



Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, February 21, 2022

5:00 PM

Historic Courthouse Courtroom

Work Session - 5:00 PM - Historic Courthouse Courtroom

Present: 4 - Commissioner Mike Dasher, Vice Chair Franklin Gomez Flores, Chair Karen Howard and Commissioner Robert Logan

Absent: 1 - Commissioner Diana Hales

CLOSED SESSION

[21-4189](#)

Vote on a request to go into Closed Session pursuant to G.S. 143 318.11(a)(3) and (6) to consult with an attorney in order to preserve the attorney-client privilege, and to consider the qualifications, competence, performance, character, fitness, and conditions of employment of an individual public officer or employee.

Meeting went into Recess

Meeting Reconvened

A motion was made by Commissioner Dasher, seconded by Vice Chair Gomez Flores, to go into Closed Session pursuant to G.S. 143 318.11(a)(3) and (6) to consult with an attorney in order to preserve the attorney-client privilege, and to consider the qualifications, competence, performance, character, fitness, and conditions of employment of an individual public officer or employee. The motion carried by the following vote:

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

RECESS

End of Work Session

Regular Session - 6:00 PM - Historic Courthouse Courtroom

Present: 4 - Commissioner Mike Dasher, Vice Chair Franklin Gomez Flores, Chair Karen Howard and Commissioner Robert Logan

Absent: 1 - Commissioner Diana Hales

INVOCATION and PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

Chair Howard called the meeting to order at 6:02 PM.

OATH OF OFFICE

[22-4198](#)

Swearing in of Robert Logan as Chatham County Commissioner for District 4

The Honorable Carl Fox administered the Oath of Office to Robert Logan.

APPROVAL OF AGENDA and CONSENT AGENDA

A motion was made by Commissioner Mike Dasher, seconded by Vice Chair Franklin Gomez Flores, that this agenda and consent agenda be approved. The motion carried by the following vote:

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[21-4163](#)

Vote on a request to accept \$500,000 Blue Cross Blue Shield Infant and Maternal Health Equity Grant Funds.

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[21-4180](#)

Vote on a request to approve Tax Releases and Refunds

Attachments: [January 2022 Release and Refund Report](#)
[January 2022 NCVTS Pending Refund Report](#)

A motion was made by Vice Chair Dasher, seconded by Vice Chair Gomez Flores, 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 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[21-4181](#)

Annual Community Child Protection Team (CCPT) Report

Attachments: [2021 CCPT Report](#)

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[21-4184](#)

Vote on a request to approve the County to jointly apply for the North Carolina State Department of Instruction's (DPI) Needs-Based Public School Capital Fund with Chatham County Schools for three capital projects - Namely, the replacement of school gymnasiums in Bennett, Bonlee, and Silk Hope (a total of three gymnasium replacements).

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[21-4185](#)

Vote on a request to adopt a resolution to convey personal property to the Chatham Health Alliance

Attachments: [Chatham Health Alliance Resolution Transfer of Property](#)

A motion was made by Vice Chair Dasher, seconded by Vice Chair Gomez Flores, that this Resolution #22-036 to convey personal property to the Chatham Health Alliance, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[21-4186](#)

Vote on Request to Approve Competitive Bid Exemption for Standardization and Sole Source for the Chatham Health Alliance

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[21-4187](#)

Vote on a request to accept an amendment extending the July 31, 2019

agreement between the County and Colvard Farms Development Company, LLC for water purchase to July 31, 2026.

Attachments: [Chatham County Water Withdrawal Agreement](#)

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[21-4188](#)

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

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[21-4192](#)

Vote on a request to approve Sheriff Vehicle Upfit, Vehicle registration and graphics for 2021-2022.

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[21-4193](#)

Vote on a request to pay for vehicle upfit, graphics and vehicle tax and registration for year 2021-2022.

