



Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, November 4, 2024

2:00 PM

Historic Courthouse Courtroom

Work Session - 2:00 PM - Historic Courthouse Courtroom

Present: 5 - Chair Mike Dasher, Commissioner David Delaney, Commissioner Franklin Gomez Flores, Commissioner Katie Kenlan and Karen Howard

ADJUSTMENTS AND APPROVAL OF WORK SESSION AGENDA

A motion was made by Vice Chair Howard, seconded by Commissioner Kenlan, that the work session agenda be approved. The motion failed by the following vote:

Aye: 5 - Chair Dasher, Vice Chair Howard, Commissioner Delaney, Commissioner Gomez Flores, and Commissioner Kenlan

PUBLIC COMMENT SESSION

[24-5643](#)

The Public Comment Session is held to give residents 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 asked to sign up in advance. Comments are always welcome in writing.

Attachments: [Click Here To Sign Up For Public Comment](#)

Susie Crate

There is a new development threatening the Bynum community that you may not be aware of. And it has happened without sufficient communication with and input from the Bynum community. It is happening in the large parking area at the Lower Haw State Natural Area on the grounds of the prior Bynum Mill, a place that is already problematic: where we regularly call 911 to come break up 2am parties blasting music and shooting fireworks where we find condoms and drug paraphernalia there when walking with our children where we see police there doing drug busts and where cars and truck speed through our neighborhood day and night to get there With this new development they have taken out trees and shrubs that provided both a visual and a noise buffer for not only the residents who live directly adjacent, but for all in the community who daily walk their dogs, bike and hike about the neighborhood are putting in bathrooms, which will only invite more activity in the area, and especially at night, no doubt exacerbating the existing problems outlined above are redesigning the lot, which will no doubt increase traffic through our neighborhood streets. The Bynum community is very concerned. We reached out to county staff member Ben Rippe about our concerns, she said the BOC may not be aware since you were not required to approve the project and advised us to reach out via a general contact form to the State Park director. We do not feel a state level director will be able to fully appreciate the local concerns of this problem, let alone via a general contact form. We come to

you, our board of commissioners, to request more local intervention. Here are some of the requests we are making to the county to coordinate with the State Parks to best support our Bynum community: Replant open areas where there once were buffers to restore the natural buffer. Use only motion-sensitive lighting, which is the best option for wildlife in the area, and to maintain the dark skies that the community enjoys. Install a gate to open and close the park at dawn and dusk to minimize ruffian activity at night. Open and close the bathrooms at dawn and dusk. Prioritize building a road from the bridge parking lot to the lower lot so traffic does not come through our neighborhood. There are no restrictions from State Historic Preservation Office or Office State Archaeology to doing this. In Bynum we pride ourselves in having a robust community where neighbors look out for neighbors, where we have community events, multiple programs, and take pride in our history and our work today. We are about to get national Historic Designation for our community, and we thank you for your approval of part of the funding for that. But we believe it is all for naught if we do not get the protective measures we request as the county and state are making Bynum a regional attraction. In short, ANY development that occurs within Bynum should involve and be sensitive to the needs of the Bynum community. We ask for your assistance in seeking this. Thank you for your attention.

Melisa Semenov

Thank you for your time and dedication to serving the citizens of Chatham County. I am here today to speak about the upcoming agenda item on the Unified Development Ordinance and zoning related to Elmer Keck Rock. I appreciate your attention to this matter, which has significant implications for the future of Hickory Mountain Township and the surrounding rural landscape. Elmer Keck Road is situated within an area that has long been characterized by its expansive, rural nature. This quality is an essential part of the township's identity, as well as its appeal to residents who value the space, tranquility, and the community's historic character.

This Agenda Item was received and filed

BOARD PRIORITIES

[24-5612](#)

Review and discuss public input and Planning Board recommendations on the Unified Development Ordinance and facilitate discussion to offer guidance for the final draft

Attachments:

[Planning Board Motions & Staff Input Final](#)

[BOC - UDO Direction Questions](#)

[UDO Scenarios Chatham Calculations ELMER KECK](#)

[UDO Scenarios Chatham Calculations WILLIAMS CORNER](#)

[Open Space Density Bonus Scenarios](#)

Assistant Planning Director Chance Mullis and consultants with White and Smith Planning and Law Group reviewed the Unified Development Ordinance. The group reviewed outstanding questions and topics with the Board of Commissioners including the Open Space Density, General Use Districts, Conditional Districts, Affordable Housing, Open Space and Riparian Buffers, Agriculture Zoning Districts, Open Space and Tree Protection, and Tree Planting. The group shared proposed scenarios with the Board of Commissioners.

The Board of Commissioners reviewed each section and gave feedback to Planning Staff and the consultants. Additional discussion included public notification and

landscaping.

The consensus of the Board of Commissioners was to move forward with the changes discussed.

