



# Chatham County, NC

## Meeting Minutes

### Board of Commissioners

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Monday, October 18, 2021

2:00 PM

Historic Courthouse Courtroom

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#### Work Session - 2:00 PM - Historic Courthouse Courtroom

**Present:** 4 - Chair Mike Dasher, Vice Chair Diana Hales, Commissioner Franklin Gomez Flores and Commissioner Jim Crawford

**Absent:** 1 - Vice Chair Karen Howard

#### PUBLIC INPUT SESSION

*Maurice Nunn*

*Mr. Nunn said he was there as a resident and representative of Northeast Chatham. He stated that he was there to talk about property taxes. He said that they had gone up 10 million dollars and offered a chart with the year-to-year numbers. He said that social security is due to go up, he thought, 5.6%. He stated that he took 1.5 acres off of his personal property and his taxes went up 20%. He said that he and his relatives had all lived in the area for the entirety of their lives. He said that his cousins who lives across the street have special needs and have nowhere to go. He said that there was nothing to be done about what had already happened, but he asked the Board if something could be done in the future. He asked if something could be done differently rather than continually raising property taxes. He said that they no longer work and there is no way to keep paying rising property taxes. He said they are all old tobacco farmers.*

#### BOARD PRIORITIES

[21-4035](#)

Introduction of new Chatham County Veteran Services Officer Michael Daniels

*The Director of Human Resources, Carolyn Miller, introduced Michael Daniels as the new Chatham County Services Officer.*

*Commissioner Crawford asked Mr. Daniels why he had chosen Chatham County. Mr. Daniels said that he's been a resident of Chatham County for the past five years. Commissioner Crawford asked if he liked it to which Mr. Daniels responded that he does. Commissioner Crawford voiced his support for Mr. Daniels and thanked him for taking on the role.*

*Vice Chair Hales said that she is a member of the West Chatham NAACP. She said that the other members of the group would really love to be able to meet with Mr. Daniels. She said that Chatham has a number of veterans throughout the county, and she knows that there would be some real interest in meeting with Mr. Daniels. She said she was sure that he was getting out into the community and stated that she was very glad to have Mr. Daniels aboard. She said that Mr. Daniel's predecessor had been appreciated in the community and that Mr. Daniels' experience with the Veterans Administration probably gives him a really good background on what people can and*

cannot do in terms of services provided. She said that she is married to a Vietnam veteran and appreciates what he is doing.

**This Agenda Item was received and filed.**

## 21-4046

### Receive Recreation Advisory Committee Annual Report

**Attachments:** [Recreation Advisory COMMITTEE SUMMARY ANNUAL REPORT 2021 FILLABLE](#)  
[Recreation Advisory Committee Summary annual report 2021.pdf](#)

Recreation Advisory Committee Chair, Tim Mounce delivered this report to the Board. He thanked the members of the committee: Joy Hewett, Maria Gomez Flores, Anne Geer, Ann Alston, James Fogleman, Andrew George, Kent Barlow, Megan Lynch, and Tammy Phillips.

At the conclusion of the report, Chair Dasher thanked Mr. Mounce and said that he really appreciates his passion and advocacy for our parks.

Commissioner Crawford asked Mr. Mounce when he started serving on the Board of Recreation. Mr. Mounce said it had been quite a while.

Commissioner Crawford said he had a couple additional comments. He said that the Strowd Mountain property would make an excellent mountain bike zone. He asked if, with the shared use agreement between the County and the schools, a serious look could be given to the facilities at Bonlee Bennett and Silk Hope so those portions of the county can be served. He stated that he would like to see the updates listed in the capital improvement plan realized.

He said he wanted to reflect on the per capita funding that is going to the municipalities and if there is any way to review that policy.

Mr. Mounce responded that now is the time, with exponential growth at Chatham County's doorstep. He stated that he feels a duty to ensure that there are natural resources available to accommodate the growth.

Vice Chair Hales said that she uses the Southwest Park for walking all the time and knows there is going to be an expansion to the trail. She said she also appreciates the Story Walk because it was George Moses Horton and she read it through twice going around the track. She thought it was an interesting concept and hopes there will be more. She did suggest that the font be made a little larger though. She then asked about the location of the Zumba class that Mr. Mounce mentioned during his report. Parks and Recreation Director Tracy Burnett approached the podium and said that the class was taking place at the Chatham Grove Community Center in addition to art and jump rope classes. She said she would get a flyer to the Board about those offerings. Vice Chair Hales said that she had been to the Senior Center in Orange County and there were tremendous opportunities available for recreation and a big facility. She said that she wondered if something like this, a collaboration between the Parks and Recreation Department and the Council on Aging, might be considered down the line in Chatham County in a way that encompasses more than the over 60 crowd. She says she has visited the Senior Center in Orange County a couple times and has been very impressed with the number of people coming through and participating. She thanked Ms. Burnett and Mr. Mounce for their presentation and said that she too believes that there should be more dollars expended.

