19-3327](#)

Vote on a Request to approve the Continuation of the Nonprofit Funding Appropriation for the FY21 Human Services Nonprofit Allocation Process and to reserve a portion of the funds for capacity building activities.

Attachments: [Appropriation Continuation Request_FINAL](#)

Community Partners Analyst Hilary Pollan gave a presentation to the Board.
(Presentation attached)

Vice Chair Hales asked if there are existing funding databases. Ms. Pollan stated there are some that already exist.

Commissioner Howard asked if the nonprofit council lunch meetings will be informal. Ms. Pollan said there will be informal peer sharing and relationship building and then a facilitated discussion after. They will meet monthly for ten months out of the year and rotate between Pittsboro and Siler City.

Commissioner Howard asked why the Board would not ask for \$255,000 instead of \$250,000.

County Manager Dan LaMontagne explained that increasing the allocation would be an expansion as that amount was not approved in the budget. He stated this will always be a pre-retreat request because of timing.

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3326](#)

Vote on a request to approve revisions to the Chatham County Nonprofit Agency Funding Policy

Attachments: [Nonprofit Policy Revisions Presentation_FINAL](#)

[Nonprofit Policy Revisions Overview_FINAL](#)

[Policy Revisions FY 2020_CleanVersion_FINAL](#)

[Policy Revisions FY 2020_TrackChanges](#)

Community Partners Analyst Hilary Pollan gave a presentation to the Board.
(Presentation attached)

Vice Chair Hales asked Ms. Pollan to change the policy to refer to the advisory committee as a committee, not a Board. She also asked Ms. Pollan to put a date on the document.

Chair Dasher asked if Ms. Pollan knew the dollar amount of applications received last year. Ms. Pollan stated she did not know but would find out.

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3352](#)

Vote on a request approve selection of Wallick Communities for the Affordable Housing Opportunity RFP and grant the County Manager authority to negotiate the development contract and the authority to execute the contract.

Policy Analyst Stephanie Watkins-Cruz reviewed the specifics of the request.

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

ADJOURNMENT

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that this meeting be adjourned. The motion carried by the following vote:

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

End of Work Session

Regular Session - 6:00 PM - Historic Courthouse Courtroom

Present: 5 - Chair Mike Dasher, Vice Chair Diana Hales, Commissioner Jim Crawford, Commissioner Karen Howard and Commissioner Andy Wilkie

INVOCATION and PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

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

ORGANIZATION OF THE BOARD

[19-3345](#)

Election of the Chair and Vice Chair

Commissioner Crawford nominated Karen Howard as Chair. There were no other nominations.

A motion was made by Chair Dasher, seconded by Commissioner Crawford, to approve Commissioner Karen Howard as Chair. The motion carried by the following vote:

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

Due to limitations in the minutes software, the new Chair will not be reflected in the motions and votes in the minutes for this meeting.

Commissioner Dasher nominated Diana Hales as Vice Chair. There were no other nominations.

A motion was made by Chair Dasher, seconded by Commissioner Crawford, to approve Commissioner Diana Hales as Vice Chair. The motion carried by the following vote:

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3347](#)

Vote on a request to appoint Kaitlyn Warren as Deputy Clerk to the Chatham County Board of Commissioners.

Clerk Lindsay Ray introduced Kaitlyn Warren and asked the Board to appoint her as Deputy Clerk to the Board.

A motion was made by Vice Chair Hales, seconded by Commissioner Crawford, that this Appointment be approved. The motion carried by the following vote:

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

APPROVAL OF AGENDA and CONSENT AGENDA

Chair Howard noted the addition of Item #19-3336 to the Consent Agenda. The Board received a copy of this item on Friday.

A motion was made by Chair Dasher, seconded by Vice Chair Hales, that the Agenda and Consent Agenda be approved as amended. The motion carried by the following vote:

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3324](#)

Vote on request to approve an additional allocation of \$30,337 from

Juvenile Crime Prevention Council and amend the budget accordingly.

Attachments: [JCPC Allocations Expansion to Counties Letter 10-14-2019 Chatham](#)
[JCPC Allocations Expansion.10.14.2019 Chatham](#)

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3329](#)

Vote on a request to approve by Garretson Browne, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision **Final Plat** review and approval of **Briar Chapel, Phase 12A**, consisting of 74 lots on 37.6 acres, located off Great Ridge Parkway, SR-1692, Baldwin Township, parcels #80420, 80418, 87088, & 88053.

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

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3331](#)

Vote on a request to approve request by Mike Scisciani, Vice President of Operations Newland Communities, to prepay affordable housing and recreation exaction fees for the balance of single family lots remaining in Briar Chapel that have not received final plat approval and authorize the County Manager to execute the agreement.

Attachments: [Attachment Agreement - NNP-Briar Chapel and Chatham County](#)
[Attachment 2 BC CUP](#)

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3353](#)

Vote on a request by the Planning Department to schedule a legislative public hearing for January 21, 2020 to consider County-initiated rezoning of 30 parcels in Gulf Township from R5- Residential to R1- Residential.

Attachments: [Image of properties under consideration for rezoning outlined in black](#)
[Table 1](#)

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3337](#)

Vote on a request to approve Tax Releases and Refunds

Attachments: [November 2019 Release and Refund Report](#)
[November 2019 NCVTS Pending Refund Report](#)
[November 2019 Manual NCVTS Pending Refund Report](#)

A motion was made by Chair Dasher, seconded by Vice Chair 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 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3338](#)

Vote on a request to adopt the proposed Tax Software Project Ordinance, the Radio System Upgrade Project Ordinance, and the Briar Chapel Park Project Ordinance

Attachments: [Project Ordinance Briar Chapel Park Amended 12-16-19](#)
[Project Ordinance Radio System Upgrade Amended 12-16-19](#)
[Project Ordinance Tax Software Original 12-16-19](#)

A motion was made by Chair Dasher, seconded by Vice Chair Hales, that these Ordinances, 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 Crawford, Commissioner Howard and Commissioner Wilkie

[19-3339](#)

Vote on a Request to approve competitive bid exemption for standardization and current "sole source," for Chatham County Emergency Management narcotics secure storage safe, Narc Box manufactured by Thomas EMS, Inc.

Attachments: [NCGS 143-129-e-6](#)

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3340](#)

Vote on a request to adopt a resolution Declaring Voting Equipment Surplus and Authorizing the Finance Officer to dispose of the property.

Attachments: [Surplus Resolution-voting machines](#)

A motion was made by Chair Dasher, seconded by Vice Chair Hales, that Resolution #2019-58 Declaring Personal Property Surplus and Authorizing the Finance Officer to Dispose of Personal Property, 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 Crawford, Commissioner Howard and Commissioner Wilkie

[19-3341](#)

Vote on a request to authorize to approve a grant application to Crime Victim Services of NC Governor's Crime Commission for VAWA funding

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3342](#)

Vote on request to approve grant applications for Families (JFF) and Governor's Crime Commissioner (GCC) for Chatham County Family Visitation services and authorize County Manager to have final approval before submission

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3351](#)

Vote on a request to approve grant application to Crime Victim Services of NC Governor's Crime Commission for VOCA funding for domestic violence funding.

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3348](#)

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

A motion was made by Chair Dasher, seconded by Vice Chair Hales, that the Appointments be approved. The motion carried by the following vote:

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3325](#)

Vote on a request to appoint Judith Malone, RN to fill the Vacant Public Seat on the Board of Health.

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3355](#)

Vote on a request to appoint Christopher Hart to the Agriculture Advisory Board.

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3328](#)

Vote on request to award contract, in the amount of \$137,970.00, to Fulcher Electric of Fayetteville, Inc. to install Progress Boulevard Signal

Attachments: [PROGRESS BLVD - Fulcher County Construction Contract 121619](#)

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3332](#)

Vote on a request to approve and execute the design services contract for the new Emergency Operations Center.

Attachments: [Schrader Group - Design Services Contract - DRAFT](#)

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3330](#)

Vote on a request to approve Interlocal Agreements between Chatham County and the Town of Goldston for the administration and enforcement of the Goldston Unified Development Ordinance and for the enforcement by the County of ordinances and other laws, rules, and regulations related to building code enforcement, fire prevention and protection, watershed protection, soil erosion and sedimentation control, and stormwater within the corporate limits of Goldston, and authorize the County Manager to execute the agreements.

Attachments: [Interlocal Agreement 1](#)
[Interlocal Agreement 2](#)

A motion was made by Chair Dasher, seconded by Vice Chair Hales, that the Contracts, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3335](#)

Vote on a request to approve the Renewal of the Interlocal Agreement for the maintenance of the American Tobacco Trail and Development of Park Facilities with Town of Cary

Attachments: [ATT interlocal unsigned agreement](#)

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3323](#)

Vote on a request to authorize the County Manager to execute a contract with Randolph Electric to install fiber at Northwest District Park for the purpose of internet connectivity at the cost of \$20,190 for installation and recurring fee of \$110.97 per month for 60 months.

Attachments: [NW Park Service Order](#)
[RTTI Master Service Agreement](#)

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3349](#)

Vote on a request to approve the purchase of voting equipment recommended by the Chatham County Board of Elections from HartIntercivic for use in future elections in Chatham County and authorize staff to negotiate minor changes to the agreement and authorize the County Manager to execute the agreement.

Attachments: [Approval from SBOE](#)
[Chatham County, NC - Verity FC_V3 Quote](#)
[Hart - Verity Master Agreement_04112017](#)

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

End of Consent Agenda

SPECIAL PRESENTATION

[19-3334](#)

Vote on a request to approve a Resolution in Honor of Land Sold for Parkers Ridge Park to Chatham County in Memory of Lola Tart Parker.

Attachments: [BOC Resolution In Honor of Lola Tart Parker](#)

Chair Howard read the resolution into the record.

Gordon Parker thanked the Commissioners and former Commissioner Mike Cross, Parks and Recreation Director Tracy Burnett and the Parks and Recreation team. The community input on the park has been very positive. He also thanked his parents for their hard work in maintaining the farm and making it home. He knows they would be pleased with what is going to happen with the land.

A motion was made by Chair Dasher, seconded by Commissioner Crawford, that Resolution #2019-59 in Honor of Land Sold to Chatham County to be named Parkers Ridge Park in Memory of Atlas and Lola Tart Parker, 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 Crawford, Commissioner Howard and Commissioner Wilkie

PUBLIC INPUT SESSION

John Wagner spoke about the incinerator coming to Moncure. Duke Energy is planning on burning coal ash for at least ten years and probably decades beyond that. He urges the Board to do air monitoring like it did at Brickhaven. The permit allows emissions of heavy metals. Duke has lied and distorted scientific facts and has a bad record of violations and breaking the law. He does not trust them or the levels of heavy metals that will come from the plant. He wants the Board to do air monitoring every month for every year until they stop incinerating the ash.

PUBLIC HEARINGS

19-3312

Hold a public hearing on the proposed Chatham County tobacco-free ordinance and vote on a request to adopt the ordinance.

Attachments: [Public Hearing Notice Proposed Chatham County Tobacco-Free Ordinance 2019](#)
[Chatham County Tobacco-Free Ordinance](#)
[Chatham County Tobacco-Free Ordinance BOCC Public Hearing 12.16.2019](#)

Health Director Layton Long gave a presentation to the Board. (Presentation attached)

Vice Chair Hales asked if this includes schools. Mr. Long stated the schools have their own policies but by state law school facilities and grounds have to be tobacco free.

Mr. Long thanked Public Health Educator Anna Stormzand for all her work on this ordinance.

Commissioner Wilkie asked how the ordinance will be enforced. Mr. Long stated there is a civil penalty of a maximum fine of \$50. There are three ways the County will try to enforce the ordinance: signage, employee communication with the person using tobacco and asking them to stop or move off of County property, and the third way is to issue a citation for the fine. To date, there have been no fines issued in North Carolina. People readily comply when they realize no tobacco use is allowed.

The Chair opened the hearing.

George Gregor-Holt stated in 1999 he started an effort with the schools to create tobacco-free schools. By 2000, the School Board passed a 100% tobacco-free schools policy. By 2008, the state caught up to Chatham County and legislated that all school districts would have 100% tobacco-free schools policies. That includes buildings and grounds. Young people watch adults and seeing adults use tobacco products normalizes the behavior. These ordinances do not normalize tobacco use.

Chatham Drug Free supports any effort to help young people reduce the use of tobacco products because it is a gateway drug. He applauds the Health Department for bringing this ordinance to the Board.

The Chair closed the hearing.

Chair Howard stated she thought former Commissioner Mike Cross quit smoking after the County adopted the tobacco use free policy in 2015. Mr. Long stated Mr. Cross was a champion for the Health Department and he helped promote the tobacco policy and did quit smoking.

A motion was made by Vice Chair Hales, seconded by Commissioner Crawford, that this Ordinance, 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 Crawford, Commissioner Howard and Commissioner Wilkie

BOARD PRIORITIES

[19-3344](#)

Vote on a request to approve the 2021-2027 Recommended Capital Improvements Plan.

County Manager Dan LaMontagne thanked Chair Dasher for his service as Chair the past year and congratulated Commissioners Howard and Hales on being elected the Chair and Vice Chair.

Vice Chair Hales commended the staff for the work they put in to the CIP each year.

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

[19-3356](#)

Discuss the Board of Commissioner Committee Liaison Assignments.

Attachments: [Board of Commissioner liaison table May 20, 2019](#)

Clerk Lindsay Ray reviewed the commissioner committee liaison assignments with the Board. Ms. Ray noted the changes and the updated committee liaison assignments are attached.

John Wagner asked to add to his public input comments. The Board agreed. Mr. Wagner urged the Board to begin the air monitoring as quickly as possible. It is important to have baseline data.

MANAGER' S REPORTS

The County Manager asked for a commissioner to volunteer to serve on the Census Complete County Committee. Commissioner Crawford volunteered to serve.

The Board agreed that the County Manager will serve as the liaison to the Chamber of Commerce.

COMMISSIONERS' REPORTS

Commissioner Wilkie stated the Deep River Bridge that has been closed for two years will open tomorrow.

Commissioner Dasher thanked everyone for a great year as chair and wished Chair Howard the best of luck.

Commissioner Crawford wished everyone a happy holiday and happy and prosperous new year.

Vice Chair Hales stated a group of commissioners is requesting of Duke Energy to have a meeting about the school solar initiative. There was a court ruling regarding the DEQ permit for the Charah Brickhaven facility. She recommends staff look further into this. The County Manager said staff will report back.

Chair Howard attended a NCACC meeting in Washington, D.C. She spoke with the North Carolina congressional delegation.

ADJOURNMENT

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

Aye: 5 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie



Chatham County, NC

Text File

File Number: 19-3346

Agenda Date: 2/17/2020

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Health Department

File Type: Agenda Item

Vote on a request to approve \$2,314.36 Association of Foods and Drug Officials (AFDO) Grant Funds.

Action Requested: Vote on a request to accept \$2,314.36 Association of Foods and Drug Officials (AFDO) Grant Funds.

Introduction & Background: As part of being enrolled in the FDA Voluntary National Retail Food Program Standards, Chatham County Environmental Health was able to apply and receive an AFDO grant for developing and implementing a policy related to inspection quality and consistency.

Discussion & Analysis:

How does this relate to the Comprehensive Plan: Foster a healthy community, Strategy 2.2

Budgetary Impact: No Local Funding Requested

Recommendation: Action Requested: Vote on a request to accept \$2,314.36 Association of Foods and Drug Officials (AFDO) Grant Funds.

..Title

Vote on a request to approve \$2,314.36 Association of Foods and Drug Officials (AFDO) Grant Funds.

..Abstract

Action Requested: Vote on a request to accept \$2,314.36 Association of Foods and Drug Officials (AFDO) Grant Funds.

Introduction & Background: As part of being enrolled in the FDA Voluntary National Retail Food Program Standards, Chatham County Environmental Health was able to apply and receive an AFDO grant for developing and implementing a policy related to inspection quality and consistency.

Discussion & Analysis:

How does this relate to the Comprehensive Plan: Foster a healthy community, Strategy 2.2

Budgetary Impact: No Local Funding Requested

Recommendation: Action Requested: Vote on a request to accept \$2,314.36 Association of Foods and Drug Officials (AFDO) Grant Funds.



Chatham County, NC

Text File

File Number: 19-3354

Agenda Date: 2/17/2020

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Health Department

File Type: Agenda Item

Vote on a request to approve \$2,552.36 Association of Foods and Drug Officials (AFDO) Grant Funds.

Action Requested: Vote on a request to accept \$2,552.36 Association of Foods and Drug Officials (AFDO) Grant Funds.

Introduction & Background: As part of being enrolled in the FDA Voluntary National Retail Food Program Standards, Chatham County Environmental Health was able to apply and receive an AFDO grant to attend the FDA Southeast Regional Food Safety Summit.

Discussion & Analysis:

How does this relate to the Comprehensive Plan: Foster a healthy community, Strategy 2.2

Budgetary Impact: No Local Funding Requested

Recommendation: Action Requested: Vote on a request to accept \$2,552.36 Association of Foods and Drug Officials (AFDO) Grant Funds.



**U.S. FOOD & DRUG
ADMINISTRATION**



Dear Retail Program Standards Grant Recipient:

The U.S. Food and Drug Administration (FDA) and the Association of Food and Drug Officials (AFDO) wish to thank you for your participation in the AFDO-administered Retail Program Standards Grant Program. Your efforts have helped to enhance conformance with the Voluntary National Retail Food Regulatory Program Standards (Retail Program Standards).

Enclosed is Check # 8768 in the amount of \$2552.36 that represents the full amount to which you are entitled for this grant award. If you have questions about this program, or need additional information on routing the enclosed check, please contact the AFDO Programmatic Point of Contact listed below.

We appreciate your ongoing commitment to achieving greater conformance with the Retail Program Standards.

Sincerely,

Steven Mandernach
Executive Director
Association of Food and Drug Officials

AFDO Programmatic Point of Contact

Michael Turner
retailstandards@afdo.org
(850) 583-4593

FDA & AFDO Retail Program Standards Grants Homepage - <http://afdo.org/retailstandards>

Your Jurisdiction's Grant Point of Contact: Anne Lowry

Special Handling Instructions (if applicable): _____



Chatham County, NC

Text File

File Number: 20-3396

Agenda Date: 2/17/2020

Version: 1

Status: Agenda Ready

In Control: Finance

File Type: Appointment

Agenda Number:

Vote on a request to appoint Tammy Kirkman, Joseph J. Birchett, and Bryan Phillips as Deputy Finance Officers for the purpose of signing inmate trust account checks

Action Requested: Vote on a request to appoint Tammy Kirkman, Joseph J. Birchett, and Bryan Phillips as Deputy Finance Officers for the purpose of signing inmate trust account checks

Introduction & Background: The Detention Division of the Chatham County Sheriff's Department manages funds of individuals who are incarcerated in the Chatham County jail. The funds that are collected upon incarceration and funds that are deposited on the inmates' behalf, if not spent while incarcerated, are returned to the inmate when they leave the facility. If inmates are transferred to another facility, a check must be issued for the balance of funds in the inmate's account. If approved, these appointments will supersede any prior approvals for the Detention Division.

Budgetary Impact: None

Recommendation: Motion to appoint Tammy Kirkman, Joseph J. Birchett, and Bryan Phillips as Deputy Finance Officers for the purpose of signing inmate trust account checks



Chatham County, NC

Text File

File Number: 20-3397

Agenda Date: 2/17/2020

Version: 1

Status: Agenda Ready

In Control: Finance

File Type: Agenda Item

Vote on a request to approve Fiscal Year 2019-2020 Budget Amendments

Action Requested: Vote on a request to approve budget amendments as proposed by staff

Introduction & Background: During the fiscal year, the budget must be amended as changing conditions warrant. The fiscal year 2019-2020 budget ordinance authorizes the County Manager to transfer funds within a department without limitation. The Manager may also transfer amounts of up to \$5,000 between departments of the same fund and transfer amounts up to \$50,000 from contingency with a memorandum report of such transfers to the Board. The Board must approve all other transfers.

Discussion & Analysis: The attached proposed amendments must be approved by the Board of Commissioners for fiscal year 2020.

The Sheriff's budget is being increased by \$38,243 to reflect additional youth services donations and SCAAP funds received.

The Emergency Management budget is being increased by \$15,000 to reflect additional Duke Energy funds.

The Facilities' budget is being increased by \$37,762 to cover the repair of damages at 118 W Street with insurance claim reimbursements.

The Social Services' budget is being increased by \$21,095 to reflect additional funding authorizations for the Crisis Intervention and Low Income Energy programs.

The Non-Profits' budget will be increased by \$51,199 to cover Rural Operating Assistance Program funds passed through to Chatham Transit.

The County Manager's budget is being increased by \$15,641 to cover the purchase of office furniture and non-profit software with a transfer from contingency.

The MIS budget is being increased by \$20,190 through a transfer from contingency to cover the purchase of fiber for Northwest Park.

The Council on Aging budget is being increased by \$30,629 with a transfer from contingency to cover the Council on Aging allocation.

The Housing Trust Fund budget is being increased to include the approved \$50,000 emergency housing funds budgeted in the general fund budget.

The Revaluation's budget is being increased by \$175,889 to cover current year expenses related to the Revaluation Appraisal Contract.

The Debt Reserve and Capital Reserve fund budgets are being increased to enable the reclassification of prior year appropriations. No additional or new funds are related to these amendments.

Budgetary Impact: The proposed amendments increase the General Fund by \$163,299 and the Forfeited fund by \$40,701. Transfers from general fund contingency total \$66,460. The proposed amendments increase the Revaluation Fund by \$175,889.

Recommendation: Motion to approve budget amendments as proposed by staff.

