



# Chatham County, NC

## Meeting Minutes

### Board of Commissioners

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Monday, October 16, 2023

2:30 PM

Agriculture and Conference Center

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#### Work Session - 2:30 PM - Agriculture and Conference Center

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

#### **PUBLIC INPUT SESSION**

*No One Signed Up to Speak*

#### **BOARD PRIORITIES**

[23-4972](#)

Receive Sustainable Agriculture 2023 BOC Presentation

**Attachments:** [Sustainable Agriculture 2023 BOC Presentation](#)

*Chatham County Cooperative Extension Sustainable Agriculture Agent Debbie Roos gave a presentation to the Board. (Presentation attached)*

*Commissioner Kenlan thanked Ms. Roos for the presentation and she thinks Chatham County is so lucky to have her bringing these issues and programs to Chatham residents. She asked for more information about the Chatham Conservation Partnership. Ms. Roos said the partnership is mostly about education on any issues relating to conservation, including policy issues. They always welcome ideas for future meetings.*

*Commissioner Delaney said he appreciated learning some new things with the presentation. He asked Ms. Roos if there was anything the commissioners could think about in the coming months. Ms. Roos said the growth and development is a little scary, but it is an opportunity. They are all looking at how they can use development as an advantage. Chatham County's small farms are still struggling. She wants to get more people to the farmland preservation trust fund. Farmers must go to Orange County to get land cheaper.*

*Chair Howard said the Board can have more discussions at the Board level of how it can support Chatham's local farms. Perhaps use caterers who source locally and maybe have a list of vendors for the Ag Center who source locally.*

*Commissioner Gomez Flores asked if Ms. Roos engages with the Agriculture Advisory Board. Ms. Roos said Chatham Cooperative Extension Director Ginger Cunningham is the liaison to that board. She does hear from the Climate Change Advisory Committee regularly.*

*Chair Howard will connect Ms. Roos with the developer of the Chatham YMCA.*

Commissioner Delaney asked if there were any new and exciting studies being conducted by NC State University or NCA&T University. Ms. Roos asked if he was interested in a specific field of study. Commissioner Delaney said any field of study. Ms. Roos said she could not answer such a broad question and if he would like to know what is happening in a particular field of study, she would be happy to share information with him.

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

[23-4991](#)

Receive Library Advisory Committee Annual Report

**Attachments:**     [2023 Final Annual Report](#)  
                                  [CCPL LAC REPORT 20230926](#)

Assistant County Manager Carolyn Miller introduced the agenda item.

Lisa Padgett, Chair of the Library Advisory Committee, gave a presentation to the Board. (presentation attached)

Commissioner Gomez Flores asked if the meeting rooms are being used more frequently and how many libraries are in the unincorporated areas. Ms. Padgett said none of the libraries are in an unincorporated part of the county. Commissioner Gomez Flores asked if Ms. Padgett sees the need for meeting rooms to grow. Ms. Padgett said as the county grows more meeting space will be needed.

Ngaere Pearce is the early literacy specialist for all three libraries. She led the Board and staff in an activity she does with the children visiting the libraries.

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

[23-4962](#)

Receive Parks and Recreation Advisory Committee Fiscal Year 2022-2023 Annual Report

**Attachments:**     [ADVISORY COMMITTEE SUMMARY ANNUAL REPORT for Fy22-23 Parks and Rec Advisory Committee Annual Report](#)

Recreation Advisory Committee Chair James Fogleman gave a presentation to the Board. (Presentation attached)

Chair Howard said the Board doesn't necessarily know what Parks and Recreation is doing day to day, but it is clear from the level of participation by the residents that it is a critical need.

Commissioner Kenlan thanked Mr. Fogleman for the presentation. She appreciated seeing the numbers of participants at all the County's parks and at all the events. She also thanked Mr. Fogleman for his contributions to the Planning Board.

Commissioner Gomez Flores asked if there was any need to increase the funding allocation for the grants awarded to the recreation agencies. Assistant Director for Parks and Recreation Jina Stamey said yes, and any additional funds would allow the department to help more organizations in the community. Vice Chair Dasher asked if they get applications for more money than they have available to provide. Ms. Stamey said yes.