Ms. Burnett said that her department had collaborated with the Council on Aging, and they are providing things like chair aerobics classes with the option to participate remotely. She said there had been 4-6 participants. She said she would like to continue collaborating with them and hopes for more instructors and classes. Chair Dasher asked about restrictions at Chatham Grove that were mentioned by both Mr. Mounce and Ms. Burnett. Ms. Burnett responded that the restrictions had a bit to do with Covid as well as staffing.

Chair Dasher also asked Ms. Burnett about Parker's Ridge plans. Ms. Burnett said that right now, discussions are being had with the CIP team about a strategy to propose to the Board and she is hoping it will be brought before the Board soon.

**This Agenda Item was received and filed.**

### [21-4056](#)

Receive 2021 Chatham County Cooperative Extension 4-H presentation.

**Attachments:**     [2021 BOC Meeting - Chatham County 4-H Presentation](#)

County Extension Director Ginger Cunningham approached the podium and began her presentation by thanking the Parks and Recreation Department for being wonderful partners.

Commissioner Hales asked if Chatham Marketplace was one of the distribution places referred to by Dr. Cunningham. Dr. Cunningham clarified that what was at Chatham Marketplace was something Extension Agent Debbie Roos was doing separately.

Dr. Cunningham invited Extension Agent Kaley Lawing to the podium to continue the presentation.

Vice Chair Hales asked if there had been a livestock show in Chatham this year. Ms. Lawing responded that there had not been. Vice Chair Hales said that Board members are typically called upon to handle various animals and she had been waiting for her call. Ms. Lawing said they would be calling on the Board for assistance again in 2022.

Ms. Lawing invited Program Assistant Liz Mauney to the podium to continue the presentation.

Ms. Lawing returned to the podium to give further detail on a couple programs and upcoming events mentioned by Ms. Mauney.

Vice Chair Hales said she is always amazed by how much work and outreach is achieved by 4H every year and said this is essential as Chatham is still an agricultural county. She said even for kids that live in towns or Briar Chapel or other population centers to have experience living in the natural world and a little bit of experience with agriculture. She said she appreciates the work of 4H and said she believes the work needs to be stronger instead of weaker over time because she does not want to see children disassociated from their environment.

Commissioner Crawford said he would like to make a few observations. He said that, because of Covid, many regular teachers have had to do what homeschoolers have been doing all along in terms of relying on the curriculum and the programs that this program and similar programs across the country have been offering and he believes that it is something that needs to be reflected upon. He said that, in terms of active agricultural teaching, this program had what people needed when circumstances made it needed. He thanks Ms. Lawing and the other agents for their vision and ability to

*transfer to an immediate medium like virtual learning. He also commended the presenters on the Foods of the World event.*

*Chair Dasher said he had just been reading about the Tree Leaders program and is excited to see what comes of that.*

*Clerk Linsday Ray asked about participating in the Larvae Butterfly program as an adult. Ms. Lawing said she definitely could participate.*

*Commissioner Crawford said he had one additional question. He asked if they had done a presentation of the EDC recently and asked if one could be done this year. He said the EDC needs a balanced understanding of the county and he feels that the 4H program plays an important role in children's understanding of agriculture and everyone's understanding of the human environment. He requested that, if there had not been a presentation to the EDC, to send him an email because he would very much like to see that they get one. Dr. Cunningham said that they would be glad for the opportunity to present to the EDC. She said she appreciates the EDC for their small business grant subcommittee work and for bringing on the Extension Office to have a presence and a voice for agriculture, not only for applicants but also as advocates in the community.*

**This Agenda Item was received and filed.**

## [21-4052](#)

### Receive FY2022 First Quarter Budget Update

**Attachments:** [FY22 1st Quarter Budget Update](#)

*Budget Director Darrell Butts delivered this update to the Board.*

*Vice Chair Hales asked if Natural Resource Management referred to planning and permitting. Mr. Butts responded that it encompasses planning, inspections, and watershed protection. He clarified that it does not include environmental health as that falls under human services.*

*Chair Dasher asked about the 45% year-to-date number for permits and fees and if it was a one-time thing or if it was actually anticipated to be that much higher. Mr. Butts responded that the department was doing a lot right now and that their budget had been increased from fiscal year 2021 to fiscal year 2022 but they are doing a lot of inspections. He said that it is somewhat seasonal though and there would be fewer inspections during the winter.*

*At the conclusion of Mr. Butts' presentation, Chair Dasher said he would like to take a moment to commend the Board and the residents of Chatham County on prudence in approving the Article 46 sales tax.*

*He also noted that, although the resident that previously spoke about property taxes, he wanted to clarify that the Board does not raise property taxes. He said it is based on the value of property and the value of property is increasing. He said that is how local governments are directed to raise money.*

*Vice Chair Hales asked when the money from Article 46 will be available. Mr. Butts responded that anything approved in fiscal year 2022 would be available at year end so anything approved previously would be available now on an as-needed basis. Vice Chair Hales said, so a third each. Mr. Butts said yes, based on the guidance budgeting staff received in April.*

Chair Dasher clarified that the amount was the "892" and Mr. Butts said yes, the amount over and beyond budget in 2021 is the 892 amount so it is 297 for each of the three schools.