FY 2020 Budget Amendments

General Fund

<u>Fund</u>	<u>Department/Division</u>	<u>Account Description</u>	<u>Revenue</u>	<u>Expense</u>	<u>Description</u>
General	Emergency Management	Duke Energy	15,000		Duke Energy funds for Isolated Community Response Equipment
General	Emergency Management	Capital Outlay - Equipment		15,000	
General	Sheriff	Youth Services Donations	14,984		Youth Services Donations
General	Sheriff	Youth Services		14,984	
General	Sheriff	Federal Grant	23,259		State Criminal Alien Assistance Grant
General	Sheriff	Prg - Grant Federal		23,259	
General	Facilities	Misc-Insurance Reimb	37,762		Insurance Reimbursement for 118 W St Damage
General	Facilities	Maintenance - Building		37,762	
General	Social Services	Federal Grant	19,333		DSS-Additional Crisis Intervention Funding
General	Social Services	Crisis Intervention		19,333	
General	Social Services	Federal Grant	1,762		DSS-Additional Low Income Energy Assistance Funding
General	Social Services	Low Income Energy		1,762	
General	Non-Profit Pass Through	Work First Transit Revenue	4,545		FY20 Rural Operating Assistance Program Funds
General	Non-Profit Pass Through	Elderly/Handicapped Trans Revenue	46,654		
General	Non-Profit Pass Through	Pass Through-ROAP EDTAP		51,199	

Total General Fund Budget Increase (Decrease):

163,299 163,299

FY20 General Appropriated Fund Balance:

4,313,396

Additional Appropriation with Amendments:

FY20 Total General Appropriated Fund Balance:

4,313,396

FY 2020 Revaluation

<u>Fund</u>	<u>Department/Division</u>	<u>Account Description</u>	<u>Revenue</u>	<u>Expense</u>	<u>Description</u>
Revaluation	Revaluation	Appropriated Fund Balance	175,889		Revaluation Appraisal Contract
Revaluation	Revaluation	Contracted Services-Appraisals		175,889	
			<u>175,889</u>	<u>175,889</u>	

FY 2020 Forfeited

<u>Fund</u>	<u>Department/Division</u>	<u>Account Description</u>	<u>Revenue</u>	<u>Expense</u>	<u>Description</u>
Forfeited	Forfeited Property	Forfeited Seizure Funds	40,701		Additional Forfeited Property Revenue
Forfeited	Forfeited Property	Supplies - Law Enforcement		40,701	
			<u>40,701</u>	<u>40,701</u>	

FY 2020 Contingency Transfers

<u>Fund</u>	<u>Department/Division</u>	<u>Account Description</u>	<u>Revenue</u>	<u>Expense</u>	<u>Description</u>
General	County Manager	Contingency		(4,141)	Unanticipated office furniture needs
General	County Manager	Supplies - General		4,141	
General	Non Profit	Contingency		(11,500)	Foundant Non-Profit Software
General	Non Profit	Maintenance - Software		11,500	
General	MIS	Contingency		(20,190)	Northwest Park Fiber Expense
General	MIS	Supplies - Hardware		20,190	
General	Council on Aging	Contingency		(30,629)	Home and Community Care Block Grant Allocation
General	Council on Aging	Allocations-Council on Aging		30,629	
Total Transfers from Contingency:				<u><u>66,460</u></u>	

FY 2020

<u>Fund</u>	<u>Department/Division</u>	<u>Account Description</u>	<u>Revenue</u>	<u>Expense</u>	<u>Description</u>
Debt Reserve	Health Reserve	Transfer Out - Capital Reserve	2,433,853		Reclassify Appropriations
Debt Reserve	Health Reserve	Appropriated Fund Balance		2,433,853	
Debt Reserve	Recreation Reserve	Transfer Out - Capital Reserve	230,200		
Debt Reserve	Recreation Reserve	Appropriated Fund Balance		230,200	
Debt Reserve	Library Reserve	Transfer Out - Capital Reserve	85,136		
Debt Reserve	Library Reserve	Appropriated Fund Balance		85,136	
			<u>2,749,189</u>	<u>2,749,189</u>	

FY 2020

<u>Fund</u>	<u>Department/Division</u>	<u>Account Description</u>	<u>Revenue</u>	<u>Expense</u>	<u>Description</u>
Capital Reserve	Medicaid	Transfer In - CIP Debt Reserve	2,433,853		Reclassify Appropriations
Capital Reserve	Medicaid	Reserve		2,433,853	
Capital Reserve	Recreation Reserve	Transfer In - CIP Debt Reserve	230,200		
Capital Reserve	Recreation Reserve	Reserve		230,200	
Capital Reserve	Library Reserve	Transfer In - CIP Debt Reserve	85,136		
Capital Reserve	Library Reserve	Reserve		85,136	
			<u>2,749,189</u>	<u>2,749,189</u>	



Chatham County, NC

Text File

File Number: 20-3382

Agenda Date: 2/17/2020

Version: 2

Status: Approval of Agenda and
Consent Agenda

In Control: Planning

File Type: Agenda Item

Vote on a legislative request by the Board of Commissioners to consider county-initiated rezoning of thirty two (32) parcels in Gulf Township from R5- Residential to R1- Residential.

Action Requested:

Vote on a legislative request by the Board of Commissioners to consider county-initiated rezoning of thirty two (32) parcels in Gulf Township from R5- Residential to R1- Residential.

Introduction & Background:

After nearly two years of discussion and study, on August 15th, 2016, the Chatham County Board of Commissioners voted to zone the formerly unzoned portions of the county to R-1 and R-5 residential. R-1 Residential is the most common zoning classification throughout the county and is primarily intended for low to moderate density residential development within residential and agricultural areas. R-5 Residential distinctions are reserved for areas along the county's rivers and streams primarily for very low density development which is compatible with protecting the water quality of the county's rivers and streams. The R-5 Residential zoning district requires an average lot size of five acres with no lot being smaller than three acres. Upon further inspection of the County Zoning Map last amended on September 16th 2019, it appears there is a small section of the map that is zoned R-5, when it is staff opinion should be R-1.

Discussion & Analysis:

Planning staff have received some questions regarding a parcel in the Gulf Township that is zoned R-5. The owner of the parcel wishes to subdivide the property, which consists of 3.41 acres. Because the property is zoned R-5, subdividing into a smaller parcel would not meet the standard of the five acre minimum lot size. This type of issue is common in areas of the county zoned R-5 or R-2, and typically there would be no way around this regulation. However, based on further inspection of the zoning map, watershed maps, USGS Topography, and NCRS Soil Maps, it appears that the R-5 zoning designation may have been an oversight occurring during the 2016 mass zoning of the unzoned areas of the county.

There are thirty three (32) parcels in the affected area covering approximately 42 acres,

with many being split zoned between R-1 and R-5 Residential Zoning. Rezoning the parcels to R-1 will remove the current split zoning. It is the request of planning staff that all the affected parcels be rezoned to R-1 Residential. For reference of the parcels involved, please look at the map labeled attachment one.

The legislative Public Hearing was held at the Board of Commissioners meeting on Tuesday January 21st. Staff first clarified that the actual number of lots being rezoned is thirty two (32) not thirty three (33). One of the adjoining properties was included in the legal ad and notification. Planning staff presented a power point to explain the reason for the rezoning. Staff explained how the 32 parcels were originally zoned in such a way as to warrant the rezoning, explaining the HWY 421 corridor zoning in 2007 zoned areas adjacent within 1500' of the right-of-way as R-1 and the River Corridor Special Area allows 1 acre lots. The commissioners had a few questions regarding public comment from neighbors, as well as whether the homeowner that originally had the zoning questions would have their problem solved. Planning staff informed the commissioners that rezoning the parcels to R-1 would most likely solve the homeowner's problem. There were no public comments.

The Planning board discussed the rezoning during their February 4th meeting. Planning staff gave a brief presentation of the reasons for the rezoning, explaining how the initial R-5 zoning occurred. Some of the planning board members had some questions about the size of the parcels and their proximity to the Deep River. Staff explained that most of the parcels in questions were less than 1.5 acres, and definitely less than the five acres required for R-5 zoning. Overall there were not many objections and the majority of the planning board understood the need for the rezoning. The planning board voted nine (9) to one (1) in favor of recommending the rezoning to the Board of Commissioners.

How does this relate to the Comprehensive Plan:

Goal 3: Promote a compact growth pattern by developing in and near existing towns, communities, and in designated, well planned, walkable, mixed use centers.

Land Use Policy 5, Strategy 5.1, encouraging context sensitive development design.

Goal 1: Preserve the rural character and lifestyle of Chatham County.

Recommendation:

The planning board voted nine (9) to one (1) in favor of recommending adoption of an Ordinance amending the Zoning Ordinance to rezone all or a portion of 32 parcels in the Gulf Township from R-5 to R-1 as identified in attachment A.

The Planning board also voted nine (9) to one (1) adopting a Resolution adopting the following Consistency Statement:

The request for the rezoning of the thirty two (32) listed parcels is consistent with the comprehensive plan of Chatham County, Plan Chatham, by supporting context sensitive design that preserves rural and small town character.

Specifically, this request supports Land Use Policy #5, Strategy 5.1 which

encourages support for “residential development types that fit the character of different areas of the county.”



Chatham County, NC

Text File

File Number: 20-3405

Agenda Date: 2/17/2020

Version: 1

Status: Approval of Agenda and Consent Agenda

In Control: Planning

File Type: Agenda Item

Vote on a request to approve by Karelian Homes, Inc. for subdivision **Final Plat** review and approval of **The Lane at Cattail Creek**, consisting of 19 lots on 58.67 acres, located off Rebecca Lane, S. R. 2524, Hadley Township, parcel #60065.

Action Requested:

Vote on a request to approve by Karelian Homes, Inc. for subdivision **Final Plat** review and approval of **The Lane at Cattail Creek**, consisting of 19 lots on 58.67 acres, located off Rebecca Lane, S. R. 2524, Hadley Township, parcel #60065.

Introduction & Background:

Zoning District: R-1

Watershed District: WSIV-PA / Jordan Lake Buffer Area

Water Source: Private Wells

Septic: On-site septic and repair areas

Subject to 100 year flood: No floodable area

Reviewed: Under pre-2008 Subdivision Regulations.

This subdivision application is reviewed under the Pre-2008 Subdivision Regulations. Cattail Creek received Sketch Plan approval in 2004 for 76 lots and Preliminary Plat approval in 2005 for 72 lots. There are 21 lots remaining to be final platted. The preliminary plat for the remaining 21 lots received approval for a development schedule extension request by the Board of Commissioners on October 16, 2017.

Phase 1 received Final Plat approval of 6 lots in 2005, Phase 2 received Final Plat approval of 5 lots in 2006, Phase 3 received Final Plat approval of 6 lots in 2006, Phase 4 received Final Plat approval of 16 lots in 2006, and Phase 5 received Final Plat approval of 18 lots in 2007. The Permit Extension Act of 2009 extended the preliminary plat expiration date to November 15, 2013 and the previous developer, Complete Development, LLC, had requested and received three (3) additional extensions of the preliminary plat with expiration date of November 15, 2019. Complete Development, LLC sold the remaining acres of Cattail Creek to Karelian Homes, Inc. in December 2017.

Discussion & Analysis:

The request is for Final Plat approval of The Lane at Cattail Creek consisting of 19 lots on

58.67 acres with a financial guarantee for the completion of required infrastructure. Cattail Creek received preliminary plat review and approval by the Board of County Commissioners in 2005 for 72 lots. There was a decrease of two lots due to lack of soils for septic. The submittal includes a request for a financial guarantee for completion of the required infrastructure. Under the pre-2008 Subdivision Regulations, a project must have a minimum of 40% of the infrastructure completed prior to submittal of a final plat and the roads must be accessible to emergency vehicles. A cost estimate letter, dated November 11, 2019, has been provided by Donald L. Curry, Jr., P.E., Curry Engineering Group, PLLC stating that the required infrastructure is 44.84% complete. The cost letter may be updated prior to plat recordation if additional work has been completed. Staff recommends granting the request for a financial guarantee. Staff also recommends that the final plat not be recorded until the engineer has certified that the roadway providing access to the parcels are accessible to emergency vehicles and recommends that the final plat not be recorded until the county attorney has reviewed and approved the form of the contract and financial guarantee.

Per the approved preliminary plat, roadways are proposed to be public and state maintained roads. The Lane at Cattail Creek is located off Rebecca Lane. There is one public road Anneliis Lane.

An updated Soil Erosion and Sedimentation Control approval letter and revised NCDOT approval was provided.

Riparian buffer widths of 50 feet per side and a voluntary 50 foot buffer has been placed on the stream as shown on the plat. The voluntary buffer will not count against the usable lot area and septic systems can be located within the voluntary buffer. Dwellings, concrete and paved driveways and walkways, and wells cannot be placed in the voluntary buffer.

The Technical Review Committee met on December 18, 2019 to review the request. Staff discussed mail kiosk location, road name Anneliis Lane spelling and if Olivia Lane will be removed, labeling the buffers, what will be allowed in the 50' voluntary buffer, buffer calculations, providing consecutive numbers for the lots, and stub-outs being shown as dedicated rights-of-way. There were no other staff concerns.

Planning Board:

The Planning Board reviewed the application during their January 7, 2020 meeting. Allison Snow, Cattail Creek resident, had concerns about the Pre-'08 Subdivision Regulations which allows development to continue under Pre-'08 regulations and not current regulations, notification to residents, wetland setbacks, and stormwater runoff.

Planning Board discussion included Ms. Snow's concerns, enforcement of buffers, allowed activities in voluntary buffers, under the current regulations would 100' wide buffer be required, when do adjacent property owners receive notifications, location of the septic areas, and concerns about the lengthy timeframe the development has taken. Mr. Tapani Kymalainen, Developer, was present for questions. Discussion included that the buffers are reviewed and enforced when applying for a floodplain or zoning permit, staff reviews the recorded plat and if the proposed site shows a structure in the buffer the

permit will not be approved. Lots 52-54 are Jordan Lake Rules buffers with 50' wide buffers measured from top of bank landward and Lots 62-64 and 70 have 50' wide riparian buffers and 50' wide voluntary buffers. Under the current regulations a 100' wide buffer would be required on either side of perennial streams. Board members expressed appreciation of the 50' wide voluntary buffer, but wished that septic and gravel driveways weren't allowed in the buffer.

Board members wanted to know if any septic systems were located in the voluntary buffer. Mr. Kymalainen commented he didn't know all locations of the septic and didn't bring the Environmental Health permits to the meeting. He thought that at least one of the systems was located in a 50' voluntary buffer due to poor soils on the remainder of the lot and that he lost two lots due to this issue. He said he would try to avoid placing the septic in the voluntary buffer. Discussion also included concern that the layout didn't include stormwater controls due to being "grandfathered" under pre-2008 regulations.

Staff explained that adjacent property owners and the HOA are mailed a notification letter at preliminary plat and not at final plat. A certified document is signed and placed in a file and any return letters are retained in the same file.

Some board members expressed concerns about the lengthy time taken to develop the property.

Chatham County Environmental Health Department have provided the septic permits and the permits may be reviewed online -

<https://www.chathamnc.org/government/departments-programs/planning/rezonings-subdivision-cases/2020-items/cattail-creek-final-plat>.

How does this relate to the Comprehensive Plan:

Plan Chatham was adopted by the Board of Commissioners in November 2017 and is a comprehensive plan that provides strategic direction to address the most pressing needs in the county. This property is located in an area identified as agriculture on the Future Land Use and Conservation Plan Map. Strategy 5.2 encourage residential development types that fit the character of different areas of the county. The proposed project is agriculture and the description includes large-scale working farms, related processing facilities, supporting commercial and service uses, and single family homes. The Lane at Cattail Creek is designed for single family homes with a minimum lot size of 1.5 acres and maximum of 5.09 acres. It should be noted that Plan Chatham is not intended to be used as a regulatory tool, but is a policy document. When reviewing subdivision applications the boards can use the plan as a tool to identify future regulatory changes.

Recommendation:

The Planning Department and Planning Board by a vote of 6-5 recommends granting final plat approval of "The Lane at Cattail Creek" and road name Anneliis Lane with the following conditions:

1. Prior to final plat recordation the county attorney shall approve the form of the contract and financial guarantee.
2. Prior to final plat recordation the engineer shall certify to the county that there is all weather access for emergency vehicles and the certification must be approved by the Fire Marshal.
3. Chatham County Environmental Health Department septic permits shall be provided.



Chatham County, NC

Text File

File Number: 20-3410

Agenda Date: 2/17/2020

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Tax Office Assessor

File Type: Agenda Item

Vote on a request to approve Tax Releases and Refunds

Action Requested: Vote on a request to approve Tax Releases and Refunds.

Introduction & Background: The attached list of taxpayers have requested a release or refund of their tax bills.

Discussion & Analysis: In accordance with G.S. 105-381, the attached list of taxpayers have requested a release or refund of their tax bills.

Recommendation: Vote to approve Tax Releases and Refunds.

DATE 2/03/20
 TIME 11:37:36
 USER CHAMY

BOARD REVIEW OF CORRECTED RECEIPTS REPORT
 CHATHAM CO TAX DEPARTMENT
 DEPOSIT DATES 1/07/2020 THROUGH 1/31/2020
 OMIT ABATE CODES ERROR BOER CHGOF PTC

PAGE 1
 PROG# CL2182

SKIP NEGATIVE ABATEMENTS
 TAX

YEAR	TAXPAYER NAME	DEPOSIT DATE	RECEIPT	DIST	REAL	PERSONAL	M VEH	MV FEE	S WASTE	REASON	ABTCD	
2010	MILANO MARTIN	1/09/2020	1658797	106			139.54			DOD11/2010 NO ES	NOBOC	
** YEAR TOTALS **							139.54					
2012	PHILLIPS MIKE	1/10/2020	1920627	108		86.55				IN WAKE CO. ACCT	OCNTY	
2012	PHILLIPS MIKE	1/10/2020	1920628	108		24.74				IN WAKE CO. ACCT	OCNTY	
** YEAR TOTALS **							111.29					
2013	PHILLIPS MIKE	1/10/2020	2055975	108		81.14				IN WAKE CO. ACCT	OCNTY	
2013	PHILLIPS MIKE	1/10/2020	2055976	108		18.00				IN WAKE CO. ACCT	OCNTY	
** YEAR TOTALS **							99.14					
2014	LUNA JOSE ANTONIO	1/24/2020	2141284	107		76.43				MH BURNED IN 201	NOBOC	
2014	PHILLIPS MIKE	1/10/2020	2136447	108		75.75				IN WAKE CO. ACCT	OCNTY	
2014	PHILLIPS MIKE	1/10/2020	2136448	108		8.10				IN WAKE CO. ACCT	OCNTY	
** YEAR TOTALS **							160.28					
2015	LUNA JOSE ANTONIO	1/24/2020	2202692	107		78.05				MH BURNED IN 201	NOBOC	
2015	PHILLIPS MIKE	1/10/2020	2198077	108		66.29				IN WAKE CO. ACCT	OCNTY	
2015	PHILLIPS MIKE	1/10/2020	2198078	108		2.30				IN WAKE CO. ACCT	OCNTY	
** YEAR TOTALS **							146.64					
2016	LUNA JOSE ANTONIO	1/24/2020	2264650	107		79.33				MH BURNED IN 201	NOBOC	
2016	PHILLIPS MIKE	1/10/2020	2260336	108		61.77				IN WAKE CO. ACCT	OCNTY	
2016	PHILLIPS MIKE	1/10/2020	2260337	108		2.34				IN WAKE CO. ACCT	OCNTY	
** YEAR TOTALS **							143.44					
2017	BARNES LISA GAIL	1/08/2020	2549588	109	17.98					VALUE INCLUDED I	DBLST	
2017	CURRIN WILLIAM C	1/15/2020	2347933	113				125.00		REMOVAL OF 1 SWF	SWFEE	
2017	PHILLIPS MIKE	1/10/2020	2323007	108		50.14				IN WAKE CO. ACCT	OCNTY	
2017	PHILLIPS MIKE	1/10/2020	2323008	108		2.32				IN WAKE CO. ACCT	OCNTY	
** YEAR TOTALS **							17.98	52.46	125.00			
2018	BARNES LISA GAIL	1/08/2020	2549587	109	18.24					VALUE INCLUDED I	DBLST	
2018	BIRDSONG HEATH DWAYNE	1/28/2020	2549740	103		6.23				INCORRECT LATE F	NOLL	
2018	CURRIN WILLIAM C	1/15/2020	2413561	113				125.00		REMOVAL OF 1 SWF	SWFEE	
** YEAR TOTALS **							18.24	6.23	125.00			
2019	BARNES LISA GAIL	1/08/2020	2549586	109	19.32					VALUE INCLUDED I	DBLST	
2019	BIRDSONG HEATH DWAYNE	1/28/2020	2549741	103		6.00				INCORRECT LATE F	NOLL	
2019	BRIAR CHAPEL COMMUNITY	1/13/2020	2519719	107	1482.55			250.00		HOMEOWNERS ASSOC	EXEMP	
2019	BRIAR CHAPEL COMMUNITY	1/13/2020	2549697	107				250.00		HOMEOWNERS ASSOC	EXEMP	
2019	BRIAR CHAPEL COMMUNITY	1/13/2020	2519731	107		505.39				HOMEOWNERS ASSOC	EXEMP	
2019	BRIAR CHAPEL COMMUNITY	1/13/2020	2519740	107	1045.83					HOMEOWNERS ASSOC	EXEMP	

DATE 2/03/20
 TIME 11:37:36
 USER CHAMY

BOARD REVIEW OF CORRECTED RECEIPTS REPORT
 CHATHAM CO TAX DEPARTMENT

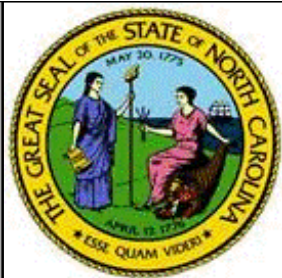
PAGE 2
 PROG# CL2182

SKIP NEGATIVE ABATEMENTS
 TAX

DEPOSIT DATES 1/07/2020 THROUGH 1/31/2020
 OMIT ABATE CODES ERROR BOER CHGOF PTC
 DEPOSIT

YEAR	TAXPAYER NAME	DATE	RECEIPT	DIST	REAL	PERSONAL	M VEH	MV FEE	S WASTE	REASON	ABTCD
2019	BRIAR CHAPEL COMMUNITY	1/13/2020	2519747	107	1645.18					HOMEOWNERS ASSOC	EXEMP
2019	BRIAR CHAPEL COMMUNITY	1/13/2020	2519748	107	1388.58					HOMEOWNERS ASSOC	EXEMP
2019	BRIAR CHAPEL COMMUNITY	1/13/2020	2519750	107	2733.11					HOMEOWNERS ASSOC	EXEMP
2019	BRIAR CHAPEL COMMUNITY	1/13/2020	2519751	107	366.83					HOMEOWNERS ASSOC	EXEMP
2019	BRIAR CHAPEL COMMUNITY	1/13/2020	2519752	107	202.08					HOMEOWNERS ASSOC	EXEMP
2019	BRIAR CHAPEL COMMUNITY	1/13/2020	2519753	107	1251.02					HOMEOWNERS ASSOC	EXEMP
2019	CAMPBELL JOSEPH	1/09/2020	2527668	107		37.15				BOAT LOCATED IN	OCNTY
2019	CAMPBELL MICKAL THOMAS	1/21/2020	2502140	201		88.26				CARTERET COUNTY	OCNTY
2019	CURRIN WILLIAM C	1/15/2020	2544461	113					125.00	REMOVAL OF 1 SWF	SWFEE
2019	FITTS JOHN THOMAS	1/08/2020	2485532	101		39.07				LATE LIST APPLIE	NOLL
2019	JORDAN LAKE PROPERTIES LLC	1/30/2020	2520181	105	192.92					M/H LISTED AS PE	MHSLD
2019	MAIN DARRIN GEORGE	1/24/2020	2501547	107		4.28				BOAT IN VA SINCE	MVDOS
2019	MAIN DARRIN GEORGE	1/24/2020	2501548	107		207.96				BT IN VA SINCE 2	MVDOS
2019	RANDOLPH TELEPHONE MEMBERSHIP	1/17/2020	2549585	113	436.86					PER CHRIS MCLAUG	EXEMP
2019	WILKINS COLENE S ETALS	1/16/2020	2536413	105	707.31					CO SPLIT/APPR IN	LUERR
** YEAR TOTALS **					11976.98	382.72			625.00		
2020	METAL IMPRESSIONS INC	1/22/2020	2549733	201		10.42				LL PEN 20% INSTE	NOLL
** YEAR TOTALS **						10.42					
*** FINAL TOTALS ***					12013.20	1112.62	139.54		875.00		

*** NORMAL END OF JOB ***



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
ALPERIN, LARRY JORDAN	ALPERIN, LARRY JORDAN		1319 FEARRINGTON POST		PITTSBORO, NC 27312	Proration	0035791362	MPS1168	AUTHORIZED	119545108	Refund Generated due to proration on Bill #0035791362-2018-0000-00
ALVARADO, JUAN	ALVARADO, JUAN	ALVARADO, JEFFREY	212 ARROW POINT LN		BEAR CREEK, NC 27207	Proration	0050006655	EEX5285	AUTHORIZED	118861322	Refund Generated due to proration on Bill #0050006655-2019-0000-00
ANDREWS, TERRY DEAN	ANDREWS, TERRY DEAN		418 PINE LAKE DR		SILER CITY, NC 27344	Proration	0034136169	XNZ8325	AUTHORIZED	118801918	Refund Generated due to proration on Bill #0034136169-2018-0000-00
BARAJAS, VIVIANA	BARAJAS, VIVIANA		5 WINTERBERRY WAY		CHAPEL HILL, NC 27516	Proration	0049240686	EDB2848	AUTHORIZED	119059230	Refund Generated due to proration on Bill #0049240686-2018-0000-00
BARBATI, JOHN CHARLES II	BARBATI, JOHN CHARLES II	BARBATI, SUSAN JOHNSON	316 STARWOOD DR		PITTSBORO, NC 27312	Proration	0049686688	AJX6141	AUTHORIZED	119724704	Refund Generated due to proration on Bill #0049686688-2019-0000-00