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

[23-4974](#)

Receive Staff Update on the Climate Change Advisory Committee Presentation to the Board of Commissioners from August 21, 2023

**Attachments:**     [Staff update on CCAC presentation 10162023](#)

*Chair Howard asked if the County had electric vehicle (EV) charging stations at the Joint Fleet and Bus garage. Mr. Lindley said no but there is an EV fleet car for environmental quality so there is a charging station at their building.*

*Commissioner Delaney thanked Mr. Lindley for the presentation. He asked if the Board would want to prioritize something that is outside its control, theoretically, but still have an opportunity to influence those in control. He asked if among the issues staff are investigating, is there one the Board could prioritize. Mr. Lindley said he does not believe they are at that stage yet.*

*Commissioner Delaney believes there may be some time-limited circumstances regarding EV buses. He asked if the County is at risk for missing an opportunity to get something for free or at a significantly reduced rate. Mr. Lindley doesn't know the exact timeline but does know it is limited. He will investigate that.*

*Vice Chair Dasher said school buses and Chatham Transit buses are outside the Board's control, but it can encourage other entities to investigate them.*

*Commissioner Gomez Flores asked if, in regard to carbon capturing, there is any research being done in academia or privately addressing that challenge. Mr. Lindley said there probably is research on which plants take up more carbon than others but cannot answer that question exactly. He knows the carbon sink the county has in all the forestation and vegetation is a huge resource. Right now, it balances the vast majority if not all of the county's emissions.*

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

[23-4982](#)

Receive FY2024 First Quarter Budget Update

*Budget Director Darrell Butts gave a presentation to the Board. (Presentation attached)*

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

[23-4984](#)

Receive Quarterly Update on American Rescue Plan Act Funds.

**Attachments:**     [ARPA Quarterly Update 10.16.23](#)

*Budget Analyst Will Curvin gave a presentation to the Board. (Presentation attached)*

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

## **CLOSED SESSION**

[23-4989](#)

Vote to go into closed session pursuant to G.S. 143.-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee.

A motion was made by Vice Chair Dasher, seconded by Commissioner Delaney, to go into closed session pursuant to G.S. 143.-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee. The motion carried by the following vote:

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

## **RECESS**

### **End of Work Session**

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

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

## **INVOCATION and PLEDGE OF ALLEGIANCE**

*Chair Howard asked everyone observe a moment of silence after which she asked everyone to stand, if able, for the Pledge of Allegiance.*

## **CALL TO ORDER**

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

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

*The Chair asked to add the appointment of Tom Bender to the Board of Equalization and Review to the consent agenda. Commissioner Delaney requested Item #23-4890 be moved from the consent agenda to the end of the regular agenda.*

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

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

### **[23-4888](#)**

Vote to approve a quasi-judicial request by Duke Energy for a Special Use Permit for a new 120 ft wireless support tower at a substation location on Parcel 62351, located at 1785 Corinth Rd, Cape Fear Township.

**Attachments:** [More information from the Planning department website](#)  
[23-4888 Staff Presentation](#)  
[Chatham County BOC Duke Energy Presentation \(FINAL 08.21.23\) \(11476261.2\)](#)

**A motion was made by Vice Chair Dasher, seconded by Commissioner Gomez Flores, that this Resolution #23-48 approving a special use permit request by**

Duke Energy, attached hereto and by reference made a part hereof, be adopted.  
The motion carried by the following vote:

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

[23-4889](#)

Vote to approve a legislative request by Pranay Parekh to rezone Parcel 17357 from CU-RA90 (previously Contentnea Creek) to R-5 Residential, being 130.443 acres, located at 739 Hatley Rd., New Hope Township.

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

[23-4889 Staff Presentation](#)

[PPPS-Rezoning Slideshow\\_20230821](#)

**A motion was made by Vice Chair Dasher, seconded by Commissioner Gomez Flores, that this Resolution #23-49 approving a consistency statement and statement of reasonableness for the approval of request by Pranay Parekh, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

**A motion was made by Vice Chair Dasher, seconded by Commissioner Gomez Flores, that this Ordinance amending the zoning map for Pranay Parekh, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

[23-4978](#)

Vote to approve a request by Warren Mitchell, P.E. on behalf of Griffith Capital, LLC for subdivision Modification and Road Name review and approval of Pyewacket, consisting of 92 lots on 128.39 acres, located off Jones Ferry Road (SR-1942), parcel 90267 in Baldwin Township.