Commissioner Crawford asked about affordable housing. He stated that with affordable housing, the County will be presented with opportunities as they emerge so it's less predictable than something like the school supplement. He asked what was being done with the money. He asked if it comes and is basically in a fund, isolated within the budget until it is drawn upon. Mr. Butts said that was accurate. Another staff member further clarified that the Board would be receiving a budget amendment next month requesting that the funds be transferred back out to the holding pots for whenever they are needed. Commissioner Crawford asked, in terms of budget planning, are departments receiving money that they may not know about.

Mr. Butts said that in the fiscal year 2021, the departments knew that Article 46 existed and that there had been money budgeted for schools. Mr. Butts gave further details on how staff received guidance on how best to budget and how departments were made aware of the allocations. Mr. Butts said the funds would not transfer out until the end of the fiscal year.

Chair Dasher asked about the Housing Trust Fund. Mr. Butts said there would be additional funds if that is how the funds are chosen to be utilized. Vice Chair Hales asked for clarification on whether the \$297,000 was to be divided. Mr. Butts said that it would not be divided and that the plan was for Ag, Parks and Recreation and Affordable Housing would each be allocated \$297,000.

**This Agenda Item was received and filed.**

## [21-4060](#)

Receive update from the Chatham County Economic Development Corporation

**Attachments:** [10-18-21 Chatham BOC Presentation - EDC](#)

Chair Dasher invited Michael Smith to present this item.

Chair Dasher congratulated Project Manager Sam Rauf on his recent recognition from Business North Carolina.

Chatham Economic Development Corporation President Michael Smith thanked Mr. Rauf and Ann Fitts for their work for Chatham County.

Vice Chair Hales asked about the CDL training note on a slide. She asked if it was a new program and Mr. Smith said he thought it was. He said that there was a shortage of commercial truck drivers, and this was how Central Carolina was trying to meet the need. Vice Chair Hales asked if this was being offered at the Sanford campus. Mr. Smith said it was being offered at the Sanford campus but would check availability in Pittsboro.

Commissioner Crawford noted that the Board had heard from the Ag Extension agents today and it had been a while since the EDC had talked to the people promoting agriculture in the county. He asked Mr. Smith to find some time to communicate with the Extension office so no opportunities for mutual advantage are missed.

Mr. Smith said he would be happy to reach out.

Mr. Smith concluded the prepared portion of his presentation and asked if the Commissioners had any questions.

Chair Dasher said he had a few notes. He stated that having thirty applicants for the small business fund mentioned earlier in the presentation was excellent and an indication that it was put together well. Mr. Smith said that Stephanie Watkins-Cruz did a great job in assisting his department in developing the small business fund.

Chair Dasher stated he was pleased to hear about the continued collaboration with the community college.

**This Agenda Item was received and filed.**

[21-4061](#)

Discuss and vote on a request to adopt Rules of Procedure for Public Hearings and Subdivision First Plats.

**Attachments:** [Chatham County Hearing Rules](#)

County Attorney Bob Hagemann presented a draft of the revised rules of procedure for zoning public hearings and major subdivision applications. Under the proposed rules, staff will present the application and answer questions from the Commissioners. The Chair will then open the public hearing. The applicant and the applicant's agents will have fifteen minutes total to present their request. Questions from the Board for applicants and other speakers will not count towards their time. Following the applicant, individuals who have signed up to speak will get two minutes each. The applicants will then have five minutes for rebuttal. The Chair will then close the hearing or continue it to a future meeting.

Chair Dasher asked if the Board was able to limit what people discuss during public input sessions. Mr. Hagemann stated that he believed that the Board could legally limit public input and that he had seen it in other rules from other jurisdictions in the state. He said that, while public input is a time for citizens to share what is on their mind, the Board is within its right to limit public input regarding a specific application and ask that it be discussed during the public hearing for that application rather than during another public input session.

Vice Chair Hales said there are several developments in Chatham County and wastewater is the issue. She asked if people would be allowed to share general comments pertaining to the issue or if the comments had to be married to a particular application, project or subdivision. Mr. Hagemann said that the Chair would have to use some discretion. He also said these rules should be published so the public can be made aware that public hearings are the time to speak on specific projects.

Commissioner Crawford noted that the Board has heard a lot of input regarding wastewater but there is not very much the Board is practically able to do in response. He said the Board should not encourage the belief that protesting a development on the basis of wastewater will lead to a favorable outcome. He said the issue is basically a private one. He said that it is still the venue people have to come and speak on the record. He said that these comments should be endured by the Board but not "courted."