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[22-4195](#)

Vote on a request to approve two appointments to the Environmental Review Advisory Committee

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[22-4200](#)

Vote on a request to approve lease with NCSECU for ATM at Chatham County Annex

Attachments: [SECU Lease - Clean with changes accepted](#)

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

End of Consent Agenda

SPECIAL PRESENTATION

[22-4197](#)

Recognition of recent Chatham County retirees

The Board of Commissioners recognized January 2022 retirees Charles Gardner, Tracy Rivera, and Mike Brady.

Mr. Gardner said his life was dedicated to service. He looked forward to retirement and time with his grandson.

Ms. Rivera said it was a pleasure serving Chatham for thirty years.

Mr. Brady was not present but was recognized.

[22-4199](#)

Vote on a request to adopt a resolution proclaiming March 22, 2022 as World Water Day

Attachments: [Proclamation for World Water Day 2022 Chatham](#)

A motion was made by Commissioner Dasher, seconded by Vice Chair Gomez Flores, that this Resolution #22-030 proclaiming March 22, 2022 as World Water Day, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[22-4196](#)

Vote on a request to adopt a resolution Honoring Commissioner James G. Crawford for his service to the residents of Chatham County.

Chair Howard read the resolution into the record.

Mr. Crawford thanked the staff and the board for the great work everyone has achieved together.

A motion was made by Commissioner Dasher, seconded by Vice Chair Gomez Flores, that this Resolution #22-031 Honoring Commissioner James G. Crawford for his service to the residents of Chatham County, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

PUBLIC INPUT SESSION

No one signed up to speak in person, but someone submitted comments online. Clerk Lindsay Ray would convey the comments to the commissioners.

ARPA PUBLIC COMMENT PERIOD

Courtney Cooper-Lewter gave a brief overview of the purpose of gathering public input on ARPA funding and possible uses. The next four dates for community meetings:

March 8th at Chatham Central

March 10th at Moncure Fire Department

March 15th at Silk Hope Ruritan Club

March 17th at Chatham Grove Community Center

Ms. Cooper-Lewter said there will be free food at 5 PM and all meetings are scheduled to begin at 6 PM. Chatham County staff volunteers will be onsite to provide free childcare for residents and there are free N-95 masks available.

Ms. Ray reminded speakers they have three minutes to speak.

Gretchen Smith submitted comments with supplemental information and spoke in-person. Ms. Smith said that visitation to the Haw River has increased since the beginning of the pandemic. Increased visitation has increased traffic and parking in the Bynum area. She made suggestions of how to create safe public access to Haw River and help address the needs in some of the Chatham master plans. More specific information and estimated costs have been included in an addendum Ms. Smith sent to Ms. Ray for the commissioners to review.

Melanie York submitted a PowerPoint presentation (sent to Board of Commissioners' emails through Clerk Lindsay Ray). Ms. York advocated for homeless Chatham neighbors. She said the United States HUD Secretary, Marsha Fudge, spoke out about the great urgency of homelessness. Homelessness was a crisis in the nation. We ignore what we do not like to see so we ignore poverty and homelessness. Two unsheltered individuals died in Chapel Hill. COVID-19 has caused shelters to be difficult to keep safe. Last fall, Secretary Fudge launched House America and called for ARPA funding to be used for the unhoused. Chatham had many needs gaps and adequate sheltering must be prioritized. ARPA funds could aid in ending homelessness.

Jeffrey York was a member of CHAIN. In January he volunteered with homeless outreach. More outreach efforts are needed for the homeless in Chatham County. There are thirty or more individuals that have short-term sheltering at Siler City hotels with the aid of two non-profits. Chatham County has little mechanisms to address the needs of the homeless. Mr. York was asking for action. The hotel voucher program was helpful but not sustainable. Mr. York provided solutions that other communities have implemented.

Susie Crate submitted comments and spoke in-person. Ms. Crate suggested allocation of ARPA funding to the lower haw. The installation of a trail bridge over Pokeberry Creek would create an accessible riverside trail. This would stop erosion of the riparian buffer corridor caused by weather and visiting hikers to the trail system. Bynum residents have become heavily impacted at the mill site by the increase in hikers.