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

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

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

[23-4951](#)

Vote to Approve a Pyrotechnics Display at the Bennett Baptist Church, 68 E. Bonlee Street, Bennett, NC 27208, on October 28, 2023.

**Attachments:**    [Attachment A-N.C.G.S. Pyrotechnic Displays](#)  
[Attachment B - Pyrotechnic Display Request Bennett Baptist 2023](#)  
[Attachment C - Pyrotechnic License](#)  
[Attachment D - Wetzel Certificate of Insurance](#)  
[Attachment E - Wetzel ATF License](#)  
[Attachment F - Bennett Baptist Site Plan 2023](#)

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

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

[23-4958](#)

Vote to approve a Proximate Pyrotechnic Flame Effect display at Seaforth High School located at 444 Seaforth Rd., Pittsboro, NC 27312 during a football game on October 27, 2023

**Attachments:**    [Attachment A-N.C.G.S 14-410 and 14-413](#)  
[Attachment B - Pyrotechnics Request](#)  
[Attachment C - Jackson NC Pyrotechnic Display Operators License](#)  
[Attachment D- Zambelli Certificate of Insurance 2021](#)  
[Attachment E- Zambelli ATF License 2021](#)  
[Attachment F-Seaforth High School Site Plan 2023](#)

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

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

[23-4953](#)

Vote to accept \$62,409 funds for COVID-19 vaccination support (continuation from last fiscal year).

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

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

[23-4968](#)

Vote to approve Tax Releases and Refunds

**Attachments:**    [September 2023 Release and Refund Report](#)  
[September 2023 NCVTS Pending Refund Report](#)

**A motion was made by Vice Chair Dasher, seconded by Commissioner 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:** 5 - Vice Chair Dasher, Commissioner Delaney, Chair Howard, Commissioner Gomez Flores and Commissioner Kenlan

[23-4969](#)

Vote on a recommendation from the Chatham County Tax Department to approve an agreement for the 2025 reappraisal project to be conducted by Tanner Valuation Group LLC for \$175,000.

**Attachments:** [Vincent Valuations - Termination Letter to Chatham County](#)  
[Tanner Valuation Group LLC](#)

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

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

[23-4971](#)

Vote to approve the naming of one private road in Chatham County

**Attachments:** [Grandfather Ln Petition](#)  
[Grandfather Ln area map](#)  
[Grandfather Ln map](#)

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

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

[23-4957](#)

Vote to approve Letter of Agreement #2 Amendment 2 for the Governance Project for the Western Intake Partnership

**Attachments:** [WIP Letter of Agreement #2 - Amend 2 - Raftelis - Governance](#)

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

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

[23-4973](#)

Vote to approve Solid Waste and Recycling Roll-Off Refuse Truck Purchase FY 2024.

**Attachments:** [10022023](#)

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

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

[23-4979](#)

Vote to approve Fiscal Year 2023-2024 Budget Amendments

**Attachments:**     [Budget Amendment 2023-2024 October 16](#)

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

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

[23-4961](#)

Vote to adopt the 2023 Great Trails State Day Proclamation.

**Attachments:**     [Great Trails State Day Proclamation](#)

**A motion was made by Vice Chair Dasher, seconded by Commissioner Gomez Flores, that this Resolution #23-50 proclaiming 2023 Great Trails State Day, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

[23-4980](#)

Vote to adopt a resolution proclaiming November 2023 as Family Caregiver Month in Chatham County

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

**A motion was made by Vice Chair Dasher, seconded by Commissioner Gomez Flores, that this Resolution #23-51 proclaiming November 2023 as Family Caregiver Month in Chatham County, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

[23-4981](#)

Vote on a Resolution Declaring Property Surplus and Authorizing the Conveyance of Property to Chatham Habitat for Humanity

**Attachments:**     [BOC Resolution - Convey Property to Habitat - October 16 2023 - Final](#)  
[County Land Conveyance Request](#)

**A motion was made by Vice Chair Dasher, seconded by Commissioner Gomez Flores, that this Resolution #23-52 Declaring Property Surplus and Authorizing the Conveyance of Property to Chatham Habitat for Humanity, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

[23-4975](#)

Vote to approve the appointment of Peter Varney to the Chatham County Board of Social Services.