Chair Dasher asked about final plats. He said that the Board had received some final plats and were sometimes asked to turn things down or take action that was not within the authority of the Board to execute. He asked if this was something that could be

mitigated through a document like this or if it would require more legal work. Hagemann said that the final plats that had been presented in the past 6-8 months were left over from the legacy subdivision ordinance and that the current subdivision ordinance does not require that final plats be brought before the Board. He said that he did not think the Board would be receiving any more final plats but if they did, his recommendation would be to treat it just as they would a first plat as stipulated in the rules.

Mr. Hagemann advised that the Board was not required to adopt these rules at this meeting but if they did elect to adopt, it would go into effect in time for the November meeting. Vice Chair Hales said, not tonight.

Vice Chair Hales said that basically what was being done here was limiting time. She said that she felt that this was a workable procedure being proposed and said that she would vote in the affirmative without any wording changes.

Commissioner Crawford asked that, if there is a lot of public input addressing diverse issues, there be a way to extend the five-minute rebuttal time granted to the developer. He said this could be done at the discretion of the chair or after being put to a vote by the Board. He said that the conditions of the extension should be spelled out.

Chair Dasher read the section regarding the Board's discretion to deviate from the rules if necessary. Commissioner Crawford asked if these decisions were to be made by the chair or the Board. Chair Dasher said he would rather the majority of the Board approve of any deviation. Commissioner Crawford said he was satisfied with this point of clarification.

Vice Chair Hales said she thought these criteria would help with more timely and cogent presentations from developers. Commissioner Crawford said that the Planning Department is experienced and qualified to deliver summations of fact to the Board, so he has no trouble accepting their summary as the basis for the Board's deliberation.

Chair Dasher said he would like to add that he hopes the Board gives the same careful scrutiny and thought that has been given to streamlining Board meetings to the entire process while developing a UDO.

Clerk Lindsay Ray made a note for the record that the online sign-up form will change as a result of this vote. She said going forward, in addition to being able to sign up for a public hearing or public input, citizens will also be able to sign up for subdivision first plats. She said it will be clearly laid out, but she just wanted to mention it.

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

**Aye:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

## **CLOSED SESSION**

[21-4055](#)

Vote on a request to go into Closed Session pursuant to G.S. 143-318.11(a)(3) and (4): (a) to consult with an attorney in order to

preserve the attorney-client privilege; and (b) to discuss matters relating to the location or expansion of industries or other businesses, including agreement on a tentative list of economic development incentives that may be offered by the public body.

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

**Aye:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Aye:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

**Absent:** 1 - Vice Chair Howard

## **RECESS**

### **End of Work Session**

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

## **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 called the meeting to order at 6:01 PM.*

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

*Chair Dasher noted that item 21-4049 (Vote on a request by Zach Daugherty on behalf of Garden Street Communities Southeast, LLC for conservation subdivision First Plat review and approval of Savannah Ridge, consisting of 158 lots on 150.58 acres, located off Moncure School Road, SR-193) will not be on the agenda as the application has been withdrawn.*

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

**Aye:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4053](#)

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

**Attachments:** [High Clover Trail Petition](#)  
[HIGH CLOVER TRAIL MAP](#)  
[HIGH CLOVER TRAIL AREA MAP](#)

**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:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4040](#)

Vote on a request to accept \$31,813 Covid-19 Vaccination Program Funds (continuation from last fiscal year)

**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:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4041](#)

Vote on a request to accept \$960,380 Covid-19-Preparedness and Response Funds (continuation from last fiscal year).

**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:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4042](#)

Vote on a request to accept \$1,050 Community Health Grant funds

**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:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4043](#)

Vote on a request to accept \$107,869.34 funds from the Duke Endowment's Healthy People, Healthy Carolinas grant (continuation from last fiscal year).

**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:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4044](#)

Vote on a request to approve \$70,140 of special LINKS funding to help young adults that have been in foster care.

**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:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4045](#)

Vote on a request to appoint Reverend Patrick Jones to the Juvenile Crime Prevention Council (JCPC).

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

**Aye:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4050](#)

Vote on a request to approve allocating \$333,500.00 from Utility Capital Reserve for the water system's Hwy. 902 Booster Pump Station Chemical Feed Project.

**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:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4063](#)

Vote on a request to approve an easement with Duke Energy on Progress Blvd. for a Chatham County radio tower.

**Attachments:** [14326 CHATHAM COUNTY PROGRESS BLVD ROWMAPFOR42136995 \(2\)](#)

**A motion was made by Commissioner Crawford, 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:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4014](#)

Vote on a recommendation from the Chatham County Tax Department to award the property tax software contract to DEVNET Incorporated for \$554,870.20 over a five-year period and authorize the County Manager to negotiate and execute all contracts and agreements.

