



# Chatham County, NC

## Meeting Minutes

### Board of Commissioners

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Monday, August 17, 2020

6:00 PM

Agricultural and Conference Center

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#### Work Session - 3:00 PM - Agriculture & Conference Center

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

#### PUBLIC INPUT SESSION

*No one signed up to speak.*

#### BOARD PRIORITIES

[20-3587](#)

Recognize 2020 Third Quarter Employee of the Quarter

*Interim Health Director Mike Zelek, HR Director Carolyn Miller and County Manager Dan LaMontagne nominated the wonderful Communicable Disease Nurses, Bonnie Dukeman, Beverly Allen, and Lou Ann Vasquez, for Employees of the Quarter. Bonnie, Beverly, and Lou Ann have been on the frontlines of COVID-19 pandemic response since the beginning, and their hard work and dedication has reduced the virus' impact on the Chatham community. We frequently hear from community partners, businesses, and residents how much they value these wonderful staff members. So much of pandemic response is about building relationships and trust, and these nurses have worked very hard over the last several months to do just that. Whether it's case investigations, contact tracing, answering calls from the public, answering questions from staff, testing, or any of the many other tasks that come with this work, Bonnie, Beverly, and Lou Ann have risen to the challenge, day and night, weekday and weekend, all while responding to non-COVID issues that come up as well.*

*All three employees participated virtually and Chair Howard presented them with the Employee of the Quarter Award for the Third Quarter. The Board thanked all three employees for their service to the County and for their hard work during the challenging times of the COVID-19 pandemic.*

[20-3584](#)

Presentation on Redevelopment of Triangle Innovation Point West

**Attachments:** [TIP West Presentation Aug 2020](#)

*Kirk Bradley, Jason Kaplan, Mark Ashness, and Brian Hall gave presentation to the Board. (Presentation attached)*

*The commissioners asked some clarifying questions about the project and thanked*

*the team for their presentation.*

[20-3578](#)

FY21 Housing Trust Fund Guidelines

**Attachments:** [2021HTFGuidelines](#)

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

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

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

### **CLOSED SESSION**

[20-3592](#)

Closed Session to discuss matters relating to attorney-client privilege.

**A motion was made by Vice Chair Hales, seconded by Commissioner Dasher, to approve going out of the Work Session and convening in Closed Session to discuss matters relating attorney-client privilege. The motion carried by the following vote:**

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

### **ADJOURNMENT**

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

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

### **End of Work Session**

### **Regular Session - 6:00 PM - Agriculture and Conference Center**

### **INVOCATION and PLEDGE OF ALLEGIANCE**

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

### **CALL TO ORDER**

*Chair Howard welcomed those in attendance and called the meeting to order at 6:02 pm.*

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

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

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

[20-3579](#)

Vote on a request to approve the June 15, 2020 Work and Regular Session Minutes and the July 20, 2020 Work and Regular Session Minutes.

**Attachments:** [06.15.2020 Draft Minutes](#)  
[07.20.2020 Draft Minutes](#)

**A motion was made by Vice Chair Hales, seconded by Commissioner Wilkie, that the Minutes be approved. The motion carried by the following vote:**

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

[20-3568](#)

Vote on a request to approve a lease agreement with Goldston Rural Fire Department Inc. in the amount of \$40 (\$1 a year for 40 years) for space for a County radio tower and authorize the Board Chair to execute the agreement.

**Attachments:** [Goldston Fire Lease Agreement FINAL with attachments v20200615](#)

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

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

[20-3582](#)

Vote on a request to approve the contract for Ellington Contracting for \$251,121.04 to serve as the Contractor for the CORA Food Pantry Expansion project.

**Attachments:** [Ellington - CORA Construction Contract-08172020](#)

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

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

[20-3595](#)

Vote on a request to approve that the Lease Agreement with Chatham Transit be amended to increase the Rent from an annual rent of One Dollar (\$1.00) to a monthly amount of \$2,726.00.