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	01/24/2020	1/24/2020 8:41:58 AM
ie	Vehicle Totalled	01/09/2020	1/9/2020 3:45:09 PM
ie	Vehicle Sold	01/08/2020	1/8/2020 2:32:51 PM
ie	Vehicle Sold	01/14/2020	1/14/2020 10:44:32 AM
ie	Reg . Out of state	01/28/2020	1/28/2020 11:08:29 AM



North Carolina Ver

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$55.59)	\$0.00	(\$55.59)
07	Tax	(\$9.12)	\$0.00	(\$9.12)
			Refund	\$64.71
00	Tax	(\$71.45)	(\$3.57)	(\$75.02)
03	Tax	(\$7.47)	(\$0.37)	(\$7.84)
			Refund	\$82.86
00	Tax	(\$2.67)	\$0.00	(\$2.67)
01	Tax	(\$0.38)	\$0.00	(\$0.38)
			Refund	\$3.05
00	Tax	(\$4.08)	\$0.00	(\$4.08)
07	Tax	(\$0.67)	\$0.00	(\$0.67)
			Refund	\$4.75
00	Tax	(\$33.23)	\$0.00	(\$33.23)
07	Tax	(\$5.35)	\$0.00	(\$5.35)
			Refund	\$38.58



Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
BARKLEY, KYLE THOMAS	BARKLEY, KYLE THOMAS		2994 US HIGHWAY 64 W		PLYMOUTH, NC 27962	Proration	0045843468	PLH1677	AUTHORIZED	119724680	Refund Generated due to proration on Bill #0045843468-2018-0000-00
BOURN, RONALD EUGENE	BOURN, RONALD EUGENE	BOURN, BARBARA LOUISE SKINNER	85405 DUDLEY		CHAPEL HILL, NC 27517	Proration	0038464951	PCV2163	AUTHORIZED	119646304	Refund Generated due to proration on Bill #0038464951-2019-0000-00
BOYD, DONALD GRAY	BOYD, DONALD GRAY		75 VANDER OLDHAM RD		BEAR CREEK, NC 27207	Proration	0050031717	TBM7603	AUTHORIZED	119484196	Refund Generated due to proration on Bill #0050031717-2019-0000-00
BURGESS, HOWARD WAYNE	BURGESS, HOWARD WAYNE		598 BURGESS RD		APEX, NC 27523	Proration	0026735372	DHV7386	AUTHORIZED	118801772	Refund Generated due to proration on Bill #0026735372-2018-0000-00
BURGOYNE, MADELEINE SCOTT	BURGOYNE, MADELEINE SCOTT		54 WINDING BRANCH RD		PITTSBORO, NC 27312	Proration	0050340716	FHB6542	AUTHORIZED	118741376	Refund Generated due to proration on Bill #0050340716-2019-0000-00



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	01/28/2020	1/28/2020 10:44:31 AM
ie	Vehicle Sold	01/27/2020	1/31/2020 12:14:28 PM
ie	Vehicle Totalled	01/23/2020	1/23/2020 11:09:09 AM
ie	Vehicle Sold	01/08/2020	1/8/2020 12:45:13 PM
ie	Vehicle Sold	01/07/2020	1/17/2020 5:01:21 PM

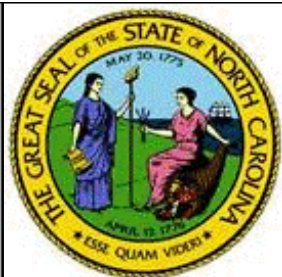


North Carolina Ver

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$32.03)	\$0.00	(\$32.03)
03	Tax	(\$3.57)	\$0.00	(\$3.57)
			Refund	\$35.60
00	Tax	(\$167.89)	\$0.00	(\$167.89)
07	Tax	(\$27.07)	\$0.00	(\$27.07)
			Refund	\$194.96
00	Tax	(\$15.81)	\$0.00	(\$15.81)
03	Tax	(\$1.65)	\$0.00	(\$1.65)
			Refund	\$17.46
00	Tax	(\$11.96)	\$0.00	(\$11.96)
08	Tax	(\$1.96)	\$0.00	(\$1.96)
			Refund	\$13.92
00	Tax	(\$108.99)	\$0.00	(\$108.99)
09	Tax	(\$12.77)	\$0.00	(\$12.77)
			Refund	\$121.76



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
CHAVEZ, ANGELA KAY	CHAVEZ, ANGELA KAY		63 PHOEBE LN		PITTSBORO, NC 27312	Proration	0037610104	DLD9939	AUTHORIZED	118992938	Refund Generated due to proration on Bill #0037610104-2018-0000-00
CLARK, DAVID BRUCE	CLARK, DAVID BRUCE	CLARK, LINDA KAY	3005 ANDREWS CT		VIRGINIA BEACH, VA 23456	Proration	0041728054	PAK3637	AUTHORIZED	119424182	Refund Generated due to proration on Bill #0041728054-2018-0000-00
CLARK, DAVID BRUCE	CLARK, DAVID BRUCE		3005 ANDREWS CT		VIRGINIA BEACH, VA 23456	Proration	0032016543	DKH7056	AUTHORIZED	119424176	Refund Generated due to proration on Bill #0032016543-2018-0000-00
CLARKE, WILLIAM CHEWNING	CLARKE, WILLIAM CHEWNING		79 PEAKVIEW PL		CHAPEL HILL, NC 27517	Proration	0018803943	ZWY2769	AUTHORIZED	119351096	Refund Generated due to proration on Bill #0018803943-2018-0000-00
COSENTINO, DEBORAH ANN	COSENTINO, DEBORAH ANN	COSENTINO, CARL PATRICK	73 BURNICE PL		PITTSBORO, NC 27312	Proration	0001309314	ZNL3024	AUTHORIZED	118992966	Refund Generated due to proration on Bill #0001309314-2019-0000-00



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	01/13/2020	1/13/2020 9:42:21 AM
ie	Reg . Out of state	01/22/2020	1/31/2020 12:14:28 PM
ie	Reg . Out of state	01/22/2020	1/22/2020 2:38:37 PM
ie	Vehicle Sold	01/21/2020	1/21/2020 2:05:42 PM
ie	Vehicle Sold	01/13/2020	1/13/2020 10:17:29 AM



North Carolina Ver

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$50.50)	\$0.00	(\$50.50)
07	Tax	(\$8.28)	\$0.00	(\$8.28)
			Refund	\$58.78
00	Tax	(\$104.07)	\$0.00	(\$104.07)
07	Tax	(\$17.06)	\$0.00	(\$17.06)
			Refund	\$121.13
00	Tax	(\$48.07)	\$0.00	(\$48.07)
07	Tax	(\$7.88)	\$0.00	(\$7.88)
			Refund	\$55.95
00	Tax	(\$4.43)	\$0.00	(\$4.43)
07	Tax	(\$0.72)	\$0.00	(\$0.72)
			Refund	\$5.15
00	Tax	(\$45.49)	\$0.00	(\$45.49)
21	Tax	(\$29.42)	\$0.00	(\$29.42)
			Refund	\$74.91

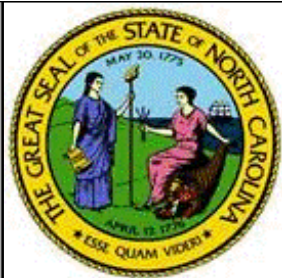


North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
COX, PEGGY LYNN	COX, PEGGY LYNN		90115 HOEY		CHAPEL HILL, NC 27517	Proration	0042246834	FAY4493	AUTHORIZED	119881948	Refund Generated due to proration on Bill #0042246834-2018-0000-00
CROWLING, LEAH HIRSHBERG	CROWLING, LEAH HIRSHBERG		256 BEACON RIDGE BLVD		CHAPEL HILL, NC 27516	Adjustment < \$100	0050462465	FMK5308	AUTHORIZED	119545534	Refund Generated due to adjustment on Bill #0050462465-2019-0000-00
DOBSON, ANNE MERRILL	DOBSON, ANNE MERRILL		1206 FEARRINGTON POST		PITTSBORO, NC 27312	Proration	0014494676	ALY7712	AUTHORIZED	119248510	Refund Generated due to proration on Bill #0014494676-2018-0000-00
DOWD, EXILEE BROOKS	DOWD, EXILEE BROOKS	DOWD, STEPHEN THOMAS	964 WADE HARRIS RD		PITTSBORO, NC 27312	Proration	0018811923	XWT9075	AUTHORIZED	118993202	Refund Generated due to proration on Bill #0018811923-2018-0000-00
DOYLE, ALLEN EUGENE	DOYLE, ALLEN EUGENE		1124 MARSALIS WAY		CARY, NC 27519	Proration	0028116462	CBM8382	AUTHORIZED	179226936	Refund Generated due to proration on Bill #0028116462-2019-0000-00



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	01/30/2020	1/30/2020 3:58:29 PM
ie	Adjustment	01/24/2020	1/24/2020 3:01:06 PM
ie	Vehicle Sold	01/17/2020	1/17/2020 2:55:15 PM
ie	Vehicle Sold	01/13/2020	1/13/2020 1:09:24 PM
ie	Vehicle Sold	01/23/2020	1/23/2020 4:05:29 PM



North Carolina Ver

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$52.76)	\$0.00	(\$52.76)
07	Tax	(\$8.65)	\$0.00	(\$8.65)
			Refund	\$61.41
00	Tax	(\$72.45)	\$0.00	(\$72.45)
07	Tax	(\$11.68)	\$0.00	(\$11.68)
			Refund	\$84.13
00	Tax	(\$13.30)	\$0.00	(\$13.30)
07	Tax	(\$2.18)	\$0.00	(\$2.18)
			Refund	\$15.48
00	Tax	(\$9.98)	\$0.00	(\$9.98)
09	Tax	(\$1.25)	\$0.00	(\$1.25)
			Refund	\$11.23
00	Tax	(\$44.42)	\$0.00	(\$44.42)
23	Tax	(\$23.20)	\$0.00	(\$23.20)
23	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$67.62



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
ELMASRI, SAMI MOHAMMED	ELMASRI, SAMI MOHAMMED	ELMASRI, YASMIN SAMI	705 N IVEY AVE		SILER CITY, NC 27344	Proration	0018818803	NPP6567	AUTHORIZED	179958027	Refund Generated due to proration on Bill #0018818803-2018-0000-00
FRYE, JOHN WESLEY	FRYE, JOHN WESLEY	FRYE, MARY VASICEK	380 MARKHAM PLANTATION		APEX, NC 27523	Proration	0050835901	PBM6268	AUTHORIZED	118802102	Refund Generated due to proration on Bill #0050835901-2019-0000-00
GARBARINO, ROBERT LAWRENCE	GARBARINO, ROBERT LAWRENCE	GARBARINO, NANCY LYNN	510 BOSWORTH PL		CARY, NC 27519	Proration	0027388076	DBF1418	AUTHORIZED	178687992	Refund Generated due to proration on Bill #0027388076-2019-0000-00
GARCIA, JEFFREY JOHN	GARCIA, JEFFREY JOHN		492 VALLEY MEADOW DR		CHAPEL HILL, NC 27516	Proration	0047010711	FMF1454	AUTHORIZED	119059052	Refund Generated due to proration on Bill #0047010711-2018-0000-00
GIANNI, RICHARD PHILLIP	GIANNI, RICHARD PHILLIP		115 HOMESTEAD DR		CARY, NC 27513	Proration	0048111076	ACD6493	AUTHORIZED	119248346	Refund Generated due to proration on Bill #0048111076-2018-0000-00



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	01/31/2020	1/31/2020 12:29:38 PM
ie	Vehicle Sold	01/08/2020	1/17/2020 5:01:21 PM
ie	Vehicle Sold	01/15/2020	1/17/2020 5:01:21 PM
ie	Vehicle Sold	01/14/2020	1/14/2020 9:41:12 AM
ie	Vehicle Sold	01/17/2020	1/17/2020 12:49:09 PM



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$6.25)	\$0.00	(\$6.25)
22	Tax	(\$5.07)	\$0.00	(\$5.07)
22	Vehicle Fee	\$0.00	\$0.00	\$0.00
	Refund			\$11.32
00	Tax	(\$103.00)	\$0.00	(\$103.00)
07	Tax	(\$16.60)	\$0.00	(\$16.60)
	Refund			\$119.60
00	Tax	(\$76.27)	\$0.00	(\$76.27)
23	Tax	(\$39.84)	\$0.00	(\$39.84)
23	Vehicle Fee	\$0.00	\$0.00	\$0.00
	Refund			\$116.11
00	Tax	(\$65.09)	\$0.00	(\$65.09)
07	Tax	(\$10.67)	\$0.00	(\$10.67)
	Refund			\$75.76
00	Tax	(\$9.80)	\$0.00	(\$9.80)
06	Tax	(\$1.91)	\$0.00	(\$1.91)
	Refund			\$11.71



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
GRAHAM, AMY VONCANNON	GRAHAM, AMY VONCANNON	GRAHAM, VANN ALAN	354 BEAR TREE CRK		CHAPEL HILL, NC 27517	Proration	0046518574	U352P	AUTHORIZED	119247962	Refund Generated due to proration on Bill #0046518574-2018-0000-00
GRANEY, MARION JOAN	GRANEY, MARION JOAN	GRANEY, JOHN FRANCIS JR	3000 GALLOWAY RDG	APT J106	PITTSBORO, NC 27312	Proration	0042593544	SXL8662	AUTHORIZED	119805488	Refund Generated due to proration on Bill #0042593544-2018-0000-00
GRAVEN, KAREN LINN	GRAVEN, KAREN LINN		600 NICKEL CREEK CIR		CARY, NC 27519	Proration	0036378897	EDB9615	AUTHORIZED	178688046	Refund Generated due to proration on Bill #0036378897-2018-0000-00
HARMON, THOMAS JOSEPH JR	HARMON, THOMAS JOSEPH JR		PO BOX 595		SNOW CAMP, NC 27349	Adjustment < \$100	0049942612	TRB0VAIR	AUTHORIZED	118247220	Refund Generated due to adjustment on Bill #0049942612-2019-0000-00
HODGES, EDWARD SCOTT	HODGES, EDWARD SCOTT		800 BURGESS RD		APEX, NC 27523	Proration	0042227031	FDF3148	AUTHORIZED	118247684	Refund Generated due to proration on Bill #0042227031-2018-0000-00



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	01/17/2020	1/31/2020 12:14:28 PM
ie	Vehicle Sold	01/29/2020	1/29/2020 2:16:22 PM
ie	Vehicle Totalled	01/15/2020	1/15/2020 2:33:33 PM
ie	SLVG or RBLT TTL	01/03/2020	1/3/2020 8:14:12 AM
ie	Vehicle Totalled	01/03/2020	1/3/2020 2:25:15 PM

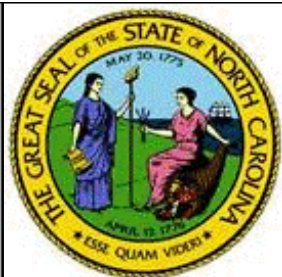


North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$236.57)	\$0.00	(\$236.57)
07	Tax	(\$38.80)	\$0.00	(\$38.80)
			Refund	\$275.37
00	Tax	(\$25.17)	\$0.00	(\$25.17)
07	Tax	(\$4.13)	\$0.00	(\$4.13)
			Refund	\$29.30
00	Tax	(\$21.98)	\$0.00	(\$21.98)
23	Tax	(\$12.25)	\$0.00	(\$12.25)
23	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$34.23
00	Tax	(\$14.60)	\$0.00	(\$14.60)
09	Tax	(\$1.72)	\$0.00	(\$1.72)
			Refund	\$16.32
00	Tax	(\$10.85)	\$0.00	(\$10.85)
08	Tax	(\$1.78)	\$0.00	(\$1.78)
			Refund	\$12.63



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
HOLMES, PAUL BARRY	HOLMES, PAUL BARRY		1457 KELLY RD #355		APEX, NC 27523	Proration	0047989412	AMERITY	AUTHORIZED	119423618	Refund Generated due to proration on Bill #0047989412-2018-0000-01
HOWELL, AMY BURCH	HOWELL, AMY BURCH		301 ROCKING RANCH CT		CARY, NC 27519	Proration	0046562590	ZSW7307	AUTHORIZED	178113489	Refund Generated due to proration on Bill #0046562590-2018-0000-00
HUGHES, WILLIAM DAVID JR	HUGHES, WILLIAM DAVID JR		250 W CORNWALLIS ST		PITTSBORO, NC 27312	Proration	0039602100	HY6030	AUTHORIZED	118992970	Refund Generated due to proration on Bill #0039602100-2019-0000-00
JIMMY BARE LOGGING INC	JIMMY BARE LOGGING INC		PO BOX 275		SILER CITY, NC 27344	Proration	0026407365	ZB45788	AUTHORIZED	119351322	Refund Generated due to proration on Bill #0026407365-2018-0000-00
JONES, JANICE CAROL	JONES, JANICE CAROL		462 NEODAK RD		APEX, NC 27523	Proration	0027124958	YZH7060	AUTHORIZED	118802094	Refund Generated due to proration on Bill #0027124958-2018-0000-00



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	01/22/2020	1/31/2020 12:14:28 PM
ie	Vehicle Sold	01/07/2020	1/7/2020 4:28:55 PM
ie	Vehicle Sold	01/13/2020	1/13/2020 10:19:24 AM
ie	Vehicle Sold	01/21/2020	1/21/2020 4:44:07 PM
ie	Vehicle Sold	01/08/2020	1/8/2020 4:25:48 PM



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$127.57)	\$0.00	(\$127.57)
07	Tax	(\$20.92)	\$0.00	(\$20.92)
			Refund	\$148.49
00	Tax	(\$37.62)	\$0.00	(\$37.62)
23	Tax	(\$20.96)	\$0.00	(\$20.96)
23	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$58.58
00	Tax	(\$9.10)	\$0.00	(\$9.10)
21	Tax	(\$5.88)	\$0.00	(\$5.88)
			Refund	\$14.98
00	Tax	(\$66.75)	\$0.00	(\$66.75)
09	Tax	(\$8.34)	\$0.00	(\$8.34)
			Refund	\$75.09
00	Tax	(\$38.31)	\$0.00	(\$38.31)
07	Tax	(\$6.28)	\$0.00	(\$6.28)
			Refund	\$44.59

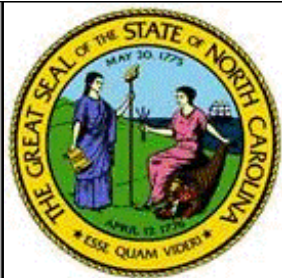


North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
KNORR, ROBERT C	KNORR, ROBERT C		PO BOX 1884		PITTSBORO, NC 27312	Adjustment < \$100	0023244367	50588	AUTHORIZED	118992918	Refund Generated due to adjustment on Bill #0023244367-2019-0000-00
LAMPILA, CLAIRE DELANEY	LAMPILA, CLAIRE DELANEY	LAMPILA, KENNETH ALLAN	340 MALLARD LANDING DR		CHAPEL HILL, NC 27516	Proration	0046887747	FDJ7452	AUTHORIZED	118860662	Refund Generated due to proration on Bill #0046887747-2018-0000-00
LANGLEY, CLARA ADCOCK	LANGLEY, CLARA ADCOCK		67 WILLETT RD		SILER CITY, NC 27344	Proration	0051440978	TBM7823	AUTHORIZED	119351238	Refund Generated due to proration on Bill #0051440978-2019-0000-00
LUCAS, KEVIN EARL	LUCAS, KEVIN EARL		3190 FARRINGTON POINT RD		CHAPEL HILL, NC 27517	Proration	0047344983	HAL8770	AUTHORIZED	119125344	Refund Generated due to proration on Bill #0047344983-2018-0000-00
MAKAR, GEOFFREY FRANCIS	MAKAR, GEOFFREY FRANCIS		83 PARK POINTE DR		PITTSBORO, NC 27312	Proration	0048908131	FHB6564	AUTHORIZED	119484022	Refund Generated due to proration on Bill #0048908131-2019-0000-00



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Adjustment	01/13/2020	1/13/2020 9:20:49 AM
ie	Vehicle Sold	01/09/2020	1/9/2020 8:07:31 AM
ie	Vehicle Sold	01/21/2020	1/21/2020 3:42:44 PM
ie	Vehicle Sold	01/15/2020	1/15/2020 2:13:55 PM
ie	Vehicle Sold	01/23/2020	1/31/2020 12:14:28 PM



North Carolina Ver

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$11.73)	\$0.00	(\$11.73)
09	Tax	(\$1.38)	\$0.00	(\$1.38)
			Refund	\$13.11
00	Tax	(\$20.80)	\$0.00	(\$20.80)
07	Tax	(\$3.41)	\$0.00	(\$3.41)
			Refund	\$24.21
00	Tax	(\$13.67)	\$0.00	(\$13.67)
01	Tax	(\$2.45)	\$0.00	(\$2.45)
			Refund	\$16.12
00	Tax	(\$25.43)	\$0.00	(\$25.43)
07	Tax	(\$4.17)	\$0.00	(\$4.17)
			Refund	\$29.60
00	Tax	(\$214.26)	\$0.00	(\$214.26)
07	Tax	(\$34.54)	\$0.00	(\$34.54)
			Refund	\$248.80



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
MCLAUGHLIN, TINA HAMBLY	MCLAUGHLIN, TINA HAMBLY		346 RALPH MOORE RD		BEAR CREEK, NC 27207	Adjustment >= \$100	0051357869	67513	AUTHORIZED	119484632	Refund Generated due to adjustment on Bill #0051357869-2019-0000-00
MELGAR, EDGAR ALBERTO	MELGAR, EDGAR ALBERTO		305 SUNVIEW DR		SILER CITY, NC 27344	Proration	0044731243	FJH7244	AUTHORIZED	178378248	Refund Generated due to proration on Bill #0044731243-2019-0000-00
MELGAR, EDGAR ALBERTO	MELGAR, EDGAR ALBERTO		305 SUNVIEW DR		SILER CITY, NC 27344	Proration	0049852575	TAB2781	AUTHORIZED	178378245	Refund Generated due to proration on Bill #0049852575-2019-0000-00
MERKEL, JAMES EDWARD	MERKEL, JAMES EDWARD		80 OAKRIDGE LN		CHAPEL HILL, NC 27517	Proration	0045813343	FKZ7466	AUTHORIZED	119484620	Refund Generated due to proration on Bill #0045813343-2019-0000-00
MOORE, CHADWICK EUGENE	MOORE, CHADWICK EUGENE		504 HUNTER GLEN LN		SILER CITY, NC 27344	Proration	0045180576	5386ES	AUTHORIZED	119351046	Refund Generated due to proration on Bill #0045180576-2019-0000-00



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Adjustment	01/23/2020	1/31/2020 12:14:08 PM
ie	Vehicle Sold	01/10/2020	1/10/2020 10:03:40 AM
ie	Vehicle Sold	01/10/2020	1/10/2020 10:02:05 AM
ie	Vehicle Sold	01/23/2020	1/23/2020 4:01:18 PM
ie	Vehicle Sold	01/21/2020	1/21/2020 1:18:02 PM



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$122.61)	\$0.00	(\$122.61)
03	Tax	(\$12.81)	\$0.00	(\$12.81)
			Refund	\$135.42
00	Tax	(\$5.02)	\$0.00	(\$5.02)
22	Tax	(\$4.05)	\$0.00	(\$4.05)
22	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$9.07
00	Tax	(\$20.15)	\$0.00	(\$20.15)
22	Tax	(\$16.24)	\$0.00	(\$16.24)
22	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$36.39
00	Tax	(\$19.35)	\$0.00	(\$19.35)
07	Tax	(\$3.12)	\$0.00	(\$3.12)
			Refund	\$22.47
00	Tax	(\$73.95)	\$0.00	(\$73.95)
09	Tax	(\$8.66)	\$0.00	(\$8.66)
			Refund	\$82.61