**Attachments:**     [Peter Varney DSS BOD Application](#)

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



**vote:**

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

[23-4970](#)

Vote to approve appointment of Rya Williams to fill a vacant Public Seat on the Board of Health.

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

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

[23-4983](#)

Vote to approve appointments to the Juvenile Crime Prevention Council (JCPC)

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

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

[23-4986](#)

Vote to approve appointment of Matthew Hayes as the ETJ Alternate member to the Town of Pittsboro Planning Board

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

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

[23-4987](#)

Vote to approve appointment of Stephanie Terry to the Chatham Economic Development Corporation Board of Directors

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

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

[23-4990](#)

Vote to approve grant request for Chatham County Trail Crew Leader Training in Sustainable Trail Construction and Maintenance

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

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

[23-4992](#)

Vote to approve In-Home Aide and Caregiver Respite contracts for First Choice Home Care, Inc., Guardian Angels Home Care of North

Carolina and Keston Care.

**Attachments:** [IHA and Respite Contract- FY 23-24 October-September- Champion Family Healthcare Services dba Keston Care- Legal Approved](#)  
[IHA and Respite Contract- FY 23-24 October-September- First Choice Home Care- Legal Approved](#)  
[IHA and Respite Contract- FY 23-24 October-September- Guardian Angels Home Care of NC- Legal Approved](#)

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

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

#### 24-5301

Vote to approve the appointment of Tom Bender to the Board of Equalization and Review.

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

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

### **End of Consent Agenda**

### **SPECIAL PRESENTATION**

#### 23-4988

Vote to adopt a resolution honoring Dr. George Lucier for his lifelong public service to state of North Carolina and twenty-two years of dedicated service to Chatham County

*Chair Howard invited Dr. George Lucier's family to the podium to receive the framed resolution after she read the resolution into the record.*

*Dr. Lucier's wife, Dr. Jane Gallagher, thanked the Board of Commissioners and all the community members who were in attendance as a show of support for her husband and his service to Chatham County. She said Dr. Lucier has always been a strong-willed quiet example for everyone. He is a gentle giant and he and their family are appreciative of this honor.*

**A motion was made by Commissioner Kenlan, seconded by Commissioner Delaney, that this Resolution #23-53 honoring Dr. George Lucier for his lifelong public service to state of North Carolina and twenty-two years of dedicated service to Chatham County, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

### **PUBLIC INPUT SESSION**

*Kristina Bauchman told the Board she and her family were there to give comments about doing business with Vice Chair Mike Dasher. Chair Howard asked Ms.*

*Bauchman to reserve comments relating to Commissioner Dasher's private business for a private conversation with him. This venue is for matters relating to the work of the Board of Commissioners.*

*Nelson Smith addressed the Board about the Bylick property. He and his neighbors are concerned about the environmental impacts of the project, and he hopes the Board reconsiders the Planning Board's decision.*

*Peyton Holland thanked George Lucier for his service. He saw this morning that some changes had been made to the Pea Ridge Road area of Plan Moncure. He thanked the Board for moving in the right direction by reducing the linear distance of compact residential. He said if you look at some of the changes made in those recent updates it looks like the conservation buffers around some of that were reduced significantly which has allowed the widening of some of those compact residential areas. While it is not going as far linearly north on Pea Ridge, there is still some amount of acreage devoted to that high-density compact residential development. They appreciate the community center being reduced down in that space. That takes steps to help protect the rural character of that area. He encourages the Board to continue reducing the compact residential to neighborhood residential and some of the places that were previously marked neighborhood residential moved into rural residential. He said that at the last meeting, Chair Howard told her fellow commissioners and the folks in the room that changes couldn't be made on just one person's viewpoint or interest. The request to keep the rural character and support backing off the high density along Pea Ridge Road and Elam Church Road is not just a personal request. It is what they have seen in the 2016 comprehensive land use plan studies. It is what they have seen throughout the entire Moncure small area plan process. Earlier today he submitted over 130 signatures representing about 81 families in the community who live there and work there. Some of those families have been in that area for generations and some have been there just a couple of months or a couple of years. They all value the rural character and want to stay in a rural area. He brings this request on behalf of the entire community. He asked that the commissioners keep the option of maintaining the rural character of the area on the table and to please consider the other input they receive tonight.*