**Attachments:** [Chatham Transit First Amendment](#)

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

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

[20-3569](#)

Vote on a request to accept \$35,158 COVID-19 CARES Act -Crisis Response Epidemiology-Communicable Disease Branch Funds

**Attachments:** [\\$35,158 COVID-19 CARES](#)

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

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

[20-3594](#)

Vote on a request to accept \$168,631 COVID-19 ELC Enhanced Detection Funds

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

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

[20-3572](#)

Vote on a request to approve recommendations from the Recreation Advisory Committee for the Grants to Recreation Agencies.

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

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

[20-3581](#)

Vote on a request from the Chatham County Board of Commissioners to adopt a resolution requesting the NCDOT Division of Highways abandon the parcel containing the old US 15-501 road bed adjacent to parcel #62221 owned by Chatham County located at 9251 US 15-501 North, Pittsboro, NC 27312.

**Attachments:** [EMS Base-BOC Resolution-Petition 15-501 Old Road Bed](#)

**A motion was made by Vice Chair Hales, seconded by Commissioner Wilkie, that this Resolution #20-30 approving road maintenance abandonment of old road bed on US 15-501 North adjacent to Parcel #6221 9251 US 15-501 North, Pittsboro, NC 27312, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

[20-3583](#)

Vote on a request to approve Tax Releases and Refunds

**Attachments:**     [July 2020 Release and Refund Report](#)  
[July 2020 NCVTS Pending Refund Report](#)  
[July 2020 Manual NCVTS Pending Refund Report](#)

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

[20-3585](#)

Vote on a request to approve the adoption of a Coronavirus Aid, Relief, and Economic Security (CARES) Act fund budget for FY21

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

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

[20-3586](#)

Vote on a Request to Approve the FY 2021-2022 Budget Calendar

**Attachments:**     [FY 22 BudgetCalendar](#)

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

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

[20-3510](#)

Vote on a request to approve a Legislative request for a general use rezoning request by Glandon Forest Equity, LLC to rezone Parcel No's. 5050, 4787, 4742, and portions of parcels 4653 and 76194, from R-1 Residential to NB Neighborhood Business, located off Old US 421 S, Bear Creek Township.

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

**A motion was made by Vice Chair Hales, seconded by Commissioner Wilkie, that this Resolution #20-31 adopting a consistency statement for the approval of rezoning for Glandon Forest Equity, LLC, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

**A motion was made by Vice Chair Hales, seconded by Commissioner Wilkie, that this Ordinance amending the zoning map of Chatham County for Glandon Forest Equity, LLC, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

[20-3588](#)

Vote on a request to approve appointments to the Climate Change

Advisory Committee.

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

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

## End of Consent Agenda

### **SPECIAL PRESENTATION**

#### [20-3590](#)

Vote on a request to adopt a resolution recognizing The Honorable Joseph Moody Buckner for his twenty-six years of service to Chatham County as Chief District Judge of Judicial District 15-B.

**Attachments:** [Link to Signed Resolution on Chatham County Website](#)

*Chair Howard read the resolution into the record. She said the Board is proud to have Judge Buckner as a member of the community and is thankful for his many years of service and the legacy he is leaving. Judge Buckner thanked the Board for the resolution and he said he had a lot of help over the years and he is thankful to everyone who contributed to his success.*

**A motion was made by Commissioner Dasher, seconded by Commissioner Crawford, that this Resolution #2020-33 recognizing The Honorable Joseph Moody Buckner for his Twenty-Six Years of Service to Chatham County as Chief District Judge of Judicial District 15B, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

#### [20-3591](#)

Recognize Peyton Holland with a Certificate of Appreciation for Extended Volunteer Committee Service.