This Agenda Item was received and filed

End of Work Session

CLOSED SESSION

[24-5641](#)

Vote to go into Closed Session § 143-318.11(a)(4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Katie Kenlan, to go into Closed Session § 143-318.11(a)(4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The motion carried by the following vote:

Aye: 5 - Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores, Commissioner Kenlan, and Howard

[24-5642](#)

Vote to come out of closed session

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Kenlan, to come out of closed session. The motion carried by the following vote:

Aye: 5 - Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores, Commissioner Kenlan, and Howard

RECESS

The Board of Commissioners recessed at 5:05pm.

Regular Session - 6:00 PM - Historic Courthouse Courtroom

Present: 5 - Vice Chair Karen Howard, Chair Mike Dasher, Commissioner Katie Kenlan, Commissioner David Delaney and Commissioner Franklin Gomez Flores

CALL TO ORDER

Chair Dasher called the meeting to order at 6:00 pm.

INVOCATION and PLEDGE OF ALLEGIANCE

Chair Dasher asked for a moment of silence and then lead those present in the Pledge

of Allegiance.

ADJUSTMENTS AND APPROVAL OF REGULAR SESSION AGENDA

Chair Dasher asked for any adjustments to the agenda. Clerk to the Board Jenifer Johnson requested the addition of the vote to apply for the United States Department of Energy Energy Efficiency and Conservation Block Grant for county facilities to the consent agenda.

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that the agenda was approved as amended. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

APPROVAL OF CONSENT AGENDA

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that the consent agenda was approved as amended. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5622](#)

Vote to approve the May 2, 2022 Work and Regular Session Minutes

Attachments: [5-2-2022 Minutes Draft as of 10-26-2024](#)

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that the May 2, 2022 Work and Regular Session Minutes be approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5623](#)

Vote to approve the May 16, 2022 Work and Regular Session Minutes

Attachments: [5-16-2022 Minutes Draft as of 10-26-2022](#)

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that the May 16, 2022 Work and Regular Session Minutes be approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5625](#)

Vote to approve the June 6, 2022 Work and Regular Session Minutes

Attachments: [6-6-2022 Minutes Draft as of 10-26-2024](#)

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that the June 6, 2022 Work and Regular Session Minutes be approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5624](#)

Vote to approve the June 21, 2022 Work and Regular Session Minutes

Attachments: [6-21-2022 Minutes Draft as of 10-26-2024](#)

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that the June 21, 2022 Work and Regular Session Minutes be approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5597](#)

Vote to approve the September 16, 2024 Work and Regular Session Minutes

Attachments: [9-16-2024 Minutes Draft](#)

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that the September 16, 2024 Work and Regular Session Minutes be approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5620](#)

Vote to appoint Jeff Wilson as an Alternate member of the Board of Equalization and Review with the term expiring on December 31, 2027

Attachments: [Jeff Wilson - Advisory Committee Application - Equalization and Review](#)

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, to appoint Jeff Wilson as an Alternate member of the Board of Equalization and Review with the term expiring on December 31, 2027. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5610](#)

Vote to approve Fiscal Year 2024-2025 Budget Amendments

Attachments: [Budget Amendment 2024-2025 Nov 4](#)

A motion was made by Commissioner Kenlan, seconded by Vice Chair Howard, to approve Fiscal Year 2024-2025 Budget Amendments as presented. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5773](#)

Vote to apply for the United States Department of Energy Energy Efficiency and Conservation Block Grant for county facilities

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, to apply for the United States Department of Energy Energy Efficiency and Conservation Block Grant for county facilities. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

End of Consent Agenda

SPECIAL PRESENTATION

[24-5611](#)

Vote to adopt a resolution supporting Operation Green Light for Veterans

Attachments: [2024 Operation GreenLight Resolution](#)

Chair Dasher asked Commissioner Delaney to read aloud the Operation Green Light for Veterans Resolution.

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Franklin Gomez Flores, that the 24-51 Resolution supporting Operation Green Light for Veterans was adopted. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

PUBLIC COMMENT SESSION

[24-5644](#)

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Melissa Frey

Hello Commissioners, thank you again for your time addressing the various issues concerning Chatham County; I know it is not easy. We are here again tonight opposing the rezoning proposal for a Dollar General at the intersection of HWY 87 and Castle Rock Farm Rd in Hadley Township. This entire area, including the proposed DG location, is currently zoned R-1 residential. There is a parcel at the intersection zoned light industrial and community members would welcome an appropriately sized and preferably locally-owned business providing a needed service in that location but that is a different matter. For the moment, current zoning must mean something. We have recently heard a planning board member talk about current zoning as a place holder. A place holder until what or when If zoning can be changed on a whim or because some influential corporate interest asks for it to be changed, then there is no need to have any zoning. If zoning is to be relevant and protective of community goals, it must have staying power against moneyed interests and it must withstand the changing dispositions of individual commissioners over time. The area of Hadley Township in question is a large swath of rural residential, agricultural and conservancy lands. There is a certain way of life in this area and a certain benefit it provides to all that live, visit or pass through it. Its cooler (literally, you can feel the temp drop 5-10 degrees as you drive out Jones Ferry Road or up 87 from more congested areas), its quieter, its darker, it has dense woods and open vistas. It has camping and day camps; and lodging and special event space out in the country; and private dog parks and farm sanctuaries; and horse boarding and lesson facilities and cattle raising and feed crops; and small, sustainable farms. And we need it to stay R-1. We need that to mean something. Those of us who have been in Hadley for 50 years and those that have

been here for 5, we bought in to rural life. Our voices, and current zoning, should be more than sufficient to keep it that way.