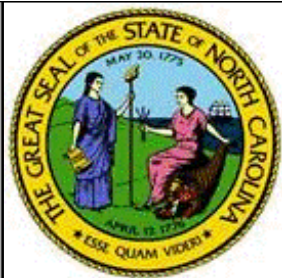


North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
MOSS, SOPHIA DARLENE	MOSS, SOPHIA DARLENE		310 W TERMINAL BLVD		ATLANTIC BEACH, NC 28512	Proration	0039904861	FBM1124	AUTHORIZED	118741484	Refund Generated due to proration on Bill #0039904861-2019-0000-00
MURRAY, WILLIAM	MURRAY, WILLIAM	MURRAY, MARY SUE	287 MORRIS RD		PITTSBORO, NC 27312	Proration	0009626927	XZK1601	AUTHORIZED	118801944	Refund Generated due to proration on Bill #0009626927-2019-0000-00
NAUMAN, ROBERT KARL	NAUMAN, ROBERT KARL		3000 GALLOWAY RIDGE	APT B203	PITTSBORO, NC 27312	Proration	0044896341	VNP7671	AUTHORIZED	119424214	Refund Generated due to proration on Bill #0044896341-2018-0000-00
PAINE, BRIAN DEAN	PAINE, BRIAN DEAN		2028 ALEX COCKMAN RD		PITTSBORO, NC 27312	Proration	0050972847	HEE2453	AUTHORIZED	118741820	Refund Generated due to proration on Bill #0050972847-2019-0000-00
PENDERGRASS, MEGAN LEE	PENDERGRASS, MEGAN LEE		3040 JONES FERRY RD		PITTSBORO, NC 27312	Proration	0037992968	EFV9761	AUTHORIZED	119248704	Refund Generated due to proration on Bill #0037992968-2019-0000-00



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	01/07/2020	1/7/2020 8:58:39 AM
ie	Vehicle Sold	01/08/2020	1/8/2020 2:47:01 PM
ie	Vehicle Sold	01/22/2020	1/22/2020 2:55:41 PM
ie	Vehicle Sold	01/07/2020	1/17/2020 5:01:21 PM
ie	Vehicle Totalled	01/17/2020	1/17/2020 5:00:10 PM



North Carolina Ver

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$30.65)	\$0.00	(\$30.65)
04	Tax	(\$4.12)	\$0.00	(\$4.12)
			Refund	\$34.77
00	Tax	(\$20.15)	\$0.00	(\$20.15)
07	Tax	(\$3.25)	\$0.00	(\$3.25)
			Refund	\$23.40
00	Tax	(\$10.36)	\$0.00	(\$10.36)
07	Tax	(\$1.70)	\$0.00	(\$1.70)
			Refund	\$12.06
00	Tax	(\$153.47)	\$0.00	(\$153.47)
06	Tax	(\$28.06)	\$0.00	(\$28.06)
			Refund	\$181.53
00	Tax	(\$12.16)	\$0.00	(\$12.16)
07	Tax	(\$1.96)	\$0.00	(\$1.96)
			Refund	\$14.12



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
PRICE, AMANDA ELIZABETH	PRICE, AMANDA ELIZABETH		10003 DAVID STONE DR		CHAPEL HILL, NC 27517	Proration	0045057984	YRF1517	AUTHORIZED	118860956	Refund Generated due to proration on Bill #0045057984-2019-0000-00
PULLIAM, BRENDA LEE	PULLIAM, BRENDA LEE	SCOFIELD, CAROL LEE	218 CASSIDY LN		CHAPEL HILL, NC 27516	Proration	0034887509	EFW2471	AUTHORIZED	119187382	Refund Generated due to proration on Bill #0034887509-2019-0000-00
REDFERN, KEVIN BRUCE	REDFERN, KEVIN BRUCE	REDFERN, KARSON PERRY	179 SHAMBLEY MEADOWS DR		PITTSBORO, NC 27312	Proration	0047609450	DFE4707	AUTHORIZED	119187220	Refund Generated due to proration on Bill #0047609450-2018-0000-00
RICHARD, PHILLIP CHASE	RICHARD, PHILLIP CHASE		PO BOX 243		PITTSBORO, NC 27312	Adjustment < \$100	0051451358	CL66955	AUTHORIZED	118992916	Refund Generated due to adjustment on Bill #0051451358-2019-0000-00
ROGERS, JERMAINE COLDEN	ROGERS, JERMAINE COLDEN		63 PETE ROBERSON RD		PITTSBORO, NC 27312	Proration	0025847012	CLM3203	AUTHORIZED	119059312	Refund Generated due to proration on Bill #0025847012-2018-0000-00



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	01/09/2020	1/9/2020 11:08:29 AM
ie	Vehicle Sold	01/16/2020	1/16/2020 3:02:52 PM
ie	Vehicle Sold	01/16/2020	1/16/2020 12:42:49 PM
ie	Adjustment	01/13/2020	1/13/2020 9:20:47 AM
ie	Vehicle Sold	01/14/2020	1/14/2020 11:41:18 AM

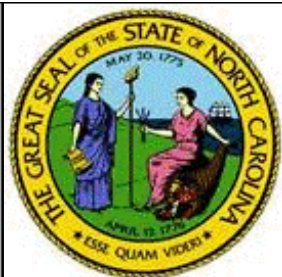


North Carolina Ver

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$67.22)	\$0.00	(\$67.22)
07	Tax	(\$10.83)	\$0.00	(\$10.83)
			Refund	\$78.05
00	Tax	(\$32.25)	\$0.00	(\$32.25)
07	Tax	(\$5.20)	\$0.00	(\$5.20)
			Refund	\$37.45
00	Tax	(\$32.78)	\$0.00	(\$32.78)
09	Tax	(\$4.10)	\$0.00	(\$4.10)
			Refund	\$36.88
00	Tax	(\$58.36)	\$0.00	(\$58.36)
21	Tax	(\$37.74)	\$0.00	(\$37.74)
			Refund	\$96.10
00	Tax	(\$23.37)	\$0.00	(\$23.37)
06	Tax	(\$4.56)	\$0.00	(\$4.56)
			Refund	\$27.93



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
ROSSI, LYNNE JOANNE	ROSSI, LYNNE JOANNE		709 BRADHURST PL		CARY, NC 27519	Proration	0014499446	BBD2231	AUTHORIZED	178379250	Refund Generated due to proration on Bill #0014499446-2018-2018-0000-00
RUBENACKER, PETER ALAN	RUBENACKER, PETER ALAN		75004 MILLER		CHAPEL HILL, NC 27517	Proration	0018818231	BCS4978	AUTHORIZED	118802098	Refund Generated due to proration on Bill #0018818231-2018-2018-0000-00
SHEPHERD, RUTH MARIE	SHEPHERD, RUTH MARIE		320 EASTON GREY LOOP		CARY, NC 27519	Proration	0042802506	EFB1140	AUTHORIZED	178489545	Refund Generated due to proration on Bill #0042802506-2018-2018-0000-00
SHIRLEY, STEVE RALPH	SHIRLEY, STEVE RALPH		79 S FARNLEIGH DR		CHAPEL HILL, NC 27517	Proration	0024128630	VZS3483	AUTHORIZED	118247594	Refund Generated due to proration on Bill #0024128630-2018-2018-0000-00
SMITHWICK, EDWARD LEE JR	SMITHWICK, EDWARD LEE JR		20110 SCOTT		CHAPEL HILL, NC 27517	Proration	0014491011	BBC1886	AUTHORIZED	119125356	Refund Generated due to proration on Bill #0014491011-2018-2018-0000-00

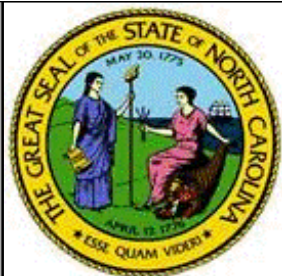


North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Totalled	01/10/2020	1/10/2020 4:51:01 PM
ie	Vehicle Sold	01/08/2020	1/8/2020 4:29:03 PM
ie	Vehicle Sold	01/13/2020	1/17/2020 5:01:21 PM
ie	Vehicle Sold	01/03/2020	1/3/2020 12:44:36 PM
ie	Reg . Out of state	01/15/2020	1/15/2020 2:18:50 PM



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$3.44)	\$0.00	(\$3.44)
23	Tax	(\$1.92)	\$0.00	(\$1.92)
23	Vehicle Fee	\$0.00	\$0.00	\$0.00
	Refund			\$5.36
00	Tax	(\$31.00)	\$0.00	(\$31.00)
07	Tax	(\$5.08)	\$0.00	(\$5.08)
	Refund			\$36.08
00	Tax	(\$79.93)	\$0.00	(\$79.93)
23	Tax	(\$44.55)	\$0.00	(\$44.55)
23	Vehicle Fee	\$0.00	\$0.00	\$0.00
	Refund			\$124.48
00	Tax	(\$4.99)	\$0.00	(\$4.99)
07	Tax	(\$0.82)	\$0.00	(\$0.82)
	Refund			\$5.81
00	Tax	(\$28.47)	\$0.00	(\$28.47)
07	Tax	(\$4.67)	\$0.00	(\$4.67)
	Refund			\$33.14



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
SORGMAN, BRAM WILLIAM	SORGMAN, BRAM WILLIAM		2223 LYSTRA RD		CHAPEL HILL, NC 27517	Proration	0018814488	ACZ4460	AUTHORIZED	118741774	Refund Generated due to proration on Bill #0018814488-2018-0000-00
SOUTHERN LANDSCAPE DESIGN INC	SOUTHERN LANDSCAPE DESIGN INC	COOKE, CECIL EDWARDS III	116 BOOTHE HILL RD		CHAPEL HILL, NC 27517	Adjustment >= \$100	0045672420	ED9116	AUTHORIZED	119351324	Refund Generated due to adjustment on Bill #0045672420-2018-0000-00
SPARROW, ANN LORD	SPARROW, ANN LORD		147 HEATHERWOOD DR		CHAPEL HILL, NC 27516	Proration	0025824220	TZD1127	AUTHORIZED	119125062	Refund Generated due to proration on Bill #0025824220-2018-0000-00
SQUIRE, EMILY CLAIRE	SQUIRE, EMILY CLAIRE		101 STONEHILL RD		CHAPEL HILL, NC 27516	Proration	0040028941	DDJ4510	AUTHORIZED	118801516	Refund Generated due to proration on Bill #0040028941-2018-0000-00
STONE, WILLIAM CARL	STONE, WILLIAM CARL		95 LW BURNS RD		BEAR CREEK, NC 27207	Proration	0047747260	DKF5451	AUTHORIZED	119805102	Refund Generated due to proration on Bill #0047747260-2018-0000-00



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	01/07/2020	1/7/2020 10:53:32 AM
ie	Mileage	01/21/2020	1/31/2020 12:14:08 PM
ie	Vehicle Sold	01/15/2020	1/15/2020 10:45:24 AM
ie	Vehicle Sold	01/08/2020	1/8/2020 9:49:28 AM
ie	Vehicle Sold	01/29/2020	1/29/2020 9:28:07 AM



North Carolina Ver

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$21.52)	\$0.00	(\$21.52)
07	Tax	(\$3.53)	\$0.00	(\$3.53)
			Refund	\$25.05
00	Tax	(\$314.11)	(\$15.71)	(\$329.82)
07	Tax	(\$51.51)	(\$2.57)	(\$54.08)
			Refund	\$383.90
00	Tax	(\$36.46)	\$0.00	(\$36.46)
07	Tax	(\$5.98)	\$0.00	(\$5.98)
			Refund	\$42.44
00	Tax	(\$29.90)	\$0.00	(\$29.90)
07	Tax	(\$4.90)	\$0.00	(\$4.90)
			Refund	\$34.80
00	Tax	(\$40.19)	\$0.00	(\$40.19)
11	Tax	(\$5.50)	\$0.00	(\$5.50)
			Refund	\$45.69



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
STONEMAN, STEVEN GARY	STONEMAN, STEVEN GARY		411 LUTHER RD		APEX, NC 27523	Proration	0001301410	AFN3846	AUTHORIZED	119484680	Refund Generated due to proration on Bill #0001301410-2019-0000-00
TAUBER, ANDREW GREGG	TAUBER, ANDREW GREGG		58 EVANDALE LN		PITTSBORO, NC 27312	Proration	0034966625	MPE6118	AUTHORIZED	118919422	Refund Generated due to proration on Bill #0034966625-2018-0000-00
TAYLOR, KATHY JO	TAYLOR, KATHY JO		650 NORTH DR		MONCURE, NC 27559	Adjustment < \$100	0045950035	FKW4337	AUTHORIZED	119059296	Refund Generated due to adjustment on Bill #0045950035-2019-0000-00
THOMAS, CHARLES SLEDD III	THOMAS, CHARLES SLEDD III		220 ROCK RIDGE RD		PITTSBORO, NC 27312	Proration	0001265033	YXW2307	AUTHORIZED	119805448	Refund Generated due to proration on Bill #0001265033-2018-0000-00
VALDEZ, MICHAEL JAMES	VALDEZ, MICHAEL JAMES		337 BENT TREE		PITTSBORO, NC 27312	Proration	0050627504	PMH6187	AUTHORIZED	118919312	Refund Generated due to proration on Bill #0050627504-2019-0000-00



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	01/23/2020	1/23/2020 4:39:02 PM
ie	Vehicle Sold	01/10/2020	1/10/2020 3:53:35 PM
ie	Over Assessment	01/14/2020	1/14/2020 11:25:28 AM
ie	Vehicle Sold	01/29/2020	1/29/2020 1:44:36 PM
ie	Vehicle Totalled	01/10/2020	1/10/2020 2:54:37 PM

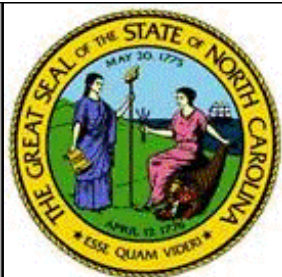


North Carolina Ver

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$72.81)	\$0.00	(\$72.81)
07	Tax	(\$11.73)	\$0.00	(\$11.73)
			Refund	\$84.54
00	Tax	(\$8.64)	\$0.00	(\$8.64)
21	Tax	(\$5.96)	\$0.00	(\$5.96)
			Refund	\$14.60
00	Tax	(\$12.59)	\$0.00	(\$12.59)
05	Tax	(\$2.35)	\$0.00	(\$2.35)
			Refund	\$14.94
00	Tax	(\$5.45)	\$0.00	(\$5.45)
07	Tax	(\$0.89)	\$0.00	(\$0.89)
			Refund	\$6.34
00	Tax	(\$11.37)	\$0.00	(\$11.37)
06	Tax	(\$2.08)	\$0.00	(\$2.08)
			Refund	\$13.45



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
VAN DAM, GLORIA DICOSTAN	VAN DAM, GLORIA DICOSTAN		451 LASHLEY RD		CHAPEL HILL, NC 27516	Proration	0024454174	CHF9080	AUTHORIZED	118919262	Refund Generated due to proration on Bill #0024454174-2018-0000-00
VOLIN, PETER REED	VOLIN, PETER REED	VOLIN, BARBARA FAYE	600 CORRIGAN WAY		CARY, NC 27519	Proration	0026986544	PRVVV	AUTHORIZED	179227029	Refund Generated due to proration on Bill #0026986544-2019-0000-00
WHITE, ANNIE RUTH	WHITE, ANNIE RUTH		PO BOX 672		PITTSBORO, NC 27312	Proration	0037300028	NYK2277	AUTHORIZED	119484448	Refund Generated due to proration on Bill #0037300028-2018-0000-00
WYNNE, ROBERT LEE	WYNNE, ROBERT LEE		30060 BENBURY		CHAPEL HILL, NC 27517	Proration	0014494982	ZTK3719	AUTHORIZED	119351036	Refund Generated due to proration on Bill #0014494982-2018-0000-00
YOUNG, JAMES ALBERT JR	YOUNG, JAMES ALBERT JR		44 ROCK LEDGE DR		CHAPEL HILL, NC 27516	Proration	0047265117	FHC8707	AUTHORIZED	118741416	Refund Generated due to proration on Bill #0047265117-2018-0000-00

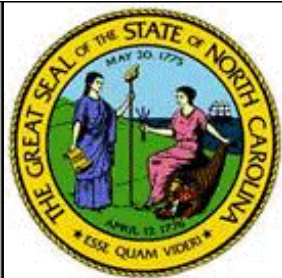


North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Totalled	01/10/2020	1/10/2020 2:09:48 PM
ie	Vehicle Sold	01/23/2020	1/31/2020 12:14:28 PM
ie	Vehicle Sold	01/23/2020	1/23/2020 2:29:57 PM
ie	Vehicle Sold	01/21/2020	1/21/2020 1:10:47 PM
ie	Vehicle Sold	01/07/2020	1/7/2020 8:32:58 AM



North Carolina Veh

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$21.98)	\$0.00	(\$21.98)
07	Tax	(\$3.61)	\$0.00	(\$3.61)
			Refund	\$25.59
00	Tax	(\$107.63)	\$0.00	(\$107.63)
23	Tax	(\$56.23)	\$0.00	(\$56.23)
23	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$163.86
00	Tax	(\$16.27)	\$0.00	(\$16.27)
21	Tax	(\$11.22)	\$0.00	(\$11.22)
			Refund	\$27.49
00	Tax	(\$16.12)	\$0.00	(\$16.12)
07	Tax	(\$2.64)	\$0.00	(\$2.64)
			Refund	\$18.76
00	Tax	(\$34.63)	\$0.00	(\$34.63)
07	Tax	(\$5.68)	\$0.00	(\$5.68)
			Refund	\$40.31
			Refund Total	\$4484.24



North Carolina Ver

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Tax Jurisdiction	District Type	Net Change
00	COUNTY	(\$3,682.62)
21	CITY	(\$90.22)
22	CITY	(\$25.36)
23	CITY	(\$198.95)
01	FIRE	(\$2.83)
03	FIRE	(\$25.87)
04	FIRE	(\$4.12)
05	FIRE	(\$2.35)
06	FIRE	(\$36.61)
07	FIRE	(\$367.85)
08	FIRE	(\$3.74)
09	FIRE	(\$38.22)
11	FIRE	(\$5.50)
Total		(\$4,484.24)



North Carolina Ver

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM



North Carolina Ver

NCVTS Pending

Report Date 2/3/2020 10:46:27 AM

Report Parameters





Chatham County, NC

Text File

File Number: 20-3411

Agenda Date: 2/17/2020

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Tax Office Assessor

File Type: Agenda Item

Vote on a request to approve the 2019 tax lien advertisement

Action Requested: Approve the 2019 tax lien advertisement.

Introduction & Background: Each year the Tax Collector is required to provide to the County Board of Commissioners a total of unpaid taxes, which are liens against real estate, and the governing body shall thereupon order the Tax Collector to advertise such tax liens. As of January 31, 2020 there are 5,695 taxpayers with unpaid tax liens. The total amount of liens against real estate is \$3,854,084.25. The Tax Collector shall advertise county liens by publishing each lien at least once in a newspaper having general circulation within the county. NCGS 105-369 explains the requirements for the lien advertisement.

Discussion & Analysis: The governing body must direct the Tax Collector to advertise the unpaid tax liens in a newspaper having general circulation within the county. Notice must be mailed to the owners at least 30 days before the date the advertisement is to be published. Advertisement of tax liens shall be made during the period from March 1 through June 30. The notices have been processed and mailed to all taxpayers who owe delinquent taxes for 2019. Those notices will result in significant reduction in the number of unpaid tax liens. The cost of the advertisement is assessed to each parcel and is added to each unpaid tax bill. Once the cost of the advertisement has been provided, the Tax Collector shall determine the amount to add to each parcel of real property having unpaid taxes.

Budgetary Impact: None

Recommendation: Motion to approve the 2019 tax lien advertisement for a two week period that will coincide with the 30 day notification requirement in the Chatham News/Record.



Chatham County, NC

Text File

File Number: 20-3403

Agenda Date: 2/17/2020

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Public Works

File Type: Contract

Vote on request to approve contract between the State of North Carolina and Chatham County for water supply storage in B. Everett Jordan Lake

Action Requested: Vote on request to approve contract between the State of North Carolina and Chatham County for water supply storage in B. Everett Jordan Lake.

Introduction & Background: The Flood Control Act of 1963 (Public Law 88-253, 88th Congress) authorized the construction, operation and maintenance of the B. Everett Jordan Dam and Lake Project on Haw River and New Hope River, North Carolina. The State contracted with the United States of America for the use of storage included in the Project for municipal and industrial water supply and for payment of the cost thereof in accordance with the provisions of the Water Supply Act of 1958. The State, through the Environmental Management Commission (EMC), is authorized by N.C. Gen. Stat. §143-354(11) to assign to any county, or municipality, or any other local government having a need for water supply storage in federal projects, any interest held by the State in such storage, upon assumption of repayment obligation therefore or compensation to the State by such local government. Chatham County was already under contract with the State of North Carolina for 6 percent allocation from Jordan Lake's Water Supply Storage which is 100 MGD. This contract is to increase the County's allocation to 13 percent as part of Chatham County's Round 4 allocation request that was approved by the EMC on March 9, 2017.

Discussion & Analysis: The EMC allocated a total of thirteen (13) percent of the water supply storage held by the State to the Chatham County for its use. The allocation consists of two levels of water allocations: Level I allocations are made based on 20-year water need projections with withdrawals planned to begin within five years of the allocation; Level II allocations are made based on long term needs of up to 30 years. The total of 13 percent allocation consists of the following: Level I allocation of eight (8) percent and a Level II allocation of five (5) percent. This contract is vital to securing sustainable water supply from Jordan Lake to help meet the demands of future growth within Chatham County.

How does this relate to the Comprehensive Plan: Natural Resources, Resiliency and Utilities/Public Services.

1. **Budgetary Impact: Level I Allocation Costs Amount:** Level I Allocation Holders are responsible for a proportional share of the State's Total Capital and Interest Costs. The Commission allocated to the Allocation Holder an eight (8) percent allocation on March 9, 2017, which represents a 2 percent increase in the Allocation Holder's previous Level I Allocation. Based on the increase in Level I Allocation, the Allocation Holder is responsible for two (2) percent of the Total Capital and Interest Costs, totaling \$133,625.20 (i.e. 2% x \$6,681,259.94).
2. **Level II Allocation Costs Amount:** Level II Allocation Holders are responsible for a proportional share of the State's Interest Costs. The Commission approved for the first time, a five (5) percent Level II Allocation to the Allocation Holder. Based on the newly approved Level II Allocation, the Allocation Holder is responsible for five (5) percent of the Interest Costs, totaling \$118,168.78 (i.e. 5% x \$2,363,375.66).
3. **Payment:** The Allocation Holder shall pay the total amount for both the Level I and Level II Allocation Costs (i.e. \$251,793.98) within 30 days of receipt of the invoice from the Division.
4. **Annual Operation and Maintenance (O&M) Expenses:** The Allocation Holder is responsible for and shall pay thirteen (13) percent of the State's share of annual O&M expenses for each Calendar Year the allocation is effective. The amount of each annual payment will be based on the actual O&M expense for the preceding Calendar Year. Payment of annual O&M costs shall be made within 30 days of invoice from the Division.
5. **Administrative Costs:** The Allocation Holder shall pay the State \$500 per year to cover the State's administrative costs. Payment shall be made within 30 days of receipt of invoice from the Division.
6. **Major Replacement Costs:** The Allocation Holder shall pay thirteen (13) percent of the State's share of Major Replacement Costs. Payment of Major Replacement Costs shall be made in a lump sum. The State will send an invoice to the Allocation Holder upon substantial completion of construction. This payment shall be due within 30 days of receipt of invoice from the Division.

Major Rehabilitation Costs. The Allocation Holder shall pay thirteen (13) percent of the State's share of annual Major Rehabilitation Costs. This rate of payment shall apply to all invoices received from the Government following the effective date of this Contract regardless of the date on which such rehabilitation costs were incurred by the Government or any other entity. The amount of each annual payment will be based on the

actual rehabilitation costs for the preceding Calendar Year. The annual payment of these rehabilitation costs shall be made within 30 days of receipt of invoice from the Division.