*Chair Howard stated that Peyton Holland is being recognized by the Board for his many years of volunteer service with County committees. Chair Howard called on Clerk to the Board Lindsay Ray to make a statement about his service.*

*Ms. Ray thanked Mr. Holland for his service to the County over the last five years as a member of the Board of Adjustment. She stated that as the staff person responsible for managing the Board of Adjustment, she could not have asked for a better Chair than Mr. Holland. Mr. Holland was voted as the Chair of the Board of Adjustment unanimously twice. He served on five cases during his five years of service. Mr. Holland was also appointed to the Board of Commissioners Election Method Task Force and was voted as Co-Chair. She hopes Mr. Holland will continue to find other ways to serve in the future.*

*Mr. Holland thanked the Board for the opportunity to serve the residents of Chatham County. He also thanked Ms. Ray for her dedication and commitment to the County.*

*Chair Howard thanked Mr. Holland for the exemplary manner in which he handled the*

work of the BOC Elections Method Task Force. She also hopes he will serve again in the future.

Mr. Holland said he and his wife will be bringing another Chatham County resident into the world in November.

## **PUBLIC INPUT SESSION**

Valerie Broadway submitted the following comments:

30 years ago as President of the then newly active Chatham Humane Society (now Chatham Animal Rescue and Education; aka: CARE) I came before this board several times to ask the county to fund and build an animal shelter. Today, I don't think anyone would disagree with having the animal shelter.

It was not easy in the late 1980's to get the commissioners on board with the idea. They would say things like, "We don't want to spend that money on animals. We would rather help people." At the time the outdoor county "pound" had an average annual adoption rate of "zero". Cats were immediately gassed to death upon arrival. Dogs routinely died of exposure to the elements or from dehydration because it was acceptable for no one to take care of them over weekends and holidays.

It took two or three years, and a change of some of the board members, to get a proper shelter approved. I've given you copies of a newspaper article showing me (Valerie Clark, at that time) working with Chatham County officials in designing plans for the shelter that was ultimately built and in operation today.

How times have changed. This board has recently approved funding for an overdue expansion and upgrade of the animal shelter, and I thank you for doing that! You may be able to appreciate the irony I am experiencing, returning to these meetings now to request shelter and assistance for human beings.

There are two nursing homes that I'm aware of for sale in Chatham County; one on the Gum Springs - Silk Hope Road, and the other near the Alamance Co. line. Both could easily be modified in to temporary housing.

I understand there has been talk of providing a shelter but the cost related to staffing the shelter was the hold up. There are many caring and concerned people in Chatham County. All positions needed would not have to be paid positions, as there would be many members of the public willing to volunteer in some capacity. You may or may not know but since last month's Board of Commissioners meeting the Salvation Army has suspended helping the homeless due to Covid-19. What are people supposed to do? What would you do if you were in their position? It is only going to get worse as more people lose their homes to eviction or foreclosure. What is the County waiting on?

In recent weeks did any of you lie awake at night worrying about where the homeless people were as a hurricane passed by in the wee hours of the morning, or perhaps how they were coping on the days when the heat index was 105 degrees? I did.

## **PUBLIC HEARINGS TO BE MOVED TO AUGUST 27, 2020**

[20-3573](#)

A Legislative public hearing for a request by Vickers Bennett Group, LLC to amend the language in the Zoning Ordinance, Sections 5.2, 7.2, 10.12 to accommodate language for Conditional District Mixed Use Cluster Residential (CD-MU-CR).

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

*This item was moved to the August 27, 2020 Board of Commissioners Special Meeting.*

[20-3574](#)

A Legislative public hearing for a request by Vickers Bennett Group, LLC to amend the language in the Subdivision Regulations, Section 7.7, to add MU-CD-CR.

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

*This item was moved to the August 27, 2020 Board of Commissioners Special Meeting.*

[20-3575](#)

A Legislative public hearing for a request by Vickers Bennett Group, LLC to amend the language in the Watershed Protection Ordinance, Sections 109, 302 [E] (2), 303 (A), and 303 (C), to accommodate language for Mixed-Use Development and Cluster Development.

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

*This item was moved to the August 27, 2020 Board of Commissioners Special Meeting.*

[20-3576](#)

A legislative rezoning public hearing for a request by 919 Storage LLC on Parcel No. 3080, located at 72 Marvin Edwards Lane, from R-2 Residential to Conditional Regional Business District (CD-RB) on approximately 7.93 acres out of the 17.64 acre tract for self-storage mini warehouse facility, William's Township.