William Cummings

Howdy, folks? Nice to be back. Okay, I'm good to go. You may remember I was here at the last meeting on this issue and others. But I was here last night with Dan Sundberg. Your chair of the Appearance Commission here for the Historical Association meeting and lecture and we talked after that and complimented him on some of what the Appearance Commission did. He apologized, and said he wished he could have done more, and he personally was behind our concerns. But there's only so much the appearance Commission can do. And I said, well, Dan, don't feel so bad, because in the minutes, and I'm the only one member of the public that's identified. I was making comments at that meeting. I said, you made a really powerful and important statement you said, and I left my notes in the car. But I can paraphrase what Dan said that night, and how he instructed the commission. He said, this is a really important decision. There's nothing like this proposed nothing like this between Pittsboro and Eli Whitney. Whatever we do it's going to set a precedent. And he said, it is really a sensitive subject, and really important, because the highway 87 corridor is rural, and we need to do the right thing. Well, unfortunately, the minutes don't really reflect what people expressed at that meeting, and the developers report on the public meeting for the Zoning Commission don't either. And the findings that they presented. You'll see all this as it gets closer to your desk. But we're here now to kind of sensitize you a little bit to that. So, I wanted to share what Dan had said, and my own feeling is that it will set a precedent. And when I look at what's going on there to land around the Hadley area. What does that mean? I feel like the crosshairs are on us up there that we're a target. And these crossroad communities, I'm unsure what they are with the Udo. And I don't. I don't know if you do know what they are, either. Anyone. There are no implementing orders on that, and I don't want to be in the last neighborhood that gets ravaged before the UDO is adopted. So, I'm urging you to be patient and don't rush into a decision about this rezoning. Now I'm quickly going to move, because I have another. My neighbors are here, and they're going to bring up other things. I was dismayed. This weekend once again as a poll worker working for the county among three hundred other poll workers right. The county wouldn't work without volunteers. You guys know it. I know it. And to find that once again people were unable to use the bathroom in the Ag center. It's a voter's right. And I told you last week that I thought you should apologize to us and to the voters, both the poll workers, and you make resolutions about all kinds of things. I think you should make a resolution to thank all the 300 poll workers in the county and do something with the Ag center. If one old person or infirm person couldn't vote because of that, we're at fault. I don't think it's an ADA complaint. I think it's a crime, really, it's voter suppression. And so, please, while you still have a chance, do something about that we don't want to be a county that prevents people from voting for that kind of a silly thing.

Whitney Schmidt

Good evening. Like many of our neighbors in the Hadley area, my family owns and operates a farm. We are a 30-acre farm that provides for our family. Some families around us, and occasionally local chefs depending on what is needed and by whom? We provide community gathering space and respite stays and welcome visitors to the area to experience the beauty of a dark night sky for a rare aurora borealis. Viewing or two, feed a cow for the first time, or marvel at the real-life miracle of finding an egg under a chicken who has made her nest in an unexpected place, probably outside of anything we built for egg laying and then using that egg for breakfast or for a cake in our guest home as residents of this county. My experience that has been with everyone that even our daily exposure to the beauty here does not cause us to lose sight of the

absolute uniqueness of the area and our collective good fortune at the privilege we have of living here. Everyone, I know, feels the consequent responsibility of safeguarding this natural resource that we call home those who do not live here, but who peruse our land on Google Earth or in the GIS, may not appreciate the fierce loyalty we Chatamites have to our surroundings. I experienced firsthand, and on a regular basis, the awe of visitors as they arrive at our farm for an event or for a visit. I often hear this place is so beautiful. The ride out here was spectacular. We didn't know. Areas like this still existed, and my favorite Instacart delivers out here, and they do. Recently, my daughter, who is 17, an age where many teens and young adults are contemplating an escape from their hometowns, expressed deep concern over the prospect of being at the mercy of typical development in our rural agricultural area. She said, and I quote, I want to live here forever. But I don't want my home to be ruined by people who don't care that I love it exactly as it is. Zoning is our greatest land protection. The parcel is just north of Castle Rock Farm Road, on 87 is zoned residential. The parcel is surrounded by active farms, conservation land by parkland. The neighbors in the Hadley area depend on this zoning to protect our homes, our rural feel and our livelihoods. We appeal to the Commissioners to deny the rezoning request submitted by land and forest equity as incompatible with the surrounding area as well as the land. Use goals of the county, and we further implore you to consider removing the community crossroads label from this intersection entirely, so that the property and the land around it remains protected from the type of development that a dollar general or store of this type would bring. We thank the Commissioners for your vision, your guidance, and your openness on this matter.