James Garbutt submitted comments and spoke in-person. Mr. Garbutt said land preservation, particularly along the Haw River could be a use of the ARPA funds and create something transformational. To protect additional land and trails of the lower haw up to the Alamance County line could be achieved through easements or land purchases. Expanded access to nature for residents would impact public health. Protection of the waterway through the cleansing lands along the banks of the Haw would improve residents' drinking water. Many cannot afford a gym membership but can find access to the trail systems. These options meet the goals of the American Rescue Plan. He urged the board to be bold.

Robert James Bruekner submitted comments and spoke in-person. Mr. Bruekner loves the Haw River and has canoed it for nearly forty years. He suggested river access and trail work along the Haw River. Chicken bridge access of Chatham County has a restrictive easement with NCDOT and is in need of a property for boaters to use. The US 15-501 Bynum dam has an access that has never been improved and is a mud pit and causes difficulty for boaters trying to get their boats out of the water. The Roberson Creek access at Jordan Lake has a floating dock that has become damaged over the years. He thinks it is time to install a ramp. The eighty-four-acre tract of land near the Bynum Dam has social trails that need improvement. This is a beautiful place that needs sustainable trails.

Joy Hewett submitted comments and spoke in-person. Ms. Hewett said land preservation would support public health and improve water quality. The preservation of natural areas would provide generations' sanctuary and joy along the Haw River. Time spent in nature improves mental and physical health. The County land provides equity for low income residents and protected areas are a low-cost benefit.

Ms. Ray said all submitted comments that have been received will be consolidated and sent out as one email to the commissioners tomorrow.

BOARD PRIORITIES

[21-4190](#)

Vote on a request to amend a resolution Honoring Chatham's Bard, George Moses Horton

Attachments: [Horton Resolution redline](#)

County Manager, Dan LaMontagne, reviewed the reasons behind the request to amend the original resolution.

Chair Howard we wanted this to be a positive experience and something easily embraced by the community.

Commissioner Logan asked how an honorary designation was implemented. Mr. LaMontagne – North Carolina Department of Transportation (NCDOT) signs along the road with the honorary name along bridges.

He said that most have probably seen these signs.

A motion was made by Commissioner Dasher, seconded by Vice Chair Gomez Flores, that this Resolution #22-032 amending a resolution Honoring Chatham's Bard, George Moses Horton, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[22-4194](#)

Vote on a request to appoint an alternate to the Board of Equalization and Review

Chair Howard nominated Tom Bender.

A motion was made by Chair Howard, seconded by Vice Chair Gomez Flores, that the Appointment of Thomas Bender be approved. The motion carried by the following vote:

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

[21-4191](#)

Vote on a request to appoint a voting delegate to the Triangle J Council of Government Board of Delegates

Attachments: [2022 Schedule of Meetings \(1\) \(1\) \(2\)](#)
[TJCOG Delegate Appointment Tips \(1\) \(1\)](#)

Chair Howard nominated Commissioner Dasher.

A motion was made by Commissioner Howard, seconded by Commissioner Gomez Flores, that Commissioner Mike Dasher be approved as the Triangle J Council of Governments voting delegate. The motion carried by the following vote:

Aye: 3 - Commissioner Dasher, Vice Chair Gomez Flores, and Chair Howard

Absent: 1 - Commissioner Hales

[21-3909](#)

Vote on a legislative Conditional District Compact Community rezoning request to approve by Herndon Farms One, LLC for an active-adult (55 and older) compact community with 161 residential units, congregate care facility, one-story office/daycare, community gardens, and barn for events on approximately 97.86 (previously 96.86 acres) acres being

Parcels 93852, 2752, 18750, 18897, 18896, and 18909, located on US 15-501 N split by Williams and Baldwin townships.

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

Zoning Administrator Angela Birchett reviewed the specifics of the request.