**Attachments:**     [DEVNET 2021](#)

**A motion was made by Commissioner Crawford, 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:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4051](#)

Vote on a request to approve Tax Releases and Refunds

**Attachments:**     [September 2021 Release and Refund Report](#)  
                          [September 2021 NCVTS Pending Refund Report](#)

**A motion was made by Commissioner Crawford, 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:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4062](#)

Vote on a request to approve a Resolution Proclaiming November 2021 as Family Caregiver Month

**Attachments:**     [Family Caregiver Month.doc](#)

**A motion was made by Commissioner Crawford, seconded by Vice Chair Hales, that this Resolution #2021-38 Proclaiming November 2021 as Family Caregiver Month, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4067](#)

Vote on a request to adopt a Resolution Proclaiming November 20, 2021 as Adoption Day in Chatham County

**Attachments:**     [Resolution - National Adoption Day 2021 - 10.14.21.docx](#)

**A motion was made by Commissioner Crawford, seconded by Vice Chair Hales, that this Resolution #2021-39 Proclaiming November 20, 2021 as Adoption Day in Chatham County, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4057](#)

Vote on a request to adopt a resolution setting the time and place for

meetings of the Chatham County Board of Commissioners for calendar year 2022.

**Attachments:**     [2022 BOC Meeting Calendar Resolution](#)  
                              [2022 Final Draft BOC Meeting Calendar](#)

**A motion was made by Commissioner Crawford, seconded by Vice Chair Hales, that this Resolution #2021-40 setting the time and place for meetings of the Chatham County Board of Commissioners for calendar year 2022, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4058](#)

Vote on a request to adopt a resolution approving the Memorandum of Agreement (MOA) between the State of North Carolina and Local Governments on proceeds relating to the settlement of opioid litigation.

**Attachments:**     [Opioid MOA resolution](#)  
                              [FAQ on NC MOA 4.28.21](#)  
                              [Opioid Litigation Settlement Overview](#)  
                              [Opioid MOA](#)

**A motion was made by Commissioner Crawford, seconded by Vice Chair Hales, that this Resolution #2021-41 approving the Memorandum of Agreement (MOA) between the State of North Carolina and Local Governments on proceeds relating to the settlement of opioid litigation, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4059](#)

Vote on a request to adopt a Resolution to Amend the Chatham County Personnel Policy

**Attachments:**     [Personnel Policy \(DRAFT Amended 10-18-2021\)](#)  
                              [Personnel Policy Amendment.doc](#)

**A motion was made by Commissioner Crawford, seconded by Vice Chair Hales, that this Resolution #2021-42 to Amend the Chatham County Personnel Policy, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4065](#)

Vote on a request to approve Pyrotechnic display at the former Boling

Chair property located at 311 N. Chatham Ave. Siler City NC for Chatham 250 celebration on November 13, 2021

**Attachments:**    [Attachment A-N.C.G.S 14-410 and 14-413](#)  
[Attachment B- Letter of Request Siler City 2021](#)  
[Attachment C-NC Pyrotechnic Display Operators License](#)  
[Attachment D- Hale Certificate of Insurance 2021](#)  
[Attachment E- Hale ATF License 2021](#)  
[Attachment F-Site Plan Siler City 2021](#)

**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:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

## End of Consent Agenda

### **SPECIAL PRESENTATION**

[21-4066](#)

Receive Chatham 250 Update

**Attachments:**    [10.18.21 BOC Chatham 250 Presentation](#)

*Hilary Pollan, the Community Partners Analyst, delivered this presentation.*

*Chair Dasher and Vice Chair Hales thanked Ms. Pollan at the conclusion of her presentation and commended her for her hard work despite the challenging circumstances of the past year. Vice Chair Hales said she especially appreciated the Jordan Lake component of the project because it is such a fundamental part of the county. She said she also appreciated the Los Jets mobile exhibit and seeing how the middle schoolers at Chatham Middle engaged with it.*

*Commissioner Crawford said he was unable to attend the dam camp out but wanted to know if this was an event that might be offered again. Ms. Pollan said that, given the success of the first event, it would be offered again. Commissioner Crawford said this seemed like an important event and a good way to educate people about Jordan Lake and he hoped to see it continued. He thanked Ms. Pollan for her work.*

*Clerk Ray noted that Ms. Pollan had been great to work with and commended her for keeping everyone excited about the sesquicentennial activities throughout the year. She said she also wanted to thank Sarah Martin and Travis Patterson, her Chat Teens 250 co-leaders. She said it was an amazing group of young people. She said there would be a time capsule station at the upcoming Siler City fireworks display with the hopes of collecting items from some community youths.*

**This Agenda Item was received and filed.**

### **PUBLIC INPUT SESSION**

*Doug Sedlak*

*Mr Sedlak stated his concerns with the vaccination passports required to enter some events. He requested that the Board discontinue their use in Chatham County citing a detrimental, discriminatory effect on disabled, black, and Latinx communities. He stated that he had emailed the Commissioners regarding these concerns and had not heard back. He continued by saying that each of the Commissioners is in violation of their Code of Ethics by failing to respond to his emails. His final point was regarding the lack of masks being utilized in the beverage district. He stated the need for intervention by the Health Department.*