DL Lucero

Commissioners, ladies and gentlemen, thank you for your time tonight and all the hours you have spent and will spend deciding on these issues. My name is DL Lucero. My wife, children, and I own and operate our sheep farm on Castle Rock Farm Road. We are registered meat handlers in NC and provide lambs and lamb products to our community, which we love. I would like to speak against the encroachment of Dollar General stores into our rural and farming communities and in support of our local farms and farmers. Dollar General's business model relies on cheap, imported goods. This undercuts local businesses, including our farmers' markets and roadside stands, where you can find fresh, locally grown produce and goods. When you choose Dollar General over our farmers, you're not just choosing a cheaper price tag, you're choosing to weaken the backbone of our local economy. Our farmers are the lifeblood of our rural community and we provide fresh, healthy food, support our local businesses, and contribute to the vibrant character of our town. When we support our farmers, we're investing in sustainability - we ensure that future generations can enjoy the same quality of life we have today. Dollar General's presence also impacts our environment. Their reliance on cheap, often plastic-wrapped goods contributes to waste and pollution. In fact, their design plan is to rip out hundreds of trees and plants and replace them with asphalt and concrete. In contrast, our local farmers aim to prioritize sustainable practices, reducing our environmental footprint and preserving our natural resources. By choosing to shop at local farmers' markets and directly from our farmers, you're not just making a personal choice; you're making a statement about the kind of community you want us to live in. A community that values local businesses, supports sustainable practices, and focuses on the health and well-being of its residents. Reclaim our farming communities from the corporate chains and support our local farmers. Together, we can create a brighter future for ourselves and generations to come. Thank you.

Robert Maurey

Good evening. Thank you for allowing me to speak. I am here to speak on the UDO

and on Hadley Mill Road, though the opposite end of the county, from where these folks are my wife and I, Peggy Marion own a horse operation on 1921 Hadley Mill Road. The back of our farm joins up to the proposed development. I think that's what UDO three scenarios you looked at or are looking at right now is based on and I'm here to speak on behalf of what we support in that area. I represent a little over two hundred people who have signed a petition who are supportive of seeing the rural agriculture supported in that area, and any development that's done be done in concern with the rural atmosphere we're in. Now they also recognize that you have a rough job. You are going to have people that want to develop and want to sell land, make profit. We understand it. And the three scenarios you are looking at in the Ag scenario. The Ag scenario both provides more acreage per lot size. The scenario was one acre, basically which I think it is zoned right now. These folks do not support residential development. Let me give you a quick example of one of the reasons why, this is what happened to Peggy and me. We bought our farm twenty-two years ago. We had a great two-acre pond in front of the pond in front of the farm. Over time we watched this two-acre pond of road to where it was a mud hole, and then just a dry lot. Every time it rained it would fill back up and it would leak back out. This pond had been there for many decades. I called my coworkers at NC State, where I served as a full professor and got the agricultural environmental people out there in water quality. They tested the pond after it rained. Put methylene blue in it, which is a dye that can be measured where it runs off. Sure enough, when there was no dye showing up running off into other ponds or into a stream. It was leaking out the bottom. I was wondering, how can that happen to an old pond? They said, very easy, it is the water table underneath the pond. As you drill more and more wells you reduce the water table, which reduces the pressure in the bottom of the pond and leaves water out. That was a major water point for the fire department in our area, not to mention our security if we lost electricity with the livestock and watering. So, I would ask you to think about things that have been the environment, not just trees and rural life, but also water quality. And what is happening? I know we do not have water and sewer right now in our county. It's coming eventually. But in the meantime, be thoughtful of that. And those two hundred people do support the Ag rule scenario, but do not support the one acre per resident scenario. Thank you.

Written Comments

Gretchen Smith

During the FY 2026-2032 CIP approval process, I hope the Board of Commissioners will pursue funding options for trail projects described in the attached document. This document was provided to the BOC by the Budget department at your August 19th meeting. I appreciate the work the Budget department has put into researching these funding options and creating this thoughtful analysis of options available to local governments for investing in trails and open space. Chatham County has historically relied on grants to fund its Parks & Recreation capital projects, but grants are highly competitive and not easy to get. Relying on grant funding has resulted in very slow progress in implementing the multitude of master plans, expansion plans, redevelopment plans, and trails and greenway plans that go back as far as 2008 and have an estimated total cost of over \$57 million, which has certainly increased significantly with inflation. As the attached document points out, the Article 46 sales tax is a relatively recent funding source for Parks & Recreation but development of the new Parkers Ridge Park in Moncure is utilizing most of that Article 46 revenue designated for parks. As a long-time Chatham County resident and advocate for more trails and open space in our county, I would like to encourage the BOC to pursue two of these funding options in particular: General Obligation Bonds and a concept known as Penny for Parks & Trails. General Obligation Bonds (GO Bonds) have a high success rate of getting voter approval. Many county and municipal governments in