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

*This item was moved to the August 27, 2020 Board of Commissioners Special Meeting.*

### **PUBLIC HEARINGS TO BE MOVED TO SEPTEMBER 3, 2020**

[20-3577](#)

A Legislative public hearing for a request by JNNJ, LLC, for a conditional district rezoning from R-1 Residential to CD-O&I for office - business, professional, and governmental, Parcel No. 69884 being 5 acres, located at 10441 US 15-501 N, Baldwin Township.

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

*This item was moved to the September 3, 2020 Board of Commissioners Special Meeting.*



**PUBLIC HEARINGS**[20-3570](#)

A quasi-judicial public hearing for a request by Chatham County Emergency Management on a conditional use permit for a new proposed 350 foot communications tower to be located at the Moncure Volunteer Fire Department, 2389 Old US 1, Parcel 81087, being approximately 8.33 acres, Cape Fear Township.

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

*Chair Howard opened the hearing and administered the oath to all present wishing to speak on the item.*

*Planning Director Jason Sullivan reviewed the specifics of the request.*

*Chatham County Communications Director and applicant Mike Reitz addressed the Board.*

*No one signed up to speak on the item.*

*The Chair closed the hearing.*

**This Agenda Item was referred to the Planning Board.**

[20-3571](#)

A quasi-judicial public hearing for a request by Chatham County Emergency Management on a conditional use permit for a new proposed 300 foot communications tower to be located at the new proposed Emergency Operations Center, Parcel No. 12481, 188 Innovation Way, being approximately 272 acres, Hickory Mountain Township.

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

*Chair Howard opened the hearing and administered the oath to all present wishing to speak on the item.*

*Planning Director Jason Sullivan reviewed the specifics of the request.*

*Chatham County Communications Director and applicant Mike Reitz addressed the Board.*

*No one signed up to speak on the item.*

*The Chair closed the hearing.*

**This Agenda Item was referred to the Planning Board.**

**BOARD PRIORITIES**[20-3593](#)

Receive Chatham County COVID-19 Update

**Attachments:** [BOC COVID Update 8/17/2020](#)

County Manager Dan LaMontagne gave an update on COVID-19 in Chatham County.

### **CLERK'S REPORT**

Ms. Ray stated she enjoyed attending the NC Association of County Commissioners Annual Conference with Commissioners Howard and Hales.

### **MANAGER'S REPORT**

Mr. LaMontagne stated he met with the new Pittsboro Town Manager Chris Kennedy. It was suggested there be a future joint meeting with the Town of Pittsboro and the County and he will get that organized and scheduled.

Chatham Economic Development President Alyssa Byrd is leaving end of August. He is on the EDC search committee for the new president.

Charah has requested a reduction in cap thickness for the coal ash pits at the Brickhaven site from 6 feet to 2 feet. The County will oppose that requested change to the permit.

### **COMMISSIONERS' REPORTS**

Commissioner Wilkie stated Silk Hope Farmers Day is still happening Labor Day weekend but the Goldston Old Fashioned Day is cancelled.

Vice Chair Hales attended the NC Association of County Commissioners Annual conference which was virtual this year. She really enjoyed the keynote by Doris Kearns Goodwin. She is still not officially seated as one of the Governor's appointments to the Oil and Gas Commission. She still attends virtually even though she is not a voting member at this point. She attend the Climate Change Advisory Committee and Environmental Review Advisory Committee meetings. She also attended the planning meeting for the Chatham 250 Anniversary.

Commissioner Crawford finished his year as chair of the Triangle J Council of Governments Board. The Board of Health will begin the job search for the director soon.

Chair Howard said she also enjoyed attending the 113th NCACC annual conference. She encouraged all commissioners to attend in the future if they are able. She served as the co-chair of the NCACC Presidential Initiative which focused on re-engaging our disaffected youth. They created a tool kit which is available to counties and she will share it with staff as well as the schools and the community college. Chair Howard has also been participating in a group looking at equity in the judicial setting.

### **ADJOURNMENT**

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

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