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

SUBDIVISION FIRST PLATS

21-4183

Vote on a request to approve by M. Travis Blake on behalf of Herndon Farms One, LLC for subdivision **First Plat** review and approval of **Herndon Farms**, consisting of 154 lots on 97.86 acres, located off US 15-501 N and Vickers SR-1719 and parcels numbers 93852, 2752, 18750, 18897, 18896, and 18909.

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

Subdivision Administrator, Kim Tyson, reviewed the specifics of the request.

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and Commissioner Logan

Absent: 1 - Commissioner Hales

" 21-4182

Vote on a request to approve by Chad Abbot, P.E. for subdivision **First Plat** review and approval of **Ridgecrest Estates**, consisting of 30 lots on 49.41 acres, located off Hamlets Chapel Road, SR-1525, parcels #1798.

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

Subdivision Administrator, Kim Tyson, reviewed the specifics of the request.

Chad Abbott represented the applicant. He said the applicant has been working with

the neighboring property to address their concerns. This was preliminary and met all the county requirements and staff recommended approval. The plan could change as it develops.

Commissioner Dasher said there were things about the plan he does not like but that was okay. He understood where the applicant is coming from with having to please multiple departments and planning board.

Chair Howard commented on how this plan would still get approved and the input has produced positive changes.

Commissioner Dasher said this was a crazy way to do things.

A motion was made by Commissioner Dasher that the Agenda Item by Chad Abbot, P.E. for subdivision First Plat review and approval of Ridgecrest Estates, consisting of 30 lots on 49.41 acres, located off Hamlets Chapel Road, SR-1525, parcels #1798 be approved. The motion failed for lack of a second.

CLERK'S REPORT

Lindsay Ray said the March 7th regular Board of Commissioners meeting did not receive any items submitted and asked if there was a consensus to cancel the meeting. The board gave consensus to cancel the regular BOC meeting due to lack of business. The March 21st meeting would include an agenda item for committee liaison appointments for the commissioners to review.

Chair Howard said she has a conflict for the May 23rd budget work session. She asked if it would be possible to shift the budget meetings by a day during the week. Ms. Ray said she would need to check that space was available at the conference center and check with budget staff. She would send out an email.

MANAGER'S REPORT

Dan LaMontagne said the Wastewater Study Commission met and their next meeting would be March 1st. He said effective March 7th masks would not be required in County facilities and employee weekly testing would also no longer be required because cases have continued to improve.

COMMISSIONERS' REPORTS

Commissioner Robert Logan is honored to serve with the other commissioners, and he looks forward to working with everyone throughout 2022.

Vice Chair Franklin Gomez Flores said JCPC would be reviewing funding applications in the coming weeks. There were four applications. The Board of Health budget meeting would take place February 24th. Duke Energy will be holding a stakeholder meeting to get input. North Carolina Broadband grant program webinar on February 23rd. The Department of Environmental Quality (DEQ) on February 28th.

Commissioner Mike Dasher had nothing to report.

Chair Karen Howard reminded folks they can still get COVID. Elected Vice Chair DCCH-MPO. She has biweekly radio show and asked staff or departments to send her any information they would like her to share with the public. She was invited to join the State Policy Makers Cohort, even though she is a county official. The meetings are Sundays and Mondays.

Vice Chair Franklin Gomez Flores asked Mr. LaMontagne to talk about broadband in the county. Mr. LaMontagne said currently the G.R.E.A.T. grant application period was open. The County is in talks with three internet service providers and are planning to partner with all three. The County can also look into the CAB program.

[22-4201](#)

Vote on a request to approve Letter to NC Utilities Commission supporting plan for carbon reductions by electric generation facilities, as authorized by HB 951 (Session Law 2021-165)

Attachments: [ResolutionNCUC_HB 951_Feb2022](#)

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and
 Commissioner Logan

Absent: 1 - Commissioner Hales

ADJOURNMENT

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

Aye: 4 - Commissioner Dasher, Vice Chair Gomez Flores, Chair Howard, and
 Commissioner Logan

Absent: 1 - Commissioner Hales