North Carolina use GO Bonds for parks, trails, and open space because this tool can provide substantial, immediate funding for projects. Both Chapel Hill and Durham have park bond voter referendums on the ballot this November. Some examples of other local governments parks, trails, and open space bonds include Buncombe Countys \$30 million passed in 2022, Matthews \$14 million passed in 2022, Wake Forests \$22.4 million passed in 2022, and Lee Countys \$25 million passed in 2020. If Chatham County would like assistance with exploring bond referendums, Buncombe County Board of Commissioners engaged the nonprofit Trust for Public Land for providing feasibility research, public opinion surveys, and technical advice prior to putting its bond referendum to voters. A concept known as Penny for Parks or Penny for Parks & Trails is being used by Chapel Hill, Durham, and Raleigh. These local governments are successfully using this type of dedicated funding stream in a way that is popular, easy to understand, and shows visible results to the public. It also helps that it has a catchy name like Penny for Parks & Trails! This year, during your consideration of the recommended CIP, I urge you to take advantage of these additional funding options for trail projects. Let us help make North Carolina the Great Trails State by making Chatham County a great trails county that both county residents and visitors will love. Thank you.

Christina Infanti

My name is Christina Infanti and my husband and I live on the property directly across from the proposed Dollar General site on the corner of Highway 87 and Castle Rock Farm Rd. We are lifetime residents of North Carolina and have been enjoying living in Chatham County for the past 3 years. We are strongly opposed to the rezoning of parcel 88537 for many reasons, but largely due to the increased traffic (and traffic accidents) that will result from the approval of this proposal. In addition to the unclear road widening and addition of a turn lane, we are concerned with how this widening will affect our property line. DOT has stated that they are unaware of the proposal, so this rezoning must wait until a proper traffic survey has been conducted. As this intersection is already quite unsafe, adding a turn lane from a 55 mph road will create an even more dangerous traffic pattern. With Highway 87 being a main through-way to connect I-40/I-85 and Highway 64, a mere turn lane will cause disruption to the high-speed travel of commercial vehicles that utilize these routes daily. With cars entering and exiting the proposed lot, the intersection will only become more dangerous and cause more collisions. I want to emphasize that we are not opposed to growth in our county, but we want to preserve the rural nature that drew us to this amazing piece of Chatham County. We urge you to vote no to this rezoning request to keep our roadways safe and to uphold the rural character of this historic piece of our county.

Steve Jenisch

UDO Review: Clarification and Revision Request. The draft UDO introduces a new zoning district, Rural Highway Commercial (RHC). The district aggregates a range of agricultural, retail, service, manufacturing, transportation, warehousing, and industrial uses. The definition of the RHC district includes Location indications of where implementation of the district is considered generally appropriate in the context of the Plan Chatham land use map, citing Employment Center as well as Agriculture and Rural areas at some arterial highway interchanges. The Location description also includes a clause which states "may be appropriate in areas designated as Village & Village Center and Crossroad Community if compatible with nearby land uses". It is the assertion of "Crossroad Community" appropriateness within this clause that is objected to. This statement is in conflict with and appears intended in effect to amend Plan Chatham. The objection is backed by the 2023 Aaron Horton Toothbrush, LLC rezoning application experience. Specifically, neighborhood opposition arguments, legal analysis, and a Planning Board unanimous denial recommendation reinforce Plan