Recommendation: Approve contract between the State of North Carolina and Chatham County for water supply storage in B. Everett Jordan Lake.

**CONTRACT BETWEEN THE STATE OF NORTH CAROLINA
AND
CHATHAM COUNTY
FOR
WATER SUPPLY STORAGE IN B. EVERETT JORDAN LAKE**

This contract (“Contract”), entered into by and between the STATE OF NORTH CAROLINA (“State”) and CHATHAM COUNTY (“Allocation Holder”);

WITNESSETH THAT:

WHEREAS, the Flood Control Act of 1963 (Public Law 88-253, 88th Congress) authorized the construction, operation and maintenance of the B. Everett Jordan Dam and Lake Project on Haw River and New Hope River, North Carolina (“Project”); and

WHEREAS, the State contracted with the United States of America (“Government”) for the use of storage included in the Project for municipal and industrial water supply (“Jordan Water Supply Storage”), and for payment of the cost thereof in accordance with the provisions of the Water Supply Act of 1958, as amended; and

WHEREAS, the State through the Environmental Management Commission (“Commission”) is authorized by N.C. Gen. Stat. §143-354(11) to assign to any county or municipality or any other local government having a need for water supply storage in federal projects any interest held by the State in such storage, upon assumption of repayment obligation therefore or compensation to the State by such local government; and

WHEREAS, on March 9, 2017, the Commission allocated a total of thirteen (13) percent of the water supply storage held by the State to the Allocation Holder for its use; the allocation consisting of a Level I allocation of eight (8) percent and a Level II allocation of five (5) percent; and

WHEREAS, the allocation became effective on the date it was approved (i.e. March 9, 2017) and, by and through its terms and conditions, this Contract implements the allocation.

NOW, THEREFORE, the State and the Allocation Holder (hereinafter jointly referred to as the “Parties”) agree as follows:

ARTICLE I – DEFINITIONS.

- (A) Annual Operation and Maintenance (O&M) Expense – The daily Project O&M costs over the Calendar Year.
- (B) Calendar Year – A one-year period beginning January 1 and ending December 31.
- (C) Capital Costs – The amount of principal paid by the State to the Government as part of the construction of the Project, i.e. \$4,317,884.28.
- (D) Division – The Division of Water Resources within the North Carolina Department of Environmental Quality.
- (E) Interest Costs – The amount of interest paid by the State to the Government as part of the construction of the Project, i.e. \$ 2,363,375.66.
- (F) Jordan Water Supply Storage – The portion of the water supply included in the Project for municipal and industrial water supply.
- (G) Level I Allocation – An assignment of Jordan Water Supply Storage that is made to an applicant that has an immediate need for water and plans to commence withdrawals within five years.
- (H) Level II Allocation – An assignment of Jordan Water Supply Storage that is made to an applicant that has a long-range need for water five to thirty years into the future.
- (I) Life of the Project – The physical life of the Project.
- (J) Major Replacement Costs – Infrequent costs to replace major structures, facilities and associated equipment at the Project.
- (K) Major Rehabilitation Costs – Infrequent significant costs to rehabilitate structures, facilities and equipment at the Project.
- (L) Net Inflow – The change (positive or negative) in the amount of water stored in Jordan Lake, as measured by the difference in elevation from one day to the next (i.e., a 24-hour period), plus the amount of water withdrawn from Jordan Lake during that same one-day period, plus the amount of water released from the dam or spillway during that same one-day period.
- (M) Project – The B. Everett Jordan Dam and Lake Project on Haw River and New Hope River, North Carolina.
- (N) Total Capital and Interest Cost – the total amount paid by the State to the Government as part of the construction of the Jordan Water Supply Storage, i.e. \$6,681,259.94.

ARTICLE II – RELATIONSHIP TO OTHER AGREEMENTS.

This Contract is predicated on the State’s right to utilize the Jordan Water Supply Storage as provided in the contract between the State and the Government, dated April 10, 1988, which is attached hereto as Attachment A. Upon execution of this Contract any and all previous contracts between the State and the Allocation Holder regarding water supply in Jordan Lake are merged into this Contract and all outstanding rights and duties under previous contracts are continued and governed by this Contract. If there is a conflict between prior contracts and this Contract, the provisions in this Contract shall prevail.

ARTICLE III – JORDAN WATER SUPPLY STORAGE.

- (A) Total Water Supply Storage Available. As provided in Attachment A, the State has the right to utilize an undivided 32.62 percent of the storage space at the Project between elevation 202 feet above mean sea level and 216 feet above mean sea level. The storage space held by the State is estimated to equal 45,800 acre-feet before adjustment for sediment deposits.
- (B) Jordan Water Supply Storage Amounts. The Division will maintain records on the amount of water supply available in the water supply storage pool and will inform each Allocation Holder of the amount of water available in its portion of that pool.
- (C) Sediment Adjustments. From time to time, the Government will survey the amount of sediment accumulated in Jordan Lake. When necessary, the Government will re-allocate the storage remaining in the lake among the Project purposes, maintaining the same proportional storage space for each purpose. This adjustment of storage may reduce the amount of space available to each Allocation Holder. Note, because a sediment storage pool designed to last over 100 years is included in Jordan Lake, such reductions in water supply storage are not expected to occur until after the year 2082.

ARTICLE IV – RIGHTS OF THE ALLOCATION HOLDER.

- (A) Right to Withdraw Level I Allocation: The Allocation Holder has an eight (8) percent Level I Allocation. Subject to the limitations set forth in this Contract and any other requirements provided by law, the Allocation Holder has the right to withdraw up to eight (8) percent of the Jordan Water Supply Storage. The Allocation Holder’s water withdrawals will be restricted during water shortage conditions according to the Allocation Holder’s approved drought and water shortage response plan under Article V, and in accordance with other laws. If the Allocation Holder’s storage space becomes depleted, the Allocation Holder’s right of withdrawal will be limited to a maximum withdrawal of eight (8) percent of the portion of Net Inflow allocated to water supply (eight (8) percent of 32.62 percent, which equals 2.6096 percent of the Net Inflow), for as

long as the Allocation Holder's water supply storage space is depleted.

- (B) Level II Allocation: The Allocation Holder has a five (5) percent Level II Allocation. In order to withdraw any portion of the Level II Allocation, the Allocation Holder must seek approval from the Commission to convert the Level II Allocation to a Level I Allocation. Pursuant to 15A NCAC 02G .0504, the Allocation Holder must demonstrate an immediate need and ability to commence withdrawal within five years of the effective date of the conversion.
- (C) The Allocation Holder's right to withdraw is contingent upon compliance with this Contract. The Allocation Holder's allocation may be revised or rescinded as set forth in 15A NCAC 02G .0507.
- (D) The Allocation Holder shall have the right to construct all such works, plants, pipelines and appurtenances as may be necessary and convenient for the purpose of diversion or withdrawals, subject to the approval of the Government and of the State as to design and location. Notwithstanding such approval, the Allocation Holder shall comply with all applicable laws, including all permitting requirements. The grant of an easement for right-of-way across, in and upon land of the Government at the Project shall be by a separate instrument in a form satisfactory to the Secretary of the Army, without additional cost to the Allocation Holder under the authority of and in accordance with the provisions of 10 USC 2668 and as may be necessary. Subject to the conditions of such easement, the Allocation Holder shall have the right to use as much of the Project land as may reasonably be required in the exercise of the rights and privileges granted under this Contract.
- (E) During any construction, operation and maintenance by the Allocation Holder of any facilities, the Allocation Holder will take specific actions to control environmental pollution that could result from such activity and to comply with applicable Federal, State, and local laws and regulations concerning environmental pollution.
- (F) The Allocation Holder shall be responsible for operation and maintenance of all installations and facilities that it may construct for the diversion or withdrawal of water, and shall bear all costs of construction, operation and maintenance of such installations and facilities. The responsibility for operating and maintaining any facilities constructed under this Article shall be separate from, and in addition to, the Allocation Holder's responsibility to pay Annual O&M Expenses as described in Article VII.

ARTICLE V – DROUGHT AND WATER SHORTAGE RESPONSE PLAN.

The Allocation Holder shall develop a Drought and Water Shortage Response Plan that is acceptable to both the Division and the Government prior to withdrawing any water. The Allocation Holder shall implement this Plan during droughts and other water shortages.

ARTICLE VI – MEASUREMENT OF WITHDRAWALS AND RELEASES.

The Allocation Holder agrees to furnish and install, without cost to the State, suitable meters or measuring devices satisfactory to the Government and to the Division for the measurement of water that is withdrawn by the Allocation Holder from the Project by any means other than through the Project outlet works. Such devices shall be available for inspection by Government and Division representatives at all reasonable times. The Allocation Holder shall furnish to the Division monthly statements of all such withdrawals, showing the total amount withdrawn each month. The Allocation Holder shall also furnish to the Division monthly statements showing the amount withdrawn through their intake each day. Water supply releases through the Project outlet works shall be made in accordance with written schedules furnished by the Allocation Holder and approved by the Government. The measure of all such releases shall be by means of a rating curve of the outlet works, or by such other suitable means as may be agreed upon prior to use of Jordan Water Supply Storage.

ARTICLE VII – PAYMENTS.

In consideration of the right to utilize the aforesaid allocation of water supply from the Jordan Water Supply Storage for municipal and industrial water supply purposes, and for other contractual rights specified in this Contract, the Allocation Holder shall pay the following sums to the State.

(A) Construction and Interest Costs:

- (1) Level I Allocation Costs Amount: Level I Allocation Holders are responsible for a proportional share of the State's Total Capital and Interest Costs. The Commission allocated to the Allocation Holder an eight (8) percent allocation on March 9, 2017, which represents a 2 percent increase in the Allocation Holder's previous Level I Allocation. Based on the increase in Level I Allocation, the Allocation Holder is responsible for two (2) percent of the Total Capital and Interest Costs, totaling \$133,625.20 (i.e. 2% x \$6,681,259.94).
- (2) Level II Allocation Costs Amount: Level II Allocation Holders are responsible for a proportional share of the State's Interest Costs. The Commission approved for the first time, a five (5) percent Level II Allocation to the Allocation Holder. Based on the newly approved Level II Allocation, the Allocation Holder is responsible for five (5) percent of the Interest Costs, totaling \$118,168.78 (i.e. 5% x \$2,363,375.66).
- (3) Payment: The Allocation Holder shall pay the total amount for both the Level I and Level II Allocation Costs (i.e. \$251,793.98) within 30 days of receipt of the invoice from the Division.

- (B) Annual Operation and Maintenance (O&M) Expenses: The Allocation Holder is responsible for and shall pay thirteen (13) percent of the State's share of annual O&M expenses for each Calendar Year the allocation is effective. The amount of each annual payment will be based on the actual O&M expense for the preceding Calendar Year. Payment of annual O&M costs shall be made within 30 days of invoice from the Division.
- (C) Administrative Costs: The Allocation Holder shall pay the State \$500 per year to cover the State's administrative costs. Payment shall be made within 30 days of receipt of invoice from the Division.
- (D) Major Replacement Costs: The Allocation Holder shall pay thirteen (13) percent of the State's share of Major Replacement Costs. Payment of Major Replacement Costs shall be made in a lump sum. The State will send an invoice to the Allocation Holder upon substantial completion of construction. This payment shall be due within 30 days of receipt of invoice from the Division.
- (E) Major Rehabilitation Costs. The Allocation Holder shall pay thirteen (13) percent of the State's share of annual Major Rehabilitation Costs. This rate of payment shall apply to all invoices received from the Government following the effective date of this Contract regardless of the date on which such rehabilitation costs were incurred by the Government or any other entity. The amount of each annual payment will be based on the actual rehabilitation costs for the preceding Calendar Year. The annual payment of these rehabilitation costs shall be made within 30 days of receipt of invoice from the Division.

ARTICLE VIII – EFFECTIVE DATE OF ALLOCATION AND DURATION OF CONTRACT.

Pursuant to 15A NCAC 02G .0502(5), the effective date of the allocation is the date that the Commission approved the allocation (i.e. March 9, 2017). This Contract is predicated on the Commission's allocation decision and shall remain in full force and effect unless and until the Commission acts to revise or rescind the Allocation Holder's allocation. This Contract may be modified by the parties by mutual agreement.

ARTICLE IX – RELEASE OF CLAIMS AND PRESERVATION OF AUTHORITY.

To the extent permitted by law, the Allocation Holder shall hold and save the Government and the State, including its officers, agents and employees, harmless from liability of any nature or kind for or on account of any claim for damages which may be filed or asserted as a result of the storage in the Project or withdrawal or release of water from the Project made or requested by the Allocation Holder, or as a result of the construction, operation or maintenance of the water supply facilities and appurtenances thereto owned and operated by the Allocation Holder, except for damages due to the sole fault or negligence of the State of

North Carolina, the Government or its contractors. Nothing in this Contract shall restrict the State in the exercise of any right or duty of the State, including rights or duties related to the conduct of investigations, collection of information and issuance of permits.

ARTICLE X – NO TRANSFER OR ASSIGNMENT.

The Allocation Holder shall not transfer or assign this Contract or any rights acquired thereunder, nor suballot Jordan Water Supply Storage or any part thereof, nor grant any interest, privilege or license whatsoever in connection with this Contract. The Allocation Holder shall not infringe on the authority of the Commission to allocate Jordan Water Supply Storage. This Article shall not be construed so as to limit the Allocation Holder’s ability to receive water withdrawn from Jordan Water Supply Storage through an intake operated and/or maintained by another allocation holder.

ARTICLE XI – CONTRACT ADMINISTRATORS.

The contract administrator for the Allocation Holder shall make the payments specified in this Contract to the contract administrator for the State. The administrator for the Allocation Holder shall be the following person:

Dan LaMontagne
Chatham County Manager
P.O. Box 1809
Pittsboro, NC 27312

The Allocation Holder shall be responsible for providing written notification to the State in the event the name and/or address for the Allocation Holder’s designated contract administrator changes.

The contract administrator for the State and Department shall be the following person:

Kim Nimmer, Water Supply Planning
Division of Water Resources
Department of Environmental Quality
1611 Mail Service Center
Raleigh, North Carolina 27699-1611

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF:
CHATHAM COUNTY

BY _____ DATE: _____

Mike Dasher
Chairman, Chatham County Board of Commissioners

ATTEST:

BY _____ (SEAL)

STATE OF NORTH CAROLINA

BY _____ DATE: _____

Dr. A. Stanley Meiburg
Chairman, NC Environmental
Management Commission

ATTEST:

BY _____ (SEAL)

CONTRACT BETWEEN THE UNITED STATES OF AMERICA

AND

THE STATE OF NORTH CAROLINA

FOR

WATER STORAGE SPACE IN B. EVERETT JORDAN LAKE

THIS CONTRACT, entered into this tenth day of April, 1988, by and between the UNITED STATES OF AMERICA (hereinafter called the "Government") represented by the Contracting Officer executing this contract, and the State of North Carolina (hereinafter called the "State");

WITNESSETH THAT:

WHEREAS, the Flood Control Act of 1963 (Public Law 88-253, 88th Congress), authorized the construction, operation, and maintenance of the B. Everett Jordan Dam and Lake project on Haw River, North Carolina, (hereinafter called the "Project"); and

WHEREAS, the State desires to contract with the Government for the use of storage included in the Project for municipal and industrial water supply, and for payment of the cost thereof in accordance with the provisions of the Water Supply Act of 1958, as amended; and

WHEREAS, the State is empowered to contract with the Government and is vested with all necessary powers of accomplishment of the purposes of this contract, including those required by Section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5d) (as amended);

NOW, THEREFORE, the Government and the State agree as follows:

ARTICLE 1 - Water Storage Space.

(a) Project Construction. The Government, subject to the directions of Federal law and any limitations imposed thereby, has designed and constructed the Project so as to include therein space for the storage of water by the State.

(b) Rights of State.

(1) The State shall have the right to utilize an undivided 32.62 percent (estimated to contain 45,800 acre-feet before adjustment for sediment deposits) of the total storage space in the Project between elevations 202 feet above mean sea level and 216 feet above mean sea level, which total conservation storage space is estimated to contain 140,400 acre-feet before adjustment for sediment deposits. This storage space is to be used to impound water for anticipated future demand or need for municipal and industrial water supply.

(2) Upon initiation of the use of the water in the storage space provided under Article 1(b)(1) and the making of payments under Article 5, the State shall have the right to withdraw water from the lake, or to order releases to be made by the Government through the outlet works in the Dam, subject to the provisions of Article 1(c) and to the extent the aforesaid storage space will provide; and shall have the right to construct all such works, plants, pipelines, and appurtenances as may be necessary and convenient for the purpose of diversion or withdrawals, subject to the approval of the Contracting Officer as to design and location. The grant of an easement for right-of-way, across, in and upon land of the Government at the Project shall be by a separate instrument in a form satisfactory to the Secretary of the Army, without additional cost to the State, under the authority of and in accordance with the provisions of 10 U.S.C. 2669 and such other authorities as may be necessary. Subject to the conditions of such easement, the State shall have the right to use so much of the Project land as may reasonably be required in the exercise of the rights and privileges granted under this contract.

(c) Rights Reserved. The Government reserves the right to maintain at all times minimum downstream releases through the gates or spillway of the dam to meet established water requirements provided, however, that water reserved and under payment in accordance with Article 5 for water supply use is not used for minimum releases without the expressed consent of the State. The Government further reserves the right to take such measures as may be necessary in the operation of the Project to preserve life and/or property, including the right not to make downstream releases during such periods of time as are deemed necessary, in its sole discretion, to inspect, maintain, or repair the Project.

(d) Quality or Availability of Water. The State recognizes that this contract provides storage space for raw water only. The Government makes no representations with respect to the quality or availability of water and assumes no responsibility therefor, or for the treatment of the water.

(e) Sedimentation Surveys.

(1) Sedimentation surveys will be made by the Contracting Officer during the term of this contract at intervals not to exceed fifteen (15) years unless otherwise agreed to in writing by both parties. When, in the opinion of the Contracting Officer, the findings of such survey indicate any project purpose will be affected by unanticipated sedimentation distribution, there shall be an equitable redistribution of the sediment reserve storage space among the purposes served by the Project including municipal and industrial water supply. The total available remaining storage space in the Project will then be divided among the various Project features in the same ratio as was initially utilized. Adjusted pool elevations will be rounded to the nearest one-half foot. Such findings and the storage space allocated to municipal and industrial water supply shall be defined and described as an exhibit which will be made a part of this contract and the reservoir regulation manual will be modified accordingly.

(2) The Government assumes no responsibility for deviations from estimated rates of sedimentation, or the distribution thereof. Such deviations may cause unequal distribution of sediment reserve storage greater than estimated, and/or encroachment on the total storage at the Project.

ARTICLE 2 - Regulation of and Right to Use of Water. The regulation of the use of water withdrawn or released from the aforesaid storage space shall be the sole responsibility of the State. The State has the full responsibility to acquire in accordance with State laws and regulations, and, if necessary, to establish or defend, any and all water rights needed for utilization of the storage provided under this contract. The Government shall not be responsible for diversions by others, nor will it become a party to any controversies involving the use of the storage space by the State except as such controversies may affect the operations of the Government.

ARTICLE 3 - Operation and Maintenance. The Government shall operate and maintain the Project and the State shall pay to the Government such share of the costs of such operation and maintenance as provided in Article 5. The State shall be responsible for operation and maintenance of all installations and facilities which it may construct for the diversion or withdrawal of water, and shall bear all costs of construction, operation and maintenance of such installations and facilities.

ARTICLE 4 - Measurement of Withdrawals and Releases. The State agrees to furnish and install, without cost to the Government, suitable meters or measuring devices satisfactory to the Contracting Officer for the measurement of water which is withdrawn from the Project by any means other than through the Project outlet works. The State shall furnish to the Government monthly statements of all such withdrawals. Prior to the construction of any facilities for withdrawal of water from the Project, the State will obtain the Contracting Officer's approval of the design, location and installation of the facilities including the meters or measuring devices. Such devices shall be available for inspection by Government representatives at all reasonable times. Releases from the water supply storage through the Project outlet works shall be made in accordance with written schedules furnished by the State and approved by the Contracting Officer and shall be subject to Article 1(c). The measure of all such releases shall be by means of a rating curve of the outlet works, or by such other suitable means as may be agreed upon prior to use of the water supply storage space.

ARTICLE 5 - Payments. In consideration of the right to utilize the aforesaid storage space in the Project for municipal and industrial water supply purposes, the State shall pay the following sums to the Government.

(a) Initial Project Investment Costs.

(1) The State shall repay to the Government, at the times and with interest on the unpaid balance as hereinafter specified, the amounts stated below which, as shown in Exhibit "A" attached to and made a part of this contract, constitute the entire estimated amount of the construction costs, including interest during the construction, allocated to the water storage right acquired by the State under this contract. The interest rate to be used for purposes of computing interest during construction and interest on the unpaid balance will be determined by the Secretary of the Treasury as of the beginning of the fiscal year in which construction of the Project is initiated, on the

basis set forth in the Water Supply Act of 1958, as amended. For the Project, construction of which was initiated in fiscal year 1967, this interest rate is 3.225 percent. The State shall repay:

3.8 percent of the total Project joint-use construction costs,
estimated at. \$3,608,000

Interest during construction, estimated at. \$ 780,000

Total estimated amount of Project investment costs allocated to
water supply. \$4,388,000

(2) All of the Project investment cost allocated to the storage space indicated in Article 1(b)(1) is being provided for future demand on the basis of the costs presented in Exhibit "A." No principal or interest payment with respect to this storage for future water supply is required to be made during the first 10 years following the plant-in-service date or before February 4, 1992, unless all or a portion of such storage is used before that date. The amount to be paid for any portion of such storage which is used shall be determined by multiplying the percentage of the total storage for future water supply which is placed in use by the total amount of the Project investment costs allocated to future water supply. Interest at the rate provided above will be charged on the amount of the Project investment costs allocated to the storage for future water supply which is not being used from February 4, 1992, until the time when such storage is first used. The State will annually pay the interest as it becomes due until the storage is used.

When any portion of the storage for future water supply is used, payment of both principal and interest for the portion used shall be started, and the amount of the Project investment costs allocated thereto, with interest on the unpaid balance as provided above, shall be paid within the life of the Project but in no event to exceed 50 consecutive annual installments commencing on the date of this contract. The payment for each portion shall be in equal consecutive annual installments due and payable on January 1 of each year after the date of first use of such portion. For portions used prior to February 4, 1992, the first payment for each portion shall include interest on the investment cost of such portion from the date of first use of such portion to January 1. Subsequent payments will include interest on the remaining investment cost from date of previous payment. The last annual installment for any portion of the storage for future water supply shall be adjusted upward or downward when due to assure repayment of all of the investment costs allocated to such portion within the repayment period.

(3) An estimated schedule of annual payments for the storage provided for future demand is attached as Exhibit "B" of this contract. The annual payments as provided therein shall be made subject to Article 6. Payment schedules for the storage provided for future water supply demands will be furnished by the Contracting Officer when use of such storage is started and if based on estimated costs will be subject to Article 6.

(4) Obligating State legislatures to make future appropriations is inconsistent with state constitutional limitations. In the event that

the North Carolina Legislature shall elect not to appropriate funds in any State fiscal year for payments under this contract, the Government may elect to terminate this contract and all rights of the State to make withdrawals.

(b) Major Replacement Cost.

(1) Future Use Storage. As the storage for future water supply demands is used, the share of the joint-use major replacement items, which the State will be required to pay, will be increased commensurate with the State's percentage of future water supply storage being used, up to a total of 2.8 percent of such costs. After February 4, 1992, the State's share of such costs shall become 2.8 percent.

(2) Payment. Payment of costs, including interest during construction, shall be made either incrementally during construction, or in lump sum upon completion of construction.

(c) Annual Operation and Maintenance (O&M) Expense.

(1) Future Use Storage. If storage for future water supply demands is used before February 4, 1992, the share of the annual experienced joint-use O&M expense which the State will be required to pay will be increased commensurate with the percentage of future water supply storage being used, up to a total of 5.4 percent of such expense. After February 4, 1992, the State's share of such expenses shall immediately become 5.4 percent.