*Vice Chair Hales responded by saying that vaccination passports were not a function of local government but rather of individual businesses. She said that it is not the job of county government to issue or dictate policy for private businesses. She stated that the vaccine passport is not within the purview of the Board. Mr. Sedlak said that he understood but this issue was also pertaining to the issue of structural racism. He said that the Health Department had the authority to regulate local businesses.*

*Commissioner Crawford asked if he could respond to Mr. Sidlacks assertion that he was in violation of his code of ethics. Chair Dasher said he could. Commissioner Crawford said that, during the prior meeting, he had said that the Board would not be issuing any policies regarding the vaccine passport and had publicly requested that Mr. Sidlack stop emailing the Commissioners. Mr. Sedlak responded that he felt as though the Board members as well as the other members of staff that failed to respond were in violation of their codes of ethics.*

*Chair Dasher asked that the Board move on and requested that the next speaker be called upon.*

*George Chesney*

*George Chesney spoke in support of the Vickers Village development. He believes the development is well planned, inclusive, and well-integrated. He voiced his appreciation for the variety of proposed housing arrangements. He also expressed his interest in the included lawn maintenance, particularly as he ages. He hopes to buy one of the town houses in the development and likes that the community will have a nature reserve with walking trails and a commercial area that is convenient for residents. He also noted its proximity to public transit. He believes the development will offer reasonably priced housing and an increased tax benefit for the county.*

*Rose Krasnow*

*Ms. Krasnow stated she lives in Fearington Village and wanted to speak on the proposed Vickers Village development. She read a letter into the record that she and Liz Rolison previously provided to the BOC about the Vickers Village text amendment. She is concerned about the unintended consequences of the Vickers Village development's proposed text amendments to the Compact Communities Ordinance. She believes the text amendments encourage developers to propose extensions to the map.*

*Gary Sears*

*Gary Sears stated he is concerned about the latest tax increase in Chatham County. He stated he was the fourth generation of his family to live on his farm. He would like to allocate a different tax rate to new landowners than old landowners. He wants to be able to pay the property taxes and keep his land. Vice Chair Hales said that the land transfer tax was voted down in Chatham and it has sunset at the state level. She recommended that Mr. Sears speak with the Tax Office to find ways to reduce his tax*

bill.

Susie Crate submitted the following comments:

My name is Susie Crate and I have lived in and owned the property at 235 Bynum Church Rd, Bynum, NC since 1997. I am also a professor of Environmental Science and Policy. I understand in a deep way the challenges to Chatham County natural resources that this time brings and also the actions that need to be taken to protect and conserve those resources. I am writing today to urge you to allocate American Rescue Plan (ARP), Article 46 sales tax revenue and Parks Bond funds to address all of our (re: all Chatham County residents') urgent need to protect Chatham County greenspace, develop Chatham County trails and to overall make outdoor recreation a high priority. This is ever more important considering the substantial increase of residents due to Chatham Park and other developments that have been established recently and are in the works. I encourage you to use funds to protect Chatham's natural resources far into the future. This investment now will pay off many-fold down the line. To begin, I urge you to invest in stormwater management and drinking water protection infrastructure. One of the most cost-effective ways to manage stormwater is by enlarging and protecting greenspace, most importantly riparian buffers. This includes acquiring land and easements for greenspaces and trails along the Haw River corridor. Second, I ask you to invest in infrastructure that will bolster our recreational resources, for both Chatham residents and for visitors. This includes funds for developing trails and other infrastructure (canoe put-ins, visitor amenities, etc) along the Haw River corridor for both hiking and paddling. Not only do we need this infrastructure strengthened and developed to conserve our natural areas and protect them from erosion and overuse, it will also benefit county coffers and build back the local economy. People will want to come and see the beautiful trails and waterways of Chatham! Third, it is central to both of the above asks that the county hires a full-time Trails Coordinator. Such a position, once filled by a highly qualified professional, will ensure that all our efforts, from the county government to civil servants to citizens advocates, will be realized. Such a specialist will be able to coordinate efforts in a timely and purposeful manner. Alamance County has such a Trails Coordinator, and their work to date has improved the trails and brought an increase in usage by residents and visitors. Such a coordinator position is critical now with this onetime ARP funding because they will be responsible to see that the timely work of trails, greenspace and outdoor recreation, will be addressed. As a resident of the Bynum mill village, I am also increasingly concerned about the safety of my neighborhood. I and my neighbors have noticed the increased traffic along our streets due to visitation to the Bynum Mill site. At present, the main parking lot is only accessed by a narrow, potholed windy road that passes the church and eight residences. My concerns grew recently when we realized that out of town people were using a dumpster we had rented for renovations on our home. If visitors are going to do this, what next? Bynum prides itself as a tight-knit community where neighbors watch out for neighbors. However, if the increased traffic coming through our neighborhood is increasing the risk of questionable practices, how are we to maintain our community safety? Many of us strongly believe that one of the best ways to ensure less of these kinds of incidences is to relocate the Bynum Mill entrance away from the residential neighborhood by building a new roadway between the smaller parking lot on Bynum Road at the mill entrance near the pedestrian bridge that connects to the larger parking lot by the canoe put-in and trailhead. Once that road is established, the entrance to the parking lot on Bynum Church Road can be closed and our community will be safer. In closing, let me say that I appreciate your time considering my appeals and I look forward to your response.