Chatham's intent. The Aaron Horton Toothbrush, LLC application sought to rezone a parcel within a Crossroad Community node at the intersection of 15-501 and Mt. View Church Road from R1 (residential) to IL (light industrial). The indicated intended use was to provide contractors in need of workspaces a facility to house production, warehousing, and office operations with two 5,000 sq.ft. "flex space" buildings. One of the arguments against approval of the rezoning was based on Plan Chatham's mix-of use statement within the Crossroad Community place type. Another was that the intended business operations offer no benefit to the immediate community while imposing significant direct adverse impacts and risks. Concerning the Villages place type, Plan Chatham states: "These historic centers and newer pedestrian scale villages accommodate small-scale, local-serving retail, office, institutional, and service uses, restaurants, and some residential. Light Industrial uses, with minimal impact on surrounding residential developments are appropriate if appropriately designed." Concerning the Crossroad Community place type, Plan Chatham states: "Smaller than villages, these communities are within rural areas and typically have a minimal amount of retail and institutional uses. Mix of uses include single-family residential, some agriculture support services, limited supporting retail, and institutional uses." Plan Chatham does not define "small-scale, local-serving", however the UDO does within the Rural Village (RV) district definition: "'Small scale, local-serving' means a use that is designed to meet the needs of the immediate community rather than serving a broader regional market." It should also be noted that the Rural Village district description indicates that Villages and Crossroad Community place types are generally appropriate locations, and further, that the Principal Use table enumerates uses for the district that can be interpreted as aligning with the "small-scale, local-serving" characterization. It follows that non-residential activity within a designated Village or Crossroad Community place type is intended to primarily serve the surrounding residential community. It's a fair conclusion that the allowance of minimal light industrial uses within the larger Villages place type is the ability for the impacts of such operations to be absorbed, so as to become "hidden", within existing development centers (and likely intended to be limited by conditional use restrictions). Another relevant consideration is that Plan Chatham was written in the context of the 2017 Zoning Ordinance use classifications. Simply creating a new zoning district and assigning to it uses classified as IL in 2017 does not nullify the policy argument against IL uses within Crossroad Community nodes. For example, "storage warehouses" are restricted within the 2017 Zoning Ordinance to light and heavy industrial districts. The adverse impacts remain unchanged by reclassification. It should further be observed that the expansive span of uses allowed within the RHC district also exposes residents in the surrounding area to differing degrees of adverse impacts; the potential retail service sector impacts are likely quite different than industrial sector impacts. A general use approval for RHC permits any use within the district. The Planning Board unanimously recommended denial of the rezoning application, citing: "The rezoning request does not support the Comprehensive Plan with respect to not providing protection for environmentally sensitive areas, does not maintain rural character and preservation of safe, healthy activities of local residents, and is not consistent with the intent of a Crossroad Community node." A legal memorandum delivered an opinion that an approval of the application would likely be considered illegal spot zoning, failing the "reasonable basis" test. The objected-to text should be struck from the UDO prior to adoption. If the Planning Department wishes to revise Plan Chatham, they should follow the comprehensive plan amendment process, so that the community can engage in a transparent discussion regarding the perceived general public need for the change relative to the adverse impacts on an immediate community. The links below are provided so that you can readily review the Aaron Horton Toothbrush, LLC rezoning application documents. Please do, they're quick reads.

This Agenda Item was received and filed

BOARD PRIORITIES[24-5613](#)

Vote to approve a resolution approving an Interlocal Agreement to merge the County's water system with the City of Sanford

Attachments: [Water System Merger Presentation 11-4-2024](#)
[Resolution Approving Merger Agreement with City of Sanford 11-4-2024](#)
[Utility Merger Agreement with City of Sanford 11-4-2024](#)

County Manager Dan LaMontagne presented merger agreement highlights, which included Governance, Land Use Control, Chatham County Unified Development Ordinance will control development

LaMontagne shared a list of specific projects and the use of funds.

LaMontagne stated that water bills will come from TriRiver Water instead of Chatham County and that a ten percent increase of water rates previously planned for July 1st that will go into effect on March 1st. The System Development Fees for new connections will increase March 1st from \$5,000 for a typical residential single-family home, to \$8,000. A System Development Fees study was completed recently that recommended \$8,616. Customers account numbers will change, but automatic back draft will transfer.

LaMontagne stated that the city shall make an offer of employment to all county employees with no less than their current salary and shall include benefits and perquisites substantially equal to those of current city employees in similar positions. Employees leave accumulation will be calculated with length of service to the County credited as length of service with the City and they will retain previously accrued sick leave and vacation leave.

LaMontagne shared a map of the existing water system.

The Board of Commissioners discussed future growth, water quality, Western Intake allocation, Gulf-Goldston Water and a north-east demand study.

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that the 24-52 Resolution approving an Interlocal Agreement to merge the County's water system with the City of Sanford was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5614](#)

Vote to approve an ordinance adopting water System Development Fees effective March 1, 2025

Attachments: [Ordinance Adopting the System Development Fees 11-4-2024](#)

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that an ordinance adopting water System Development Fees effective March 1, 2025 was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5615](#)

Vote to approve an amendment to water rates effective March 1, 2025

Attachments: [2024 Water Rates and Fees \(2\)](#)
[March 1 2025 Water Rates and Fees proposed \(1\)](#)

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that an amendment to water rates effective March 1, 2025 was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5617](#)

Continue the American Rescue Plan Act Funds Quarterly Update from the October 21, 2024 meeting

Attachments: [ARPA Funding Discussion \(002\)](#)

Budget and Management Analyst Will Curvin reviewed the previous update for American Rescue Plan Act. Curvin stated that \$2,000,000 of the county's American Rescue Plan Act award needs to be reallocated before December 31, 2024 in order to meet the obligation deadline. This is due to HB10, now scheduled for an override vote in the House November 19th. If the senate overrides, the county will not be able to provide a match for the North Carolina Department of Information Technology Completing Access to Broadband program for broadband infrastructure. Instead, the state will fund the project without a match.