(2) Payment. The amount of each annual payment will be the actual experienced O&M expense for the preceding fiscal year or an estimate thereof when actual expense information is not available. As future usages commence, O&M expense for that portion of a year would be prorated by months in use prior to said anniversary date on the basis of the actual experienced joint-use O&M expense for the preceding Government fiscal year. The first payment, in such a case, shall be due and payable within 30 days from the date of scheduled first use of storage space. Subsequent annual payments shall be made on the date for payment of project investment costs as set forth in Article 5(a)(2).

(d) Major Rehabilitation Program Costs. For costs associated with major rehabilitation programs, the percentages of specific and joint use costs which the State will be required to pay will be in accordance with Article 5(c) for future use storage. Payments for the costs associated with the program shall be in accordance with Article 5(b)(2).

(e) The State shall have the right at any time it so elects to prepay the indebtedness under this Article, subject to redetermination of costs as provided for in Article 6, in whole or in part, with accrued interest thereon to the date of such prepayment.

(f) Delinquent Payments. If the State shall fail to make any of the aforesaid payments when due, then the overdue payments shall bear interest

compounded annually until paid. The interest rate to be used for overdue payments due under the provisions of Articles 5(a), 5(b), 5(c), and 5(d) above shall be that determined by the Department of Treasury's Treasury Fiscal Requirements Manual (1 TFRM 6-8000, "Cash Management"). The amount charged on payments overdue for a period of less than one year shall be figured on a monthly basis. For example, if the payment is made within the first month after being overdue after a 15-day grace period from the anniversary date of the date of notification, one month's interest shall be charged. Thereafter, a month's interest will be charged for any portion of each succeeding month that the payment is delinquent. This provision shall not be construed as giving the State a choice of either making payments when due or paying interest, nor shall it be construed as waiving any other rights of the Government, at law or in equity, which might result from any default by the State.

(g) Credit. If storage under future-use contract is used for other beneficial purposes during the interim between the end of the ten-year interest free period and the time water supply use is initiated and the Federal Government receives payments for such interim use, then the State shall be credited with an appropriate share of payments made under Article 5(b) and 5(c).

ARTICLE 6 - Adjustment to Project Investment Cost. The investment cost shown in this contract and the exhibits is based on actual cost through March 1987. After March 1989, the Contracting Officer shall make a revised interim estimated determination of investment costs. Further interim determinations of cost will be made at intervals considered necessary by the Contracting Officer. All interim cost estimates will take into account the actual costs to the extent they are then known. Such further interim determinations will be performed at such periods so as to keep the State reasonably informed as to the required payment. On each occasion of a cost adjustment, the annual payments thereafter due shall be adjusted upward or downward so as to provide for repayment of the balance due in equal installments during the remaining life of the repayment period. The last such investment cost adjustment will be made when the last of the construction general funds have been expended. Such final determination will include the Government's approved estimate of any pending real estate items and any known claims not previously accrued. Any further investment cost accruing to the State's water storage right shall be repaid under major replacement costs if capitalized or under operation and maintenance expense if not capitalized.

ARTICLE 7 - Duration of Contract. This contract shall be effective when approved by the Secretary of the Army or his duly authorized representative and shall continue in full force and effect for the life of the Project; provided that the parties may mutually agree to necessary supplemental agreements to the contract approved by the Assistant Secretary of the Army (Civil Works) or his duly authorized representative and consistent with requirements of State and Federal law.

ARTICLE 8 - Permanent Rights to Storage. Upon completion of the payment by the State, as provided in Article 5(a) herein, the State shall have a permanent right, under the provisions of the Act of 16 October 1963 (Public Law 88-140, 43 U.S.C. 390e), to the use of the water supply storage space in the Project as provided in Article 1, subject to the following:

(a) The State shall continue payment of annual operations and maintenance costs allocated to water supply.

(b) The State shall bear the costs allocated to water supply of any necessary reconstruction, rehabilitation, or replacement of Project features which may be required to continue satisfactory operation of the Project. Such costs will be established by the Contracting Officer and repayment arrangements shall be in writing in accordance with the terms and conditions set forth in Article 5(b)(2) for Major Replacement Costs, and be made a part of this contract.

(c) Upon completion of payments by the State as provided in Article 5(a), the Contracting Officer shall redetermine the storage space for municipal and industrial water supply in accordance with the provisions of Article 1(e). Such redetermination of reservoir storage capacity may be further adjusted from time to time as the result of sedimentation resurveys to reflect actual rates of sedimentation and the exhibit revised to show the revised storage space allocated to municipal and industrial water supply.

(d) The permanent rights of the State under this contract shall be continued so long as the Government continues to operate the Project. In the event the Government no longer operates the Project, such rights may be continued subject to the execution of a separate contract, or additional supplemental agreement providing for:

(1) Continued operation by the State of such part of the facility as is necessary for utilization of the water supply storage space allocated to it;

(2) Terms which will protect the public interest; and

(3) Effective absolvment of the Government by the State from all liability in connection with such continued operation.

ARTICLE 9 - Release of Claims. The State shall hold and save the Government, including its officers, agents and employees harmless from liability of any nature or kind for or on account of any claim for damages which may be filed or asserted as a result of the storage in the Project, or withdrawal or release of water from the Project, made or ordered by the State or as a result of the construction, operation, or maintenance of the water supply facilities and appurtenances thereto owned and operated by the State except for damages due to the sole fault or negligence of the United States or its contractors.

ARTICLE 10 - Assignment. The State shall not transfer or assign this contract or any rights acquired thereunder, nor suballot said water supply storage space or any part thereof, nor grant any interest, privilege or license whatsoever in connection with this contract, without the approval of the Secretary of the Army, or his duly authorized representative provided that, unless contrary to the public interest, this restriction shall not be construed to apply to any water that may be obtained from the water supply storage space by the State and furnished to any third party or parties, nor any method of allocation thereof.

ARTICLE 11 - Officials Not to Benefit. No member of or delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this contract, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

ARTICLE 12 - Covenant Against Contingent Fees. The State warrants that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee excepting bona fide employees or bona fide established commercial or selling agencies maintained by the State for the purpose of securing business. For breach or violation of this warranty the Government shall have the right to annul this contract without liability or in its discretion to add to the contract price or consideration, or otherwise recover the full amount of such commission, percentage, brokerage, or contingent fee.

ARTICLE 13 - Environmental Quality. During any construction, operation, and maintenance by the State of any facilities, specific actions will be taken to control environmental pollution which could result from such activity and to comply with applicable Federal, State, and local laws and regulations concerning environmental pollution. Particular attention should be given to (1) reduction of air pollution by control of burning, minimizing of dust, containment of chemical vapors, and control of engine exhaust gases, and of smoke from temporary heaters; (2) reduction of water pollution by control of sanitary facilities, storage of fuels and other contaminants, and control of turbidity and siltation from erosion; (3) minimizing of noise levels; (4) onsite and offsite disposal of waste and spoil; and (5) prevention of landscape defacement and damage.

ARTICLE 14 - Federal and State Laws.

(a) In acting under its rights and obligations hereunder, the State agrees to comply with all applicable Federal and State laws and regulations, including but not limited to the provisions of the Davis-Bacon Act (40 U.S.C. 276a et seq.); the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333); Title 29, Code of Federal Regulations, Part 3; and Sections 210 and 305 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (PL 91-646).

(b) The State furnishes, as part of this contract, an assurance (Exhibit C) that it will comply with Title VI of the Civil Rights Act of 1964 (78 Stat. 241, 42 U.S.C. 2000d, et seq.) and Department of Defense Directive 5500.11 issued pursuant thereto and published in Part 300 of Title 32, Code of Federal Regulations.

(c) Any discharges of water or pollutants into a navigable stream or tributary thereof resulting from the State's facilities and operations undertaken under this contract shall be performed only in accordance with applicable Federal, State, and local laws and regulations.

ARTICLE 15 - Definitions.

(a) Initial Project investment costs - The initial cost of the Project, including: land acquisition; construction; interest during construction on the value of land, labor, and materials used for planning and construction of the Project.

(b) Interest during construction - An amount of interest which accrues on expenditures for the establishment of Project services during the period between the actual outlay and the time the Project is first made available to the State for water storage.

(c) Specific costs - The costs of Project features normally serving only one particular project purpose.

(d) Joint-use costs - The costs of features used for any two or more Project purposes.

(e) Plant-in-service date - The date when the Project is operational for water supply purposes. This date is the date that the Project is physically available to initiate deliberate impoundment in a conservation pool. (Feb 4, 1982)

(f) Annual operation and maintenance (O&M) expense - Annual expense funded under the O&M, General account. These expenses include the daily project O&M costs as well as those O&M costs which are capitalized.

(g) Major replacement cost - Costs funded under the Operation and Maintenance, General, or Construction, General accounts but not associated with initial Project investment costs.

(h) Fiscal Year - Refers to the Government's fiscal year. The year begins on 1 October and ends on 30 September. The September calendar year corresponds to the fiscal year.

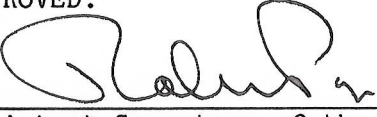
(i) Life of the Project - This is the physical life of the Project.

(j) Major Rehabilitation - This program is to facilitate accomplishment of significant, costly infrequent rehabilitation work at the Project without unduly distorting the Operation and Maintenance General budget.

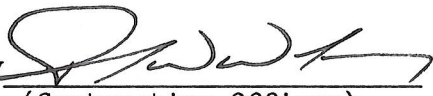
ARTICLE 16 - Approval of Contract. This contract shall be subject to the written approval of the Secretary of the Army or his duly authorized representative and shall not be binding until so approved.

IN WITNESS WHEREOF, the parties have executed this contract as of the day and year first above written.

APPROVED:

BY 
Assistant Secretary of the Army
(Civil Works)
ROBERT W. PAGE

THE UNITED STATES OF AMERICA

BY 
(Contracting Officer)
PAUL W. WOODBURY, COL

DATE: 4-10-88

DATE: 25 MAR 88

STATE OF NORTH CAROLINA

BY 
(ENVIRONMENTAL MANAGEMENT COMMISSION)
CHARLES L. BAKER, CHAIRMAN

DATE: 25 March 1988

CERTIFICATION

I, Daniel C. Oakley, the Attorney for the Environmental Management Commission, hereby certify that the foregoing agreement executed by Charles L. Baker, of the Commission is within the scope of his authority to act upon behalf of the State of North Carolina, and that in my capacity as Attorney for the State, I have considered the legal effect of Section 221 of the 1970 Flood Control Act (Public Law 91-611) and find that the State is legally capable of entering into the contractual obligations contained in the foregoing agreement and that, upon acceptance, it will be legally enforceable.

Given under my hand, this 24th day of March 1988

Daniel C. Oakley
Attorney for Environmental Management Commission

EXHIBIT A

I - LAKE STORAGE

<u>Feature</u>	<u>Elevation</u> (ft., m.s.l.)	<u>Usable</u> <u>Storage</u> (ac. ft.)	<u>Conservation</u> <u>Storage</u>	<u>Percent of</u> <u>Water</u> <u>Supply</u> <u>Storage</u>
Flood Control	216 - 240	538,400		
Conservation	202 - 216	140,400	100.0	
Water Supply	202 - 216	(45,800)	32.62	100.0
State of N.C.				
Present		(0)		0
Future		(45,800)		100.0
Other Purposes	202 - 216	(94,600)	67.38	
Sediment	150 - 202	<u>74,700</u>		
Total		753,500		

EXHIBIT A (CONT)

II - ALLOCATION OF ESTIMATED CONSTRUCTION COST

<u>Feature</u>	<u>Cost (\$)</u>	<u>Percent of Project Joint- Use Construction Cost</u>
Flood control	\$ 56,934,000	
Specific	(0)	
Joint-use	(56,934,000)	60.2
Recreation	\$ 62,978,000	
Specific	(40,132,000)	
Joint-use	(22,846,000)	24.2
Water supply	\$ 3,608,000	
Specific	(0)	
Joint-use	(3,608,000)	3.8
Water Quality	\$ 11,160,000	
Specific	(0)	
Joint-use	(11,160,000)	11.8
Road Betterments (specific)	0	
Cultural Resources (specific)	\$ 1,320,000	
Total	<u>\$136,000,000</u>	<u>100.0</u>

EXHIBIT A (CONT)

III - INVESTMENT COSTS TO BE REPAYED BY USER FOR WATER
SUPPLY STORAGE

Future Use:

Cost of 45,800 acre-feet of water supply storage	=	\$3,608,000
Interest during construction *	=	\$ 780,000
Total future use investment	=	\$4,388,000

Note:

*Based on an interest rate of 3.225%.

EXHIBIT A (CONT)
IV - TOTAL ESTIMATED ANNUAL COST TO USER FOR USE OF WATER
SUPPLY STORAGE

Interest and amortization: (a)

\$4,388,000 repaid over 50 (b) payments
with interest at 3.225% \$172,340

Operation and Maintenance (c)

Joint-use (estimated)
5.4% (d) X \$399,000 = \$ 21,550

Major Replacement (estimated) (e)

Joint-Use
X 2.8% (f) X \$66,000 = \$ 1,850

TOTAL ESTIMATED ANNUAL COST \$195,740

Notes:

(a) Payment due and payable on the date specified in Article 5(a)(2).

(b) Fifty years from date of this contract.

(c) Payment due and payable on the date specified in Article 5(c)(2).

(d) Percent of Project joint-use operation and maintenance cost allocated to water supply.

(e) Major replacement costs are payable only when incurred as specified in Article 5(b)(2). It is suggested that the amount shown be placed in a reserve or sinking fund for future contingency.

(f) Percent of Project joint-use major replacement cost allocated to water supply.

EXHIBIT B

AMORTIZATION SCHEDULE

TOTAL COST =\$ 4388000.00
NUMBER OF PAYMENTS = 50
INTEREST RATE, PERCENT = 3.225

ANNUAL PAYMENT NUMBER	AMOUNT OF PAYMENT	APPLICATION		BALANCE ALLOCATED COST
		INTEREST	ALLOCATED COST	
1	172340.45	0.00	172340.45	4215659.55
2	172340.45	135955.02	36385.43	4179274.11
3	172340.45	134781.59	37558.86	4141715.25
4	172340.45	133570.32	38770.14	4102945.11
5	172340.45	132319.98	40020.47	4062924.64
6	172340.45	131029.32	41311.13	4021613.51
7	172340.45	129697.04	42643.42	3978970.09
8	172340.45	128321.79	44018.67	3934951.42
9	172340.45	126902.18	45438.27	3889513.15
10	172340.45	125436.80	46903.65	3842609.50
11	172340.45	123924.16	48416.30	3794193.20
12	172340.45	122362.73	49977.72	3744215.48
13	172340.45	120750.95	51589.50	3692625.98
14	172340.45	119087.19	53253.27	3639372.71
15	172340.45	117369.77	54970.68	3584402.03
16	172340.45	115596.97	56743.49	3527658.54
17	172340.45	113766.99	58573.47	3469085.07
18	172340.45	111877.99	60462.46	3408622.61
19	172340.45	109928.08	62412.37	3346210.24
20	172340.45	107915.28	64425.17	3281785.07
21	172340.45	105837.57	66502.88	3215282.18
22	172340.45	103692.85	68647.60	3146634.58
23	172340.45	101478.97	70861.49	3075773.09
24	172340.45	99193.68	73146.77	3002626.32
25	172340.45	96834.70	75505.75	2927120.57
26	172340.45	94399.64	77940.81	2849179.75
27	172340.45	91886.05	80454.41	2768725.35
28	172340.45	89291.39	83049.06	2685676.29
29	172340.45	86613.06	85727.39	2599948.89
30	172340.45	83848.35	88492.10	2511456.79
31	172340.45	80994.48	91345.97	2420110.82
32	172340.45	78048.57	94291.88	2325818.94
33	172340.45	75007.66	97332.79	2228486.15
34	172340.45	71868.68	100471.77	2128014.37
35	172340.45	68628.46	103711.99	2024302.38
36	172340.45	65283.75	107056.70	1917245.68

EXHIBIT B (CONTINUED)

AMORTIZATION SCHEDULE

TOTAL COST =\$ 4388000.00
NUMBER OF PAYMENTS = 50
INTEREST RATE, PERCENT = 3.225

ANNUAL PAYMENT NUMBER	AMOUNT OF PAYMENT	APPLICATION		BALANCE ALLOCATED COST
		INTEREST	ALLOCATED COST	
37	172340.45	61831.17	110509.28	1806736.40
38	172340.45	58267.25	114073.20	1692663.20
39	172340.45	54588.39	117752.07	1574911.13
40	172340.45	50790.88	121549.57	1453361.56
41	172340.45	46870.91	125469.54	1327892.02
42	172340.45	42824.52	129515.94	1198376.09
43	172340.45	38647.63	133692.82	1064683.26
44	172340.45	34336.04	138004.42	926678.84
45	172340.45	29885.39	142455.06	784223.78
46	172340.45	25291.22	147049.24	637174.55
47	172340.45	20548.88	151791.57	485382.97
48	172340.45	15653.60	156686.85	328696.12
49	172340.45	10600.45	161740.00	166956.12
50	172340.45	5384.33	166956.12	0.00



Chatham County, NC

Text File

File Number: 20-3413

Agenda Date: 2/17/2020

Version: 2

Status: Approval of Agenda and
Consent Agenda

In Control: Fire Marshal

File Type: Contract

Vote on a request to approve a Fire Protection Contract for Goldston Rural Fire Department

Action Requested: Vote on a request to approve a Fire Protection Contract for Goldston Rural Fire Department

Introduction & Background: The attached contract brings current Goldston Fire Department's contract working with the county.

Discussion & Analysis: The contract for Goldston Rural Fire Department proposes adjustments to first responder services provided within the fire department's district. Goldston Rural Fire Department has chosen not to provide "Emergency Medical Responder Services" under Section 5 of the contract due to staffing and certification requirements. Goldston Rural Fire Department agrees to provide services to CPR calls, Overdose calls and when requested by the Medic unit for additional manpower.

How does this relate to the Comprehensive Plan: This contract will solidify and explain what services Goldston Rural fire Department is already providing for their fire district.

Budgetary Impact: *None*

Recommendation: Motion to approve a Fire Protection Contract for Goldston Rural Fire Department



Goldston Rural Fire Department



P.O. Box 432

Goldston, North Carolina 27252-0432


Phone: 919-898-2225* Fax 919-898-0215

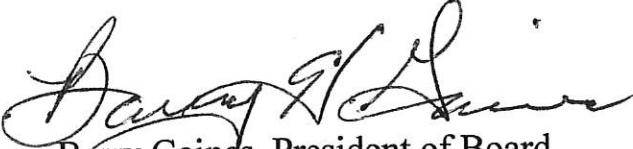
1/24/2020

Reference: Chatham Contract

Upon review of the new contract with Chatham County, Goldston Rural Fire Department has decided to opt out of section 5 in the contract. We will no longer be able to provide Emergency Medical Responder Service as outlined in the contract. Goldston Rural Fire Department will continue to respond to CPR, Overdoses and will respond when requested to by the Medic Unit on scene to assist them with additional manpower.

Effective 01/27/2020


Wade Kirkman, Fire Chief


Barry Gaines, President of Board

GOLDSTON RURAL FIRE DEPARTMENT

NORTH CAROLINA

FIRE PROTECTION CONTRACT

CHATHAM COUNTY

THIS FIRE PROTECTION CONTRACT (this "Agreement") made and entered into this 24 day of January 2020, 2018 by and between CHATHAM COUNTY, hereinafter referred to as the "County", and the GOLDSTON RURAL FIRE DEPARTMENT hereinafter referred to as the "Fire Department";

W I T N E S S E T H:

WHEREAS, North Carolina General Statute §69-25.5 provides methods by which counties may provide for fire protection in a fire district. One (1) method counties may use is to contract with an incorporated non-profit volunteer fire department; and

WHEREAS, the Goldston Fire District (the District") is a Special Tax District created pursuant to Chapter 69 of the North Carolina General Statutes; and

WHEREAS, the Fire Department is a non-profit corporation organized for fire protection service purposes as defined in North Carolina General Statutes §69-25.5.4; and

WHEREAS, the County has elected to provide fire protection services within the boundaries of the District, and, at the option of the Fire Department, to also provide rescue and Emergency Medical Responder Services by contracting with the Fire Department to provide such services; and

WHEREAS, the Fire Department has the ability to provide and is willing to provide said services within the boundary of the District; and

WHEREAS, the County levies and collects the taxes from the District for the provision of fire protection as defined in North Carolina General Statutes §69-25.4; and

WHEREAS, the parties desire to establish a renewable contract to enable the parties to make long range plans;

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained the parties hereto contract and agree as follows:

1. The County contracts and agrees that it will cause to be assessed or levied a special tax of up to fifteen cents (\$.15) per one-hundred dollars (\$100) valuation of all real and personal property in the District unless otherwise limited or prohibited by law or a vote of the people, and will collect said tax as part of the ad valorem taxes of the County of Chatham; provided, however, the amount levied annually shall be based on the needs projected in the budget estimate submitted by the Fire Department to the County as approved by the County.
2. A special or separate fund shall be maintained by the County for funds collected as a result of said special tax.
3. Ninety-nine percent (99%) of current and delinquent funds collected for real and personal property including funds collected for County billed motor vehicles taxes shall be remitted to the Fire Department by the 10th of the month following the month of collection; provided, however, that the total sums remitted to the Fire Department in any fiscal year hereunder shall not exceed the sum appropriated for said service during the said fiscal year.

4. The Fire Department shall provide and furnish adequate fire protection services and will provide the necessary equipment, personnel, and other resources as determined necessary by the North Carolina Department of Insurance, Fire and Rescue Service Division, and the Insurance Service Office for all persons and property located within the District, and the fire department shall maintain a 9S certification in the rated District, and will furnish services free of charge to all persons and individuals within the District.

* 5. In addition, the Fire Department may elect to provide and furnish Rescue and Emergency Medical Responder Services ("the Services"). In the event the Fire Department elects to provide such Services, it shall notify the County in writing that it is providing the Services, and shall continue to provide the Services until it notifies the County that it is no longer providing the Services. In providing the Services the Department agrees that it will provide at a minimum the necessary equipment, personnel and other resources as determined by the North Carolina Office of Emergency Medical Services and the individual designated by the County as the Medical Director (the "County Medical Director"). For purposes of this Agreement the term "Rescue" shall be defined as the furnishing services in medical emergencies in accordance with the guidelines provided by the North Carolina Office of Emergency Medical Services and the County Medical Director.

6. Current Fire Department personnel who are not Emergency Medical Responders ("EMRs") or Emergency Medical Technicians "EMTs") may respond to emergency medical calls as dispatched provided they (i) have attended and participated in a minimum of twenty-four (24) hours of Emergency Medical Responder/Emergency Medical Technician continuing education during the past one (1) year and have completed CPR and skills evaluation as prescribed by the north Carolina Office of Emergency Medical Services and Rescue, and the County Medical Director within the preceding twelve (12) months, and (ii) have agreed to complete the minimum hours of EMR/EMT continuing education annual training as directed by the County Medical Director. A roster of such Fire Department personnel and documentation of their required training shall be submitted to the County by January 31st of each year. No Fire Department personnel without such training shall be permitted to provide patient care, except in the case of CPR if applicable training has been completed, unless accompanied by a person who is qualified to provide CPR, or is a certified EMR or EMT.

7. All current Fire Department Emergency Medical Responders and Emergency Medical Technicians must have official certification on file with the Department. All Fire Department Emergency Medical Responders and Emergency Medical Technicians must maintain a current and valid State certificate and complete CPR and skills evaluations annually as prescribed by the North Carolina Office of Emergency Medical Services and the County Medical Director. A roster of Fire Department Emergency Medical Responders and Emergency Medical Technicians and recertification documentation shall be submitted to the County by January 31st of each year. No EMR or EMT without a current and valid certification from the North Carolina Office of Emergency Management Services shall be permitted to provide patient care, except in the case of CPR, if applicable training has been completed, unless accompanied by a certified EMR or EMT.