## **BOARD PRIORITIES**

[21-3970](#)

Vote on a request to approve a legislative request by the Vickers Bennett Group LLC for text and map amendments to the Chatham County Compact Community Ordinance specifically Section 6.1, p 3 for an expansion of the CCO map and text amendments to support the expansion of area request.

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

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

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

**Aye:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard

[21-4049](#)

Vote on a request by Zach Daugherty on behalf of Garden Street Communities Southeast, LLC for conservation subdivision **First Plat** review and approval of **Savannah Ridge**, consisting of 158 lots on 150.58 acres, located off Moncure School Road, SR-1931, parcels #11229.

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

*The application was withdrawn, and this item was removed from the agenda.*

## **PUBLIC HEARINGS**

[21-4047](#)

A legislative public hearing for a request by the Chatham County Board of Commissioners to consider amendments to the Chatham County Subdivision Regulations; specifically, Sections 1.13, Variances; 2.3, Meaning of Specific Words and Terms; 6.4, Final Plat, subsection B, Features; 5.2B Concept Plan; and 7.7 Conservation Subdivision - Alternative Standards for Development; and to the Chatham County Conservation Subdivision Guidelines for Conservation Space Selection to include an appeals process of staff decisions, remove the option allowing off-site septic systems for subdivision lots, require environmental impact assessments be reviewed by the Environmental Review Advisory Committee, and revise conservation subdivision development standards and guidelines.

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

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

*Chair Dasher asked if the ERAC would review the adequacy of the EIA and if they had the authority to direct changes. County Attorney Bob Hagemann responded that Mr. Sullivan had asked him to review the entire set of amendments, and this is one he*

*anticipated raising some concerns. He said he would be writing a response to Mr. Sullivan to this effect, and it would be shared with the Board.*

*Commissioner Crawford stated that not everyone on the ERAC has the credentials or expertise to review a professional instrument on the environment. He said that he did not mind another set of eyes on sensitive issues but expressed his concerns about what exactly the ERAC would be doing in conducting reviews.*

*Vice Chair Hales said that as she understood it, this request was more for the ERAC to be a part of the process. Mr. Sullivan noted that, as it is worded, this would give the ERAC the authority to review the adequacy of the EIA and the peer review of it.*

*Vice Chair Hales said that the Appearance Commission reviews a plan, makes a recommendation and their recommendations are usually incorporated. She asked if this was because it is a state sanctioned body as opposed to a county advisory committee. Mr. Sullivan said that for commercial sites that are not part of a conditional district rezoning, the Appearance Commissions reviews and approves the plans.*

*Commissioner Crawford reiterated that he believes conducting such reviews requires a level of expertise so implementing this change should require careful consideration.*

*Mr. Sullivan noted that, unlike actions by the Appearance Commission which are regulatory tools, the EIA is an information gathering process that provides supplemental information.*

*Vice Chair Hales stated that she thinks this requires more discussion at the Planning Board level. She is concerned that this might be a little too much responsibility to throw at the Environmental Review Advisory Committee.*

*Commissioner Crawford asked for some illustrations to aid in his understanding of what Mr. Sullivan reviewed pertaining to 7.7. Mr. Sullivan gave examples of a stand containing a nice mix of mature hardwoods or a unique upland wetland pool. He said the McBane subdivision is a good example of where the Natural Heritage Program identified areas of higher quality and the applicant said this is the highest quality property and set those pieces aside.*

*Chair Dasher and Commissioner Crawford continued to discuss the implications of this action to include examples. They generally expressed that they see value in this.*

*Chair Dasher did say that there were a couple items he would like further clarification on when this comes back. He indicated that he was trying to understand what caused the Planning Board and staff concern. Mr. Sullivan said that primarily the Planning Board has concerns about septic runoff and people potentially not knowing about these areas in which septic is going. Mr. Sullivan said he would ask the Planning Board to provide some further specifics for Chair Dasher regarding their rationale for the request. He said that he had also been speaking with the Environmental Health Director and she would be providing some comments to be included in the Planning Board discussion.*

*Chair Dasher said he also would like to hear from the Planning Board about the density allowance.*

*Vice Chair Hales asked if this kind of subdivision exists in any neighboring counties. Mr. Sullivan said he wasn't sure.*