Curvin stated that the obligation deadline is just two months away. The \$10 million used for revenue replacement, freeing up local dollars, referred to as ARPA-enabled funds used for a variety of ARPA projects, are not subject to this deadline. Expenditures must comply with local policies, state law, and uniform guidance (UG).

Curvin stated under the ARPA award an obligation is an order placed for property and services and entering into contracts, sub-awards, and similar transactions that require payment. After obligation, the funds must be spent by December 31st, 2026.

Curvin shared a potential solution of a CIP project for HVAC installation at existing gyms is scheduled for FY28, estimated to cost \$3,085,589. This project will impact six (6) school gymnasiums that do not have HVAC systems: Chatham Middle, George Moses Horton Middle, Moncure School, JS Waters School, North Chatham Elementary, and Perry Harrison Elementary.

Curvin stated that the Installation and improvement of ventilation systems is an eligible ARPA expense, stated in the Final Rule and U.S. Treasury FAQ documents. Entering into a sub-award with Chatham County Schools would obligate the \$2M and move the project up from FY28. The capital reserves previously contributed to this project are recommended to be reallocated to the new Siler City Elementary Roof Replacement project.

The Board of Commissioner discussed the solution, and the consensus of the Board of Commissioners was to move forward with staff recommendation.

This Agenda Item was received and filed

[24-5618](#)

Receive information on the Human Services Non-Profit funding process and discuss desired funding level for FY2026

Attachments: [Human Services Non-Profit Funding October 21 2024 \(4\)](#)

Budget Director Darrell Butts shared an update on the Human Services Non-Profit Funding. Butts stated that funding for Human Services non-profits was flat in annual operating budgets for several years. The Board of Commissioners expressed a desire to see these funds increase and to have a model or methodology for annual increases.

Butts stated for several years, funding for Human Services non-profits was flat in annual operating budgets. The Board of Commissioners expressed a desire to see these funds increase and to have a model or methodology for annual increases to these funds. In November 2021, the Board of Commissioners approved a new funding mechanism that increased the FY23 allocation by \$10,000 (to a total of \$260,000). In December 2022, while reviewing the request for approval for the FY24 allocation, the Board of Commissioners amended the funding mechanism that would guarantee a minimum annual increase of \$10,000 (to a total of \$270,000 for FY24). In December 2023, while reviewing the request for the FY25 allocation, the Board of Commissioners voted to appropriate \$350,000 for Human Services non-profit funding in the FY25 Operating Budget. In May 2024, during budget discussions, the Board of Commissioners voted to increase the amount of funding to \$500,000 for FY25.

*Butts shared a timeline of the historical funding:
FY2023: the first year that the current funding model was implemented. FY2024: the current funding model only generated a \$8,000 increase from prior year; the Board of Commissioners amended the model to guarantee a minimum annual increase of \$10,000. FY2025: the current funding model generated a \$12,000 increase. The BOC voted at the December 18, 2023, meeting to appropriate \$350,000 for human services non-profit funding. At the May 24, 2024, budget work session the Board voted to appropriate \$500,000 for non-profit funding.*

Butts shared some key decision points for the Board of Commissioners to keep in mind.

Butts stated that In order to adequately prepare for the formal request for funding approval in December, it would be helpful to know the desired funding amount for FY26. and it is especially important if not keeping the current funding mechanism or pivoting to a new model.

The Board of Commissioners discussed the program and thanked Butts for the presentation.

This Agenda Item was received and filed

[24-5616](#)

Receive a presentation of the FY2026-3032 Capital Improvement Plan

Assistant County Manager Bryan Thompson presented the 2026-2032 Recommended Capital Improvement Plan.

The presentation included an overview of what a capital improvement plan is and what process the county took. Thompson shared the overall strategy, funding strategy, and despite funding strategy.

Thompson shared the following changes from last year for Chatham County Schools:

1. Margaret Pollard Expansion - Due to lower than projected enrollment growth, this project has been pushed back by two years. Now scheduled to be completed during FY 2028.
2. New Elementary School at Chatham Park (North Village) - Due to lower than projected enrollment growth, this project has been pushed back by one year.
3. Mobile Classrooms - No funding anticipated in FY25 or FY26 so budgeted funds will shift two years and continue to FY 2031.
4. Wastewater Replacement at Silk Hope School - Due to no progress being made on the purchase of additional adjacent land, this project has been pushed back by one year to allow more time to locate available land for system replacement.
5. Paving Repair - This is a long-term project intended to extend beyond the seven years of the FY2026-2032 CIP to address paving repair needs over time. The budget for this project has increased with the addition of FY2032 scheduled in the CIP and funding shifted in some years for prioritized paving projects. [+\$3,011,406]

Thompson shared the changes from last year for County buildings and facilities which included:

1. Parker's Ridge Park - Budget for this project has increased due to increased construction costs and the increased cost of materials (including furnishings and other equipment). [+\$1,850,378]
2. Joint Public Safety Facility in Siler City - Budget for this project has increased due to updated cost estimates of co-locating EMS, Emergency Communications, Emergency Management, MIS (backup data center), and the inclusion of space for the Sheriff's Office. [+\$22,500,000]

Thompson shared the new projects, which included:

1. Schools – Siler City Elementary Roof Replacement - Fully replace the roof of Siler City Elementary School which has reached the end of its useful life and is need of regular patches and repairs. [+\$3,850,000]
2. Parks – Northeast District Park Dam - Reconstruct the dam to current issues with spillway blockages and tree/root intrusion. [+\$1,285,000]

Thompson shared a list of projects not recommended as well as new future projects.

Thompson stated that the county's diligent planning contributed to the bond rating of AAA from Standard and Poor's and Aa1 from Moody's. These ratings mean that the county is in a very competitive position in the debt market, as demonstrated in our recent borrowing with a Interest rate of 1.740909%.

The Board of Commissioners thanked Thompson for the presentation.

This Agenda Item was received and filed

24-5619

Vote to designate one voting delegate and optional alternate voting delegate to the North Carolina Association of County Commissioners Legislative Goals Conference

Clerk to the Board Jenifer Johnson asked the Board of Commissioners to designate a voting delegate and alternate for the North Carolina Association of County Commissioners Legislative Goals Conference.

Commissioners Howard and Kenlan will be present at the conference. The consensus of the Board of Commissioners was for Commissioner Howard to be the voting

delegate and Commissioner Kenlan be the alternate.

This Agenda Item was received and filed

CLERK'S REPORT

Clerk to the Board Jenifer Johnson had nothing to report.

MANAGER'S REPORT

County Manager Dan LaMontagne stated that a new commissioner orientation will be hold and Hampton Inn will be having a ribbon cutting.

Assistant County Manager Carolyn Miller updated the Board of Commissioners on the Leadership Academy and the next steps. Miller stated that they would be taking a year off to update the curriculum. The new offerings will include remote learning and should be up and running in 2026.

COMMISSIONERS' REPORTS

Commissioner Howard thanked those who reached out to her after the death of her son's father.

Commissioner Gomez-Flores stated that he attended the Board of Trustees meeting for Chatham Hospital and shared some highlights. He attended the Strong Towns meeting, had lunch with representatives from the Town of Pittsboro.

Commissioner Kenlan stated that she attended the Town of Pittsboro first State of the Town, the Tri-Water Groundbreaking, and the 50-year celebration of Tiger Rescue.

ADJOURNMENT

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Katie Kenlan to adjourn. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

24-5660 Northwest Chatham Water District Board Special Meeting

24-5661 CALL TO ORDER

Chair Dasher called to order the meeting of the Northwest Chatham Water District Board at 8:08pm.

[24-5663](#) Vote to approve a resolution approving an Interlocal Agreement to merge the Northwest Chatham Water District with the City of Sanford

County Manager Dan LaMontagne presented a resolution for an Interlocal Agreement to merge the District's water system with the City of Sanford.

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that the 24-53 Resolution approving an Interlocal Agreement to merge the Northwest Chatham Water District with the City of Sanford was

adopted. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5664](#)

ADJOURNMENT

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the meeting of the Northwest Chatham Water District Board was adjourned. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

24-5665

Southwest Chatham Water District Board Special Meeting

24-5666

CALL TO ORDER

Chair Dasher called to order the meeting of the Southwest Chatham Water District Board at 8:12pm.

[24-5668](#)

Vote to approve a resolution approving an Interlocal Agreement to merge the Southwest Chatham Water District with the City of Sanford

County Manager Dan LaMontagne presented a resolution for an Interlocal Agreement to merge the District's water system with the City of Sanford.

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that the 24-54 Resolution approving an Interlocal Agreement to merge the Southwest Chatham Water District with the City of Sanford was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5669](#)

ADJOURNMENT

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that the meeting of the Southwest Chatham Water District Board be adjourned. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

24-5670

Southeast Chatham Water District Board Special Meeting

24-5671

CALL TO ORDER

Chair Dasher called to order the meeting of the Southeast Chatham Water District Board at 8:16pm.

[24-5673](#)

Vote to approve a resolution approving an Interlocal Agreement to merge the Southeast Chatham Water District with the City of Sanford

County Manager Dan LaMontagne presented a resolution for an Interlocal Agreement to

merge the District's water system with the City of Sanford.

A motion was made by Commissioner Katie Kenlan, seconded by Vice Chair Karen Howard, that the 24-55 Resolution approving an Interlocal Agreement to merge the Southeast Chatham Water District's with the City of Sanford was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores

[24-5674](#)

ADJOURNMENT

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the meeting of the Southeast Chatham Water District be adjourned. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Kenlan, Commissioner Delaney, and Commissioner Gomez Flores