8. The Fire Department shall complete the required annual Harris Plant training for fire departments located in Chatham County, including without limitation, mock drills and FEMA evaluations.

9. All funds paid to the Fire Department by the County shall be used exclusively by the Fire Department to provide the fire protection services within the District, and, should the Fire Department elect to provide Rescue and Emergency Medical Responder Services as provided in this Agreement within the District, such funds shall be used to pay those expenses as well, and to pay other legitimate Fire, Rescue, and Emergency Medical Responder expenses attributable to such services rendered within the District.

10. The Fire Department shall operate in compliance and all applicable State and local laws and regulations including, but not limited to, the North Carolina Fire Incident Reporting System (N.C. G. S 58-79-46, NC Administrative Code, §.0402). The Fire Department shall submit incident reports to the Fire Marshal's Office by the 10th of each and every month if applicable, in accordance with said directives. The Fire Department shall provide the County a copy of its Annual Training Report that is submitted to the NC Firefighter's Association, and shall record all equipment in the County's resource tracking system no later than January 31st of each year.
11. It is agreed that the County may inspect all books, records, and accounts of the Fire Department at any reasonable time. It is further agreed that the Fire Department will present the County with its annual budget request for its most recent fiscal year, annual audit by a Certified Public Accountant, which audit shall be in conformity with the most recent version audit policies of the County and the North Carolina Local Government Commission.
12. The Fire Department agrees to comply with County budgeting procedures and other procedures provided for by state law and shall submit annual budget estimates in accordance with established County budget timetables along with a supporting letter containing its request for a proposed tax rate signed by the Fire Department's president upon approval of its Board of Directors. The County will provide the Fire Department with standard forms for budget submission and the Fire Department shall use such standard forms.
13. The Fire Department will file with the County Fire Marshal's Office a true copy of its Articles of Incorporation and shall furnish any changes made thereto, not less than thirty (30) days prior to their effective dates. Further, the Fire Department agrees to amend its Articles of Incorporation and Bylaws as necessary to meet all minimum legal requirements for a North Carolina non-profit corporation as required by law. In addition, upon request of the Fire Marshal's Office the Fire Department shall provide copies of its bylaws or other operation rules of procedure.
14. In the event the Fire Department (i) dissolves or (ii) ceases to provide any fire protection Services within the District, the Fire Department hereby agrees that its dissolution shall be in conformity with Chapter 55A of the North Carolina Statutes. Unless prohibited by law, the Fire Department shall deliver, release, and convey to the County all of its equipment, cash, real estate, and other assets owned by the Fire Department (collectively "Fire Department Property") unless it is "Excepted Property". Excepted Property is property (i) that does not impair the ability of the County or another agency to provide adequate fire protection services in the District, (ii) was not purchased or acquired wholly or partially with County funds, and (iii) is listed on Appendix 2, attached hereto and incorporated herein by reference. Excepted Property must be disposed as provided by law. The County will assume any debt owing on the Fire Department property conveyed to, and accepted by, the County and agrees to hold the Department harmless with respect to the debt on such Property.
15. The Fire Department agrees to indemnify and save harmless the County from and against any and all liability and expenses, including attorney fees, court costs, and other costs incurred by the County, caused by an act or omission of the Fire Department, its agents, or employees, up to the amount of insurance required by this Agreement; provided that such liability arises out of acts for which any defense of governmental, statutory, or common law immunity is not available to the County. The indemnification provided for herein shall not be construed as a waiver of any applicable defense of governmental, statutory, or common law immunity, and shall not prevent the Fire Department from asserting any defense of such immunity; provided, however, that the indemnity provided for herein shall apply unless and until a nonappealable judicial decision holding that no such immunity applies is entered.

16. The Department shall purchase and maintain, during the term of this Agreement, and any extension hereof, at least the following insurance coverage in amounts not less than those set forth below and shall name the County as an additional Insured on each policy:
- A. Comprehensive Automobile Liability Insurance with combined single limits of at least one-million dollars (\$1,000,000) per occurrence. Coverage shall be provided under the symbol "1". Coverage shall apply, on an excess basis for hired, borrowed, and non-owned vehicles. Coverage shall apply, on a primary basis, for commandeered vehicles. Volunteers or employees shall be considered insureds and volunteers and employees shall have coverage terms in excess of their personal auto liability limits when they are using their vehicles on behalf of the Fire Department. Fellow member liability shall be provided. Auto pollution liability shall be included in the coverage.
 - B. Auto physical damage shall be provided on an agreed value basis. Coverage shall be included for hire, borrowed or commandeered vehicles without a limit of liability. Coverage shall be provided to bring replacement vehicle up to the most current national standards such as NFPA or DOT.
 - C. Comprehensive General Liability Insurance with limits of at least one-million dollars (\$1,000,000) per occurrence and two-million (\$2,000,000) aggregate. The aggregate shall apply per named insured and per insured location. The policy shall include the following coverage: Volunteers or employees as insureds, Medical Malpractice, Good Samaritan Liability Coverage, Intentional Acts Coverage for both bodily injury and or property damage, Fellow Member Liability, Non-owned Watercraft, Fire Damage Legal Liability with limits of one-million dollars (\$1,000,000), Pollution Liability arising out of emergency operations, training activities or equipment wash downs.
 - D. Directors and Officers Liability Insurance with limits of at least one-million dollars (\$1,000,000) per occurrence with two-million (\$2,000,000) aggregate. This policy shall include coverage for prior acts. The insureds shall include current volunteers and employees, former volunteers and employees, and any persons or organizations providing service to the Fire Department under a mutual aid or similar agreement. Coverage shall include civil rights type suits such as discrimination and sexual harassment; liability arising out of the administration of benefit plans for employees or volunteers and employment related practice suites. Coverage shall include claims made for future compensation and benefits lost from wrongful termination of an employee.
 - E. Umbrella Liability Insurance with limits of at least one-million dollars (\$1,000,000) per occurrence and two-million (\$2,000,000) aggregate. The umbrella policy shall provide excess coverage over the Auto Liability Policy, General Liability Policy, and the Employer's Liability Section of the Workers' Compensation Policy. Volunteers and employees shall be included as insureds.
 - F. The Fire Department shall maintain Property Insurance protecting against the risk of direct physical loss or damage. The policy covering the building shall be written on a Guaranteed Replacement Cost Basis, with coverage included for Building Ordinance, Flood, and Earthquake. Coverage shall include Commandeered Property in the amount of two-hundred fifty thousand dollars (\$250,000). Contents coverage shall be provided on a replacement cost basis. Coinsurance penalties shall not apply.
 - G. Portable Equipment Coverage shall be provided protecting against the risk of direct physical loss or damage, including electrical surges. Coverage shall be provided on a Guaranteed Replacement Cost Basis.
 - H. The Automobile Liability Policy, General Liability Policy, Umbrella Liability Policy and Management Liability Policy shall name the County as an additional insured. The Fire

Department shall furnish the County on or before July 1st of each year that this Agreement remains in force, Certificates of Insurance, issued by the respective insurance companies, showing the type of policy, limits of liability, name of insurance companies, policy numbers, effective dates and expiration dates of policies.

- I. Workers' Compensation Insurance covering all volunteers and salaries firefighters meeting statutory limits in compliance with applicable State and Federal Laws.
 - J. The Fire Department shall require its insurance company or its insurance agent to provide the County the same notice that the Fire Department receives from the insurance company or its agent as to cancellation, nonrenewal, reduction in coverage, or other material change with respect to any policy on which the County is required by this Agreement to be named as an additional insured.
17. Attached to this Agreement as Appendix 1 is a list of the certifications, reports, records, and other submittals (collectively "Submittals") that the Fire Department is required to make to the County and the date each is due. The Department agrees to make each Submittal on or before its due date.
 18. In connection with the performance of this Agreement, the Fire Department agrees not to discriminate against any employee, member, or applicant for employment or membership because of race, religion, color, sex, age, disability or national origin. Employees, members and applicants must however, be competent and capable of performing the requirements of the job. The Fire Department agrees to take all reasonable measures to insure that applicants are employed, and that employees are treated during their employment, without regard to their race, religion color, sex, age, disability or national origin.
 19. This Agreement is effective beginning September 1, 2018, and ending June 30, 2019, at which time it shall automatically renew for successive terms of one (1) year beginning each July 1st and ending June 30th unless terminated as hereinafter provided. Either party may terminate this Agreement effective at the end of any fiscal year by giving the other party notice at least one (1) year in advance of the end of the fiscal year that the Agreement is to terminate.
 20. This Agreement sets forth the entire understanding of the parties and supersedes any and all other prior agreements, arrangements, and understandings related to the subject matter hereto. This Agreement may not be changed or terminated except as provided herein, and no waiver or compliance with any provision or condition hereof shall be effective unless evidenced by an instrument in writing duly executed by the parties hereto.
 21. This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors, legal representatives and assigns, but this Agreement may not be assigned by either party without prior written consent of the other party, which may be withheld in the sole discretion of a party.
 22. Notwithstanding anything herein to the contrary, it is understood and agreed that the Fire Department shall be entitled to use the funds provided pursuant to this Agreement for the purchase of land, buildings, and equipment determined by the Fire Department in the exercise of its reasonable discretion and business judgment to be necessary for the provision of services hereunder. Said land, buildings, and equipment may be pledged as collateral for the financing thereof. Nothing contained herein shall affect the rights of third party lenders with a lien or security interest in said property as collateral.
 23. The failure of either party to exercise any right granted hereunder, or to insist upon strict compliance by the other party with its respective obligations hereunder, and no custom or practice of the parties at variance with the terms hereof, shall constitute a waiver by either party to require exact compliance with the terms hereof.

IN WITNESS WHEREOF, the County has caused this instrument to be executed by the Chairperson of the Chatham County Board of Commissioners and attested by the Clerk to the said Board, and the Fire Department has caused this instrument to be signed in its corporate name by its President, attested by its Secretary, and its corporate seal hereto affixed, all by order of its Board of Directors.

ATTEST:

Lindsay K. Ray, Clerk
Chatham County Board of Commissioners

CHATHAM COUNTY

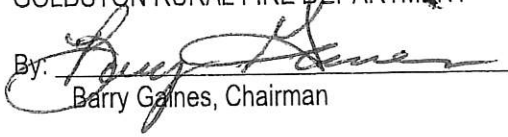
By: _____
Karen Howard, Chairman

(County Seal)

ATTEST:

Secretary

GOLDSTON RURAL FIRE DEPARTMENT

By: 
Barry Gaines, Chairman

(Corporate Seal)

APPENDIX 1

Fire Protection Contract

Between

Chatham County

And

Goldston Rural Fire Department

Submittal

Due Date

- | | |
|--|-----------------------------------|
| 1. Fire Incident Reports (NCFIRS) | 10 th of each month |
| 2. Certificates of Insurance including: | July 1 st annually |
| a) Type of Policy | |
| b) Limits of Liability | |
| c) Name of all insurance companies | |
| d) Policy numbers | |
| e) Effective dates/Expiration dates | |
| f) County named as additionally insured | |
| 3. Roster of First Responders | January 31 st annually |
| 4. Roster of Medical First Responders | January 31 st annually |
| 5. Roster of Emergency Medical Technicians | January 31 st annually |
| 6. Recertification documentation | January 31 st annually |
| 7. Fire Department training report submitted to
NC Firefighter's Association | January 31 st annually |
| 8. Changes to any Articles of Incorporation,
Bylaws, or other Rules of Procedures | 30 days prior to effective date |

APPENDIX 2
Fire Protection Contract
Between
Chatham County
And
Goldston Rural Fire Department

EXCEPTED PROPERTY

(If any)



Chatham County, NC

Text File

File Number: 20-3414

Agenda Date: 2/17/2020

Version: 1

Status: Approval of Agenda and Consent Agenda

In Control: Library

File Type: Agenda Item

Vote on a request to approve Chatham County Public Libraries submitting a grant application to the State Library to request funding to hire a consultant to conduct a community assessment.

Action Requested: Vote on a request to approve Chatham County Public Libraries proceeding in submitting a grant application to the State Library.

Introduction & Background: During the past twenty years the 3 branches have received facility improvements. Some buildings were refurbished and a joint-use library was constructed on the community college campus in Pittsboro. These improvements have benefitted the community by accommodating a growing collection of reading, listening and viewing materials, increasing access to technology, and space enhancements to provide locations for meetings, and programming for adults and children. After many years of being in a regional library, Chatham County became an independent library system in the past decade. During the past year the library partnered with CCPS to encourage academic success by developing the PASS program to create fine-free student accounts by using their school ID numbers to check out library materials. The library staff's customer services skills were rated positively on the biennial survey. Each branch collects data related to circulation, program attendance, and general usage of the libraries. The statistics have indicated a disparity in attendance at events and in the number of items checked out.

Coming up with a plan to provide more equitable library services requires knowledge from a variety of sources. Input from residents, stake holders, elected officials, county employees, business leaders, agency members, and all community partners is necessary in obtaining an accurate picture of the needs of current and future library users.

Discussion & Analysis: Previously the library has benefitted by contracting with consultants who made recommendations about space needs, building requirements, organizational structure, and technology requirements. At this point in time it makes sense to enlist the professional services of a consulting firm to assist in gathering, organizing, analyzing information to create a roadmap for the future.

A consultant who meets the criteria stipulated in the RFP for Chatham County Public Libraries needs assessment has been selected. You need to add the consultants name/firm once selected. In addition to having experience throughout North Carolina, she was a resident of the county for 13 years.

How does this relate to the Comprehensive Plan: Completing a Library Needs Assessment is part of providing social services and support that seek to minimize the

impacts to those in poverty. The library is a significant community resource, but not everyone recognizes the value of this county service. Entire families can benefit from the materials and services. Assisting with online job applications, helping students to complete assignments, early literacy skill development, destressing activities such as viewing DVDs are all examples of services that help bring about family stability. There are many residents that are already utilizing these services and the goal is to increase this number to have a more fully engaged population.

Budgetary Impact: The library is looking to fund the services of the consultant by applying for a grant from the State Library. The grant requires a 25% match from the county. The total cost for the assessment is \$24,000 and the county's contribution would be \$6000.

Recommendation: Motion to approve the library applying for a grant to fund the fees associated with hiring a qualified consultant.



Chatham County, NC

Text File

File Number: 20-3416

Agenda Date: 2/17/2020

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Facilities and Fleet

File Type: Contract

Vote on a request to approve having the Board of Commissioners authorize Dan LaMontagne as County Manager to sign and execute the construction contract for the new Chatham County Animal Services facility.

Action Requested: Vote on the request to authorize Dan LaMontagne as County Manager to sign and execute the construction contract for the new Chatham County Animal Services facility.

Introduction & Background: The new Animal Services project is currently out to bid; however the bids will not be received, evaluated, and compiled into the construction contract by the February 17, 2020 meeting date. Allowing the County Manager to execute the contract will permit for the construction process to begin sooner than having to wait for the March Board of Commissioners' meeting for execution by the Board.

Discussion & Analysis: The anticipated value of the contract is to be between \$5 million and \$6 million.

How does this relate to the Comprehensive Plan: No direct correlation to the Comp Plan.

Budgetary Impact: This project has been accounted for through the Capital Improvement Plan and is expected to cost between \$5 and \$6 million.

Recommendation: Approve having the Board of Commissioners authorize Dan LaMontagne as County Manager to sign and execute the construction contract for the new Chatham County Animal Services facility.



Chatham County, NC

Text File

File Number: 20-3418

Agenda Date: 2/17/2020

Version: 1

Status: Agenda Ready

In Control: Board of Commissioners

File Type: Agenda Item

Agenda Number:

Present Certificate of Extended Volunteer Committee Service with County Advisory Committees

Action Requested: Make presentation of certificate of Extended Volunteer Committee Service.

Introduction & Background: In September 16, 2019, the Board of Commissioners voted to approve a certificate to honor people who had been appointed to at least two terms on any commissioner-appointed boards, committees or commissions. Vic D'Amato served on the ERAC from 2010 to 2019.

Discussion & Analysis: NA

Budgetary Impact: NA

Recommendation: Present certificate



Chatham County, NC

Text File

File Number: 20-3380

Agenda Date: 2/17/2020

Version: 2

Status: Public Hearing

In Control: Planning

File Type: Agenda Item

A Legislative public hearing for general use rezoning request by Jeff Wilson dba Wilson Brothers Milling Co., Inc to rezone Parcel No. 63839, from R-1 Residential to IL Light Industrial, located off NC HWY 902, Bear Creek Township.

Action Requested:

A Legislative public hearing for general use rezoning request by Jeff Wilson dba Wilson Brothers Milling Co., Inc to rezone Parcel No. 63839, from R-1 Residential to IL Light Industrial, located off NC HWY 902, Bear Creek Township.

Introduction & Background:

A public hearing was held on this item during the January 21, 2020 Board of Commissioners meeting and the hearing was continued to the February 16 meeting at the request of planning staff.

Discussion & Analysis:

How does this relate to the Comprehensive Plan:

Recommendation:

Hold the hearing and then forward to the Planning Board for review and recommendation.



Chatham County, NC

Text File

File Number: 20-3404

Agenda Date: 2/17/2020

Version: 1

Status: Public Hearing

In Control: Planning

File Type: Agenda Item

A Legislative public hearing for a request by Paul Brewer for a conditional district rezoning from R-1 Residential to CD-CB, Conditional District Community Business, for an indoor/outdoor storage facility, Parcel No. 60167 being 38.4 of 48.8 acres, located off Jordan Dam Rd, Haw River Township.

A Legislative public hearing for a request by Paul Brewer for a conditional district rezoning from R-1 Residential to CD-CB, Conditional District Community Business, for an indoor/outdoor storage facility, Parcel No. 60167 being 38.4 of 48.8 acres, located off Jordan Dam Rd, Haw River Township.

Action Requested:

Introduction & Background:

Discussion & Analysis:

How does this relate to the Comprehensive Plan:

Recommendation:



Chatham County, NC

Text File

File Number: 20-3406

Agenda Date: 2/17/2020

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Planning

File Type: Agenda Item

Vote on a request by Mark Ashness, P.E. on behalf of Shaddox Creek Developers, LLC for subdivision **First Plat** review and approval of **The Conservancy at Jordan Lake**, consisting of 47 lots on 105 acres, located off Old US #1, SR-1011, parcel #66894, 5334, 5545, & 5557.

Action Requested:

Vote on a request by Mark Ashness, P.E. on behalf of Shaddox Creek Developers, LLC for subdivision **First Plat** review and approval of **The Conservancy at Jordan Lake**, consisting of 47 lots on 105 acres, located off Old US #1, SR-1011, parcel #66894, 5334, 5545, & 5557.

Introduction & Background:

Zoning: R-1

Water System: Public Water

Sewer System: Private on-site

Subject to 100 year flood: No special flood hazard area within the development.

The subdivision process is a four (4) step process: Concept Plan, First Plat, Construction Plan, and Final Plat. The applicant has completed the community meeting and the Concept Plan review. The minimum lot size requirement for the project is 40,000 square feet of useable area. The Planning Board has two (2) meetings in which to act on the proposal.

Discussion & Analysis:

The request is for First Plat review and recommendation of The Conservancy at Jordan Lake Subdivision, consisting of 47 lots on 105 acres, located off Old US 1, S.R. 1011. A vicinity map showing the property location, attachment # 2, is included in the agenda packet. Per the Subdivision Regulations, Section 5.2C(4), a Public Hearing shall be held at the first Planning Board meeting to receive comments on the proposed subdivision. Item (b) states that following the Public Hearing, the Planning Board shall review the proposal, staff recommendation, and public comments and indicate their recommendation for approval, disapproval or approval subject to modifications. As stated above, the Planning Board has two (2) meeting to act on the proposal.

Roadways: The road is to be built as 20 foot wide travelway with a 60 foot wide public

right-of-way and is to be state maintained.

Historical: The applicant contacted Bev Wiggins, Chatham County Historical Association. Ms. Wiggins corresponded by email dated November 18, 2019 and stated if anything of interest is discovered to please contact her. See attachment #3.

Schools: Notification of the proposed development was provided to the Chatham County School System. Randy Drumheller, Chatham County Schools Director of Maintenance and Construction corresponded by email dated November 18, 2019. See attachment # 4.

General Environmental Documentation: The developer submitted the General Environmental Documentation and a letter dated August 26, 2019 from North Carolina Department of Natural and Cultural Resources Natural Heritage Program to Chatham County Land & Water Resources Division for review. See attachments 5 & 6. The letter states "A query of the NCNHP database, based on the project area mapped with your request, indicates that there are no records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary. Please note that although there may be no documentation of natural heritage elements within or near the project boundary, it does not imply or confirm their absence; the area may not have been surveyed. The results of this query should not be substituted for field surveys where suitable habitat exists"

Rachael Thorn, Watershed Protection Director, reviewed and approved the information submitted.

Community Meeting: A community meeting was held on September 24, 2019 at New Hill Community Center, 3101 New Hill Holleman Rd, New Hill. Approximately seven people attended the meeting. Items/issues discussed included improving road condition of an existing easement, availability of public water to adjoining properties, plans for the remaining land, availability for natural gas, high speed internet, prices of the proposed homes, personal rifle range north of the proposed property, and private airfield adjacent to the proposed property.

Technical Review Committee: The TRC met December 18, 2019 to review the First Plat submittal. The applicant/developer was not present. Larry Bridges, Chatham County Public Works Director states there's some deficiencies in the system and a preliminary fire flow test will be conducted. Staff had no concerns.

Septic: A soils report and map, attachment #8, was submitted to Thomas Boyce, Chatham County Environmental Health, LSS, REHS, Chatham County Environmental Health, for review. Mr. Boyce stated that the report and map were adequate for a First Plat review.

Water: County water is available and will serve the project.

Road Name: The road name Conservancy Parkway, Twisted Branch Lane, and Rustic Pine Lane has been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval. A mail kiosk is

proposed to be located near Lot 1.

Water Features: Kevin Murphrey of Environmental Services, Inc. (ESI), submitted the Riparian Buffer Review Application along with a riparian buffer map, dated June 2019, to Drew Blake, Senior Watershed Specialist for review. Mr. Blake and Mr. Murphrey completed an on-site riparian buffer review on August 12, 2019 to verify the consultant's findings. On October 8, 2019 Mr. Andy Williams of the US Army Corps of Engineers completed a site visit with ESI staff member. Streams SXC, SXF, and SXG were upgraded from ephemeral to intermittent streams. October 16, 2019 Mr. Blake issued a confirmation letter of his findings. The October 16, 2019 confirmation letter stated six (6) intermittent streams were found, seven (7) wetlands, and one (1) perennial stream. A 50-ft buffer will be required beginning at the flagged boundary and proceeding landward on all wetlands, a 50-ft buffer from top of bank landward on both sides of the feature for all intermittent streams and a 100-ft buffer from top of bank landward on both sides of the feature for the perennial stream.

Mr. Jeffery Harbour of ESI provided an email correspondence from Mr. Andy Williams dated November 5, 2019. Mr. Williams stated "The survey appears to show the tributaries and wetlands as they were flagged during my site visit on October 8, 2019. I will use this map to complete the Preliminary Jurisdictional Determination request."

Stormwater and Erosion Control: Three stormwater devices are proposed and will be placed by Lots 1, 35, 28 & 29 in the subdivision. As part of the stormwater permitting process additional information will be provided to the Watershed Protection Department. A Stormwater Permit and Sedimentation & Erosion Control Permit will be obtained from the Chatham County Watershed Protection Department prior to Construction Plan submittal. No land disturbing activity can commence on the property prior to obtaining Construction Plan approval.

Site Visit: Site visits were scheduled for December 11, 2019 for Planning Department staff and various Board members to attend. Mark Ashness was present to walk the property with staff and Board members and discuss the project. Pictures of the site visit can be viewed on the Planning Department webpage at www.chathamnc.org/planning <<http://www.chathamnc.org/planning>>, Rezoning and Subdivision Cases, 2020.