*The Board discussed some of the various projects they had heard about that were embracing unconventional methods of development to maximize affordability and responsible density.*

*These subdivision regulations are being introduced out of a need for stop-gap measures while the UDO is still pending.*

*Mark Ashness of the CE Group was asked to speak briefly on some of the matters that had been discussed. Mr. Ashness said that, while the ERB has some very sharp, technically minded individuals, he had some concerns about them reviewing a professionally prepared technical document. He said it might make sense for the ERB to review the initial submittal and provide feedback to the consultant to be incorporated into the consultant's analysis. He said that if it is not done this way, there is a risk of a continuous loop wherein the ERB sends the document back to the third-party consultant with comments after which the document would be resubmitted to the consultant. He expressed concern that this would extend the amount of time this process would take. He advised that should the ERB be involved, they should be so at the outset.*

*Mr. Ashness said he would also like to respond to Chair Dasher's comments regarding incentives and density. He said zoning is somewhat exclusionary. He said the soils has long been the restrictive feature in Chatham. He stated that a one-acre lot is not inclusionary. He said that, if you look at some of the peer areas, the densities are higher.*

*Commissioner Crawford commented that this is important work because what is being discussed is the DNA of neighborhoods. Chair Dasher echoed this sentiment and said he would like to see this used. Vice Chair Hales commented that she liked Mr. Ashness's proposal for the ERAC's role.*

*Chair Dasher asked if there was anything about the Conservation Subdivision that could not just be the Subdivision Regulations. Mr. Sullivan said there was not. He said there was broad discretion in how Subdivision Regulations are set up. Commissioner Crawford said he would like to see that and that it sends the right message. He said that he would like to see concepts from the Conservation Subdivision in the UDO.*

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

### [21-4048](#)

A Legislative public hearing for a request by the Chatham County Planning and Watershed Protection Departments to consider amendments to the Chatham County Watershed Protection Ordinance; specifically, Article 100 Section 103 (D) Exceptions to Applicability; Section 106 (A) Remedies; Section 109 General Definitions; Article 500 Section 501 Watershed Administrator and Duties; and updating department and division titles throughout the document.

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

*Planner Hunter Glenn reviewed the specifics of the request.*

*Vice Chair Hales asked if it was the job of the Watershed Administrator to check all of the stormwater contrivances. County Manager Dan LaMontagne said that the Watershed Administrator was there to ensure that these inspections are occurring. He*

said it is not for them to do the inspections but rather to maintain the records and ensure that proper inspections are being performed and that maintenance is being done. Vice Chair Hales asked if there was some sort of file in Chatham County. Mr. LaMontagne stated there was.

Mr. Glenn said there are no substantial policy changes. This has just been brought forth in an effort to keep up with the State Model Ordinance.

**This Agenda Item was referred to the Watershed Review Board.**

## **CLERK'S REPORT**

Clerk to the Board Lindsay Ray stated she would RSVP for the Seaforth ribbon cutting on behalf of the Commissioners.

Ray stated that she has registered all of the Commissioners except Chair Dasher for the Triangle J Summit.

Ray stated that the Board of Commissioners will have a meeting on November 1st.

## **MANAGER'S REPORT**

County Manager Dan LaMontagne gave an update on the Unified Development Ordinance. The project is currently in Stage 1, which includes scheduling listening sessions with county departments, boards, and advisory committees. So far, sessions have been set up with the Planning Board and the Agricultural Advisory Board and are yet to be scheduled for the Board of Health, ERAC, Climate Change Advisory Committee, the Board of Commissioners, the Appearance Commission, the Affordable Housing Advisory Committee and the Technical Review Committee. He said that was not a comprehensive list of the groups but those are the ones they are starting with. He said that the website is also being developed for the project.

Chair Dasher asked if the intent of the meetings with advisory committees is to get input. Planning Director Jason Sullivan stated the meetings are an initial kickoff and then gathering feedback.

Mr. LaMontagne gave an update on the collection centers. The county has hired two additional Solid Waste drivers who are in training. He hopes the centers will all be back open soon.

Mr. LaMontagne stated applications for the Wastewater Study Commission are coming in. He hopes to present those applications to the Board in November.

## **COMMISSIONERS' REPORTS**

Commissioner Gomez Flores did not have anything to report.

Commissioner Crawford acknowledged the passing of Colin Powell. He encouraged everyone to be patient as we continue to deal with COVID-19.

Vice Chair Hales attended the Jordan Lake One Water meeting. Jordan Lake One Water is looking at several avenues for cleaning up Jordan Lake. Vice Chair Hales recommended Commissioners do a site visit for planning applications. She stated it helps provide context for planning applications. She also stated she was delighted to

*attend the Los Jets presentation at Chatham Middle School.*

*Chair Dasher did not have anything to report.*

## **ADJOURNMENT**

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

**Aye:** 4 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, and Commissioner Crawford

**Absent:** 1 - Vice Chair Howard