Planning Board:

The Planning Board reviewed the application during their January 7, 2020 meeting. Mr. Scott Smith, an adjacent property owner, has no objections to the development, but commented that his hobby is competitive shooting and he has a private shooting range on his property. He wants the get the information on record, so in the future he isn't asked to stop using his personal range because a subdivision located next door to his home. Mr. Smith and his neighbor also share a grass landing strip for personal use of small aircraft. He stated he received a letter from the previous Chatham County Planning Director in 2004 stating the use of a private grass landing strip is considered an accessory function for the property and is allowed. His long term concerns are people not complaining about his personal use landing strip and personal gun range.

Mark Ashness, P.E., was present to answer questions and Planning Board discussion included which direction the rifles are fired, if Mr. Smith could be impacted by neighbors complaining, if there will be any trails or conservation easements, what's the average lot size, will there be a homeowners' association, will the water be supplied from Sanford, per the adopted Comprehensive Plan this area is rural/agriculture and will this affect future planning, and if there were more plans to develop. The rifle range is pointing north and Mr. Smith stated, "he has high berms in excess of NRA recommendations". Staff commented that this is Mr. Smith's personal range and personal air strip and those activities are allowed to continue even as residential development occurs near his property. Mr. Ashness explained they will inform the future home owners of these issues and have an obligation to do so. No trails or conservation easements are proposed in this section. The average lot size is 1.83 acres with 8.65 acres of open space. There will be an HOA. At times public water will be purchased from Sanford and other times the water will come from the Jordan Lake and depends on the county's operation of the water system. The proposed subdivision is in a rural/agriculture area of the Comprehensive Plan but won't be a conflict for future planning because Plan Chatham is not a regulatory document and is used as an information tool for subdivision review. There are plans to either develop more land or sell the additional acres and this subdivision is intended to test the market and see if this area is desirable for residential development.

How does this relate to the Comprehensive Plan:

Plan Chatham was adopted by the Board of Commissioners in November 2017 and is a comprehensive plan that provides strategic direction to address the most pressing needs in the county. These properties are located in an area of the county identified as Rural and Agriculture on the Future Land Use and Conservation Plan Map and Strategy 5.2. The description for rural includes low density, single family homes on large lots, agriculture, home-based & small scale businesses, regional greenway trails, and conservation easements. The description for agriculture includes large-scale working farms, related processing facilities, supporting commercial and service uses, and single family homes. The proposed conventional subdivision meets the adopted riparian buffer and stormwater control standards of the county. The developer also contacted the NC Natural Heritage Program to review their database for any rare species, important natural communities, natural areas, or conservation/managed areas within the project boundary and none were identified in their records. It should be noted that Plan Chatham is not intended to be used as a regulatory tool, but is a policy document. When reviewing subdivision applications the boards can use the plan as a tool to identify future regulatory changes.

Recommendation:

The Planning Department and Planning Board unanimously recommends granting approval of the road names Conservancy Parkway, Twisted Branch Lane and Rustic Pine Lane and granting approval of subdivision First Plat for **The Conservancy at Jordan Lake Subdivision** with the following conditions:

Approval of the First Plat shall be valid for a period of twelve (12) months following the

date of approval by the Board of Commissioners and the Construction Plan approval shall be valid for a period of twenty-four (24) months from the date of approval by the Technical Review Committee or Board of Commissioners.



Chatham County, NC

Text File

File Number: 20-3407

Agenda Date: 2/17/2020

Version: 1

Status: Approval of Agenda and Consent Agenda

In Control: Planning

File Type: Agenda Item

Agenda Number:

Vote on a request to approve by Mark Ashness, P.E. on behalf of Swain Land & Timber, LLC for subdivision First Plat review and approval of Seaforth Place, consisting of 17 lots on 64.71 acres, located off Seaforth Road, SR-1941, parcel #91403.

Action Requested:

Vote on a request to approve by Mark Ashness, P.E. on behalf of Swain Land & Timber, LLC for subdivision First Plat review and approval of Seaforth Place, consisting of 17 lots on 64.71 acres, located off Seaforth Road, SR-1941, parcel #91403.

Introduction & Background:

Zoning: R-1 and R-5

Water System: Private Water

Sewer System: Private on-site and off-site

Subject to 100 year flood: No special flood hazard area within the development.

General Information: The subdivision process is a four (4) step process: Concept Plan, First Plat, Construction Plan, and Final Plat. The applicant has completed the community meeting and Concept Plan review. The minimum lot size requirement for the project is 40,000 square feet of useable area for R-1 zoning and 5 acre minimum lot size in the R-5 zoning. The Planning Board has two (2) meetings in which to act on the proposal.

Discussion & Analysis:

The request is for First Plat review and recommendation of Seaforth Place Subdivision, consisting of 17 lots on 64.71 acres, located at Seaforth Road, S.R. 1941. A vicinity map showing the property location, attachment # 2, is included in the agenda packet. Per the Subdivision Regulations, Section 5.2C(4), a Public Hearing shall be held at the first Planning Board meeting to receive comments on the proposed subdivision. Item (b) states that following the Public Hearing, the Planning Board shall review the proposal, staff recommendation, and public comments and indicate their recommendation for approval, disapproval or approval subject to modifications. As stated above, the Planning Board has two (2) meeting to act on the proposal.

Roadways: The road is to be built as a 20 foot wide travelway with a 60 foot wide public right-of-way and is to be state maintained.

Historical: The applicant contacted Bev Wiggins, Chatham County Historical Association. Ms. Wiggins corresponded by email dated November 18, 2019 and stated if anything is discovered to contact her. See attachment #3.

Schools: Notification of the proposed development was provided to the Chatham County School System. Randy Drumheller, Chatham County Schools Director of Maintenance and Construction corresponded by email dated April 3, 2019. See attachment # 4.

General Environmental Documentation: The developer submitted the General Environmental Documentation and a letter dated April 29, 2019 from North Carolina Department of Natural and Cultural Resources Natural Heritage Program to Chatham County Land & Water Resources Division for review. See attachments 5 & 6. The letter states "A query of the NCNHP database, indicates that there are records for

rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary. Rare species and natural communities have been documented within a one-mile radius of the property boundary. The proximity of these records suggest that these natural heritage elements may potentially be present in the project area if suitable habitat exists.”

Rachael Thorn, Watershed Protection Director, reviewed and approved the information submitted.

Special Buffers: Chatham County Conservation Viewer shows the proposed project is in a smoke awareness area and hunter safety buffer along the back portion of the land. These are not regulatory buffers, but notifications from the NC Forestry Service and Wildlife Resources Commission regarding activities that occur on the adjoining property owned by the Corps of Engineers.

Community Meeting: A community meeting was held on May 1, 2019 at Seaforth Landing Sales Office, 39 Lakes Edge Lane, Pittsboro. Approximately seven people attended the meeting. Items/issues discussed included if county water would be available, number of lots, whether the neighborhood be significantly different from Seaforth Landing, whether there were plans for trails, the impact of 17 new wells on the existing wells, and timing of the subdivision process. See attachment # 7.

Technical Review Committee: The TRC met December 18, 2019 to review the First Plat submittal. The applicant/developer was not present. Staff had no concerns.

Septic: A soils report and map, attachment #8, was submitted to Thomas Boyce, Chatham County Environmental Health, LSS, REHS, Chatham County Environmental Health, for review. Mr. Boyce stated that the report and map were adequate for a First Plat review. Lots 16 and 17 are proposed to have off-site septic.

Water: Private well water will serve the each lot.

Road Name: The road name Seaforth Place has been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval. Attachment #9 A mail kiosk is proposed to be located between Lots 15 and 16.

Water Features: Steven Ball of Soil & Environmental Consultants (S&EC), submitted the Riparian Buffer Review Application along with a riparian buffer map, dated April 2015, to Drew Blake, Senior Watershed Specialist for review. Mr. Blake and Mr. Ball completed an on-site riparian buffer review on July 29, 2019 to verify the consultant’s findings. Mr. Blake issued a confirmation letter of his findings dated September 16, 2019 and revisions to the findings made. The confirmation letter stated three (3) ephemeral streams were removed E-1, E-2, and G-eph. One (1) ephemeral stream, three (3) intermittent streams and one (1) perennial stream were found. The ephemeral stream requires a 30-ft buffer measured from top of bank, the intermittent streams require a 50-ft buffer from top of bank, and the perennial stream requires a 100-ft buffer from top of bank. All buffer widths apply to both sides of the feature and are measured from the top of bank of the feature. See attachment #10

Email correspondence from Andy Williams, Regulatory Project Manager US Army Corps of Engineers, dated September 12, 2019, states the updated maps are consistent with his notes from the site visit on April 8, 2015.

Stormwater and Erosion Control: Two stormwater devices are proposed and will be placed on open space between Lots 15 and 16 and on Lot 11 in the subdivision. As part of the stormwater permitting process additional information will be provided to the Watershed Protection Department. A Stormwater Permit and Sedimentation & Erosion Control Permit will be obtained from the Chatham County Watershed Protection Department prior to Construction Plan submittal. No land disturbing activity can commence on the property prior to obtaining Construction Plan approval.

Site Visit: Site visits were scheduled for December 11, 2019 and December 18, 2019 for Planning Department staff and various Board members to attend. Mark Ashness was present to walk the property with staff and Board members and discuss the project. Pictures of the site visit can be viewed on the Planning Department webpage at www.chathamnc.org/planning <<http://www.chathamnc.org/planning>>, Rezoning and Subdivision Cases, 2020.

Planning Board:

The Planning Board reviewed the application during their January 7, 2020 meeting. Mr. Ronald Rice, an adjacent property owner, spoke in favor of the development. Mark Ashness, P.E., was present to answer questions. The board discussed the no-build areas, if septic lines for Lots 11, 16 and 17 would run across other properties to the septic field, will the property have curb and gutter, if there were more plans to

develop, and will septic areas be cleared on steep slopes for some of the lots. The no-build areas are split zoned areas on the lots and no dwellings, sheds, or pools will be constructed in the areas. The no-build areas will allow a driveway, clearing for landscaping, and play areas. The septic line for Lot 11 will follow the driveway and septic lines for Lots 16 and 17 will run parallel with the public right-of-way. The project will be ditch and shoulder, not curb and gutter. The developer currently has no other development plans for this area. Septic areas on steep slopes should not be cleared, per Mr. Ashness. Concern was expressed about the proximity of this development to Jordan Lake and the use of off-site septic systems.

How does this relate to the Comprehensive Plan:

Plan Chatham was adopted by the Board of Commissioners in November 2017 and is a comprehensive plan that provides strategic direction to address the most pressing needs in the county. This property is located in a split area of the county identified as rural and conservation in the Conservation on the Future Land Use and Conservation Plan Map and a Strategy 5.2. The description for rural includes low density, single family homes on large lots, agriculture, home-based & small scale businesses, regional greenway trails, and conservation easements. The description for conservation includes single family and attached homes, low density, protect natural resources, passive recreation areas, and greenway trails.

Although the proposed subdivision is not a conservation residential design, it is a low density design and meets the adopted riparian buffer and stormwater control standards of the county. The developer also contacted the NC Natural Heritage Program to review their database for any rare species, important natural communities, natural areas, or conservation/managed areas within the project boundary and rare species were identified in their records. It should be noted that Plan Chatham is not intended to be used as a regulatory tool, but is a policy document. When reviewing subdivision applications the boards can use the plan as a tool to identify future regulatory changes.

Recommendation:

The Planning Department and Planning Board by a 7-4 vote recommends granting approval of the road name Seaforth Place Drive and granting approval of subdivision First Plat for Seaforth Place with the following conditions:

1. Approval of the First Plat shall be valid for a period of twelve (12) months following the date of approval by the Board of Commissioners and the Construction Plan approval shall be valid for a period of twenty-four (24) months from the date of approval by the Technical Review Committee or Board of Commissioners.



Chatham County, NC

Text File

File Number: 19-3294

Agenda Date: 2/17/2020

Version: 2

Status: Board Priorities

In Control: Planning

File Type: Agenda Item

Vote on a Legislative request by Pitt Hill X, LLC for a conditional district rezoning from R-1 Residential to CD-NB for retail shopping center, Parcel No. 2721, located at 10329 US 15-501 N, Baldwin Township on approximately 5.01 acres.

Action Requested:

Vote on a Legislative request by Pitt Hill X, LLC for a conditional district rezoning from R-1 Residential to CD-NB for retail shopping center, Parcel No. 2721, located at 10329 US 15-501 N, Baldwin Township on approximately 5.01 acres.

Introduction & Background:

A legislative public hearing was held on November 18, 2019. Planning staff presented the request and Michael Fiocco, representative for the applicant, was available for questions and comments. Five residents from the adjacent or nearby properties also spoke in opposition of the rezoning request.

Concerns raised by speakers included concern about an increase in noise from US 15-501 through the site to Polk's Village residential subdivision, lighting on the rear of the property, the area to be utilized for the wastewater system has not been fully determined and the maintenance thereof, built upon area limits, and general concern about more development along US 15-501. Written comments that were submitted during the hearing and by email are available from the planning webpage as noted in Attachment No. 1.

Discussion & Analysis:

Conditional Zoning districts are districts in which the development and use of the property is subject to predetermined ordinance standards and rules, regulations, and conditions imposed as part of a legislative decision creating the district and applying it to the particular property. Some land uses are of such a nature or scale that they have significant impacts on both the immediate surrounding area and on the entire community, which cannot be predetermined and controlled by general district standards. The review process established in this Ordinance provides for accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions, which ensure compatibility of the use with neighboring properties. A conditional zoning district is not intended for securing early zoning for a proposal, except when that proposal is consistent with an approved land use plan or the proposal can demonstrate that public infrastructure needed to serve the development will be made available within a reasonable time period.

A community meeting was held on September 13, 2019 and 6 people attended. The attendees had questions about traffic, access, hours, light, and impervious limits. The community report is included in the application packet and no changes were made to the site plan based on the meeting other than a request for a fence along the western property boundary that adjoins a residential property in Polk's Village. A meeting with the Chatham County Appearance Commission (CCAC) was held on September 25, 2019. Several changes were recommended. They include but are not limited to the following:

1. Change planting selection for perimeter residential buffer areas specifically the northern and southern boundaries.

2. Pervious material be used parking space around tree islands to help ensure growth and sustainability.
3. Grading to be started further away from the property lines to assist in preserving the existing tree lines.

The minutes with all suggested changes/corrections are attached and referenced in the suggested conditions below.

There are five standard items listed in the Zoning Ordinance that must be addressed by an applicant when submitting a rezoning application. The applicant has addressed those items in the application materials or in supplemental material and they are also discussed below.

The map below shows the current zoning and surrounding zoning district for the property under consideration:

Item #1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same. The applicant is claiming no errors in the Ordinance.

It is planning staff opinion this finding is met.

Item #2: The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare. This area of US 15-501 has been identified as part of the Chatham Downs Community Center node in Plan Chatham. Existing uses in the node include a chiropractor's office, grocery store, bank, retail, restaurants, daycare, and medical facility and therefore is the location adopted by the Commissioners as an area for additional non-residential growth. This site will provide services that enhance residents' access to good and services in an area designated as commercial, helps to keep tax revenue within the county which in turn keeps the tax base healthier and creates jobs.

The property is served by a four-lane highway and NCDOT may require additional improvements to this section of highway by implementing a deceleration lane for traffic heading southbound on 15-501. The drive will offer a right turn out only which keeps traffic flowing in a safer more expedient manner.

The map below from Natural Resources Conservation Service shows no water features that would be impacted by this project. Proper erosion control and stormwater permits will be required before disturbing the site for development and on-going inspections will occur during construction.

It is planning staff opinion this finding is met.

Item #3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof. Page 47 of the Comprehensive Plan identifies Community Centers as retail hubs along key corridors which accommodate regional retail tenants complemented by local-serving commercial development. This property is located within the community center node identified as Chatham Downs.

Page 67, Strategy 6.4 requires working with NCDOT to plan and implement the best possible access for commercial nodes. It does discourage driveway permits for every parcel by incentivizing shared driveways, cross-access easements, and other measures to reduce the number of direct access points. Medians and deceleration lanes may also be required to be installed by the developer. A condition has been recommended regarding a cross access easement since future development of the northern parcels could occur and this would allow interconnections between the sites. The map below identifies the community node depicted on the Future Land Use and Conservation Plan Map in Plan Chatham.

It is planning staff opinion this finding is met.

Item #4: The requested amendment is either essential or desirable for the public convenience or welfare. In 2017, prior to the adoption of the new Comprehensive Plan, a proposal for an approximately 61,000 sq.

ft. grocery on 26 acres was submitted and ultimately withdrawn by the applicant due concerns raised by neighboring property owners. This proposal is for 14,400 sq. ft. of retail, office, and restaurants. In order to keep tax revenue in the county, locating non-residential development in areas identified for growth in Plan Chatham is needed. While many residents travel outside of the county for work these retail establishment provide them additional options to obtain goods and services.

This project has been designed with consideration given to the residential area to the west. The buildings and parking areas have been located as close to the US 15-501 as allowed by the ordinances. Lighting and signage will also comply with the regulations so as to not interfere with the residential areas. The developer will maintain as many trees as possible in developing the septic field and stormwater pond areas to the south and west of the property.

The site plant indicates that built upon area will be limited to approximately 34%. The Watershed Protection Ordinance allows up to 36% without curb and gutter therefore keeping over one half of the property undeveloped. The map below depicts the current watershed classification of WSIV-PA within the Jordan Lake Buffer rule area.

It is planning staff opinion this finding is met.

Item #5: All other circumstances, factors, and reasons which the applicant offers in support of the proposed amendment include: Since this request is for conditional district rezoning, the applicant has provided a list of prohibited uses. This is to help ensure the businesses that locate on the site cause the least disruption to the adjoining residents. Additionally, the buildings are located in the front of the parcel to help reduce noise from US 15-501. As much as practical, existing vegetation will remain to also act as noise reduction and shielding from direct lighting.

It is planning staff opinion this finding may be met.

The Planning Board reviewed the request during their regularly scheduled meeting on January 7, 2020. A summary of their discussions is noted below:

- Project too dense
- Rezoning not needed on 4th corner of a major intersection on the 15-501 corridor
- Adjoins a residential housing development and view from house will be a parking lot
- Type of development is a problem
- Need to utilize existing commercial development that has already been approved but not developed (i.e. William's Corner)
- Too much of a burden to Polks Landing residents
- Inconsistent with Plan Chatham because it is in close proximity to residential
- Amount of disturbance for septic area is not known at this time
- Concern about the potential environmental impact with the tree removal, increased stormwater runoff, impacts to streams near the site, and possible stress in the overall watershed
- Concern about the location of septic system and possible runoff onto adjoining properties

The applicant and his representative provided the following responses to the concerns raised during the meeting: the site wouldn't have been chosen unless it was located in a node identified on the future land use map as an area for this type of development; they know that a conventional septic system will be able to serve the property; there is no interest in removing all of the trees; the septic system will have an initial and repair area so all of the vegetation won't need to be removed; parking is approximately 100' away from 15-501 so cars will have more space to decelerate as they enter the parking lot; the undeveloped commercial sites that have been referenced are much larger and don't offer small lease space; the large undeveloped projects have different financial issues and will take longer to develop due to the substantial financial investment needed; and the county made a significant investment in Plan Chatham and if this site doesn't meet the criteria then what is the purpose of the plan.

Planning Board discussion included that this type of development is a problem and will result in a continuous strip of commercial businesses along 15-501; there are several approved commercial projects along the corridor that haven't moved forward but are still valid; a comment that every corner of an intersection doesn't need to be commercial; items #2 and #4 are not met because there is significant commercial development along the corridor; the parcel is too small for the proposed intensity; concern about slopes adjoining the site; and too much of a burden on the Polks Landing community. Members also commented the county should stick with Plan Chatham and support locations identified for commercial development; developers need some level of certainty about plan approval and this follows the plan; and three corners of this intersection are already constructed for or approved for commercial is the fourth corner supposed to remain rural and does that make sense.

The following are comments addressing the above mentioned discussions:

- The project will have approximately 15,000 sq. ft. of rental space separated into two one-story buildings. This will serve 8-10 small businesses · The parcel is located within a Community Center node per the adopted Comprehensive Land Use plan where non-residential has been encouraged to locate
- Project has taken steps to pull development as close to US 15-501 as allowed by ordinance to create an over 300 ft natural area buffer for the septic field and open space while preserving as much of the natural treescape and vegetated areas · Applicant and owner has removed 21 potential permitted uses from the list that they believe would not be compatible with the neighboring residential area due to high traffic activity, noise, or level of use
- This project is to help the smaller retail/office professionals have a working center in which to locate their business. The owner is ready to begin construction as soon as possible unlike other projects that have obtained approval and remain undisturbed. Some as long as 13 years · Applicant has applied for a business in a node that was identified by the citizens, staff and Board of Commissioners as the designated acceptable area in which to locate. All nodes will border residential areas in some capacity. Being mindful of that, the applicant has made every change possible to make this a viable, acceptable project
- The Community Center node states to be located along roadway corridors, provide a mix of centers at quadrant intersections, can include residential components, buildings can be 2+ stories (these are single story), and is specifically named in the Chatham Downs location. The Plan was to give developers some level of certainty of rezoning · The project is limited to 36% built upon area. The owner has stated will only disturb the amount of area absolutely needed for the septic system, site footprint, and landscaping as defined and allowed by the ordinances in which regulate such matters

The Planning Board voted 8-3 to recommend denial of the rezoning request based on being in close proximity to residential development and 8-3 to recommend a consistency statement that the rezoning is not consistent with Plan Chatham by being located in close proximity to existing residential development.

Planning staff recommends approval of the request based on meeting ordinance requirements, complying with Plan Chatham strategies and guidelines, and reduction in uses in order to accommodate the neighboring areas. Based on all five findings being addressed and complying with current regulations, planning staff recommends approval of the conditional district rezoning request.

How does this relate to the Comprehensive Plan:

The Comprehensive Plan identifies Community Centers as retail hubs along key corridors which accommodate regional retail tenants complemented by local-serving commercial development. This property is located within the community center node identified as Chatham Downs.

Recommendation:

The Planning Board by vote of 8-3 recommends denial of the rezoning request. It is the opinion of planning staff to recommend approval of the conditional rezoning request based on all standards being supported.

The following consistency statements are provided for consideration in denial of or in support of the rezoning:

#1 For Denial:

Parcel No. 2721 located at 10329 US 15-501 does not support the goals of Plan Chatham by being located

in close proximity to a residential development.

#2 For Approval:

Parcel No. 2721 located at 10329 US 15-501 supports the goals of Plan Chatham by being located within a Community Center node.

The following conditions are also provided for consideration should the rezoning be approved:

Site Specific Conditions

1. The list of prohibited uses as shown in Attachment A of the application shall apply to the site. Any deviation from this list will require a revision and approval to the conditional district zoning by the Board of Commissioners.
2. The recommendations from the Chatham County Appearance Commission (CCAC) shall be followed as stated in the minutes and a revised site plan is required. The planning staff and CCAC may conduct routine inspections of the property to ensure compliance with the landscaping requirements.
3. A cross access easement shall be noted on a revised site plan between the parking areas on the subject property to the parcel to the north to allow for an internal road connection for any future development. This cross connection shall be approved by the Chatham County Planning Department and the applicant to ensure the location is adequate for future use.
4. Prior to any land disturbing activity a report indicating the exact location and area needed for the septic field and repair area shall be provided to the Planning Department in order to verify that native vegetation is being left undisturbed to further enhance the buffer between the non-residential property and the residential property to the west.
5. A building permit shall be obtained and remain valid at all times within two years of the date of this approval or the site plan and approved uses becomes null and void.

Standard Site Conditions

6. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes to or variations from any requirements of this permit must be approved through the Planning Department or other approving board before any such changes can take place.
7. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, and Environmental Health Division, etc.) shall be obtained, if required, and copies submitted to the Planning Department as part of the platting process.

Standard Administrative Conditions:

8. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
9. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
10. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.

11. Non-Waiver - Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.