*David Gaddis submitted an ordinance text amendment request in August that was based on Section 17.5 B 12 on page 97 of the Zoning Ordinance. It was a request to change from a minimum lot area of twenty acres, except within the zoned portions of the Haw River, to a minimum lot area of ten acres. The reason he did this was based on three principles. There are currently numerous projects being considered in terms of economic development. It is creating a lot of jobs in terms of people coming in to help create these megasites. Also, within Chatham County, specifically in the Haw River Township there already exist two campgrounds and recreation areas that are under twenty acres. The idea was to bring some consistency and offer diverse opportunities for other residents in Chatham County. Finally, economic development in Chatham County is not limited to only VinFast and the Toyota project off of Hwy 421 and Wolfspeed off Hwy 64. Approving the text amendment would offer equal and fair opportunity for residents to fill a diverse need to host a growing platform of workers operating in and close to Chatham County. In other words, we would be providing an imperative service to companies investing in his own county.*

*Kendall Hiles he thinks a lot of what they are seeing is that the data the Board has is flawed in relation to Plan Moncure. If you do not pull the right data you don't see the bigger picture. He and many of his neighbors moved to that area because it was rural. They are okay with going twenty minutes to a gas station or grocery store because they want to live in a rural area. He is not against progress but if the Board wants to do this why not focus it in downtown Moncure or in Pittsboro and not on a*

rural road? The plan has his hay field scheduled in commercial and he doesn't want his hay field zoned commercial.

Nicole Shebick spoke on behalf of her family who have lived on New Elam Church Road for more than 200 years. She asked the Board to really consider the desire of the people who have put down roots in this area. She moved home after living in Charlotte because she wanted to build a house on her family land and she wanted to be able to have chickens in the backyard. You can't have a strong rural community when you have thousands of neighbors. There are already traffic concerns outside of New Elam Church and that only gets worse as more people move to the area. She asked the Board to please keep their area rural. Four generations of her family went to Moncure School.

Jon Spoon, Vice Chair of the Planning Board, said George Lucier had the courage to step up and volunteer to help this community and did it in a quiet and calm way. He will forever be grateful for what George has done for him and he hopes there will be another generation of people like him stepping up in his place.

Nick Robinson submitted the following comments:

My name is Nick Robinson, 128 Hillsboro Street, Pittsboro, NC. Although you mostly know me as a land use and zoning attorney appearing before you over the years. I am speaking tonight not only as an attorney but also as a 27 year resident of Chatham County.

Thank you so much for the wonderful resolution you just adopted. I just want to take a moment to add my own, individual, heartfelt gratitude to my colleague and friend, George Lucier. I met George when he first came onto the Planning Board and we had occasion to work across the table on subdivision and zoning projects back in the very early 2000s. I was immediately struck by his unique array of traits to include his incredible intelligence, thoroughness, decorum, level-headedness and kindness. But I also got to know him more as a person when he coached my son's basketball and baseball teams in the Chatham recreational leagues. It was then that I learned something that George often kept quiet which was that in addition to being an extraordinarily accomplished scientist, he was also drafted by the Boston Celtics out of college.

Throughout the passage of years, even as our children have grown up and left home, George and I have still been back here in Pittsboro whiling away the evening hours while he was a Planning Board member, a Commissioner, and now a Planning Board member again. I feel lucky to have been able to live in and practice law in a community where George plays an integral role. I don't think I have ever known a person with such innate practicality, sense of directions, conviction but still always that wry smile and respectful manner of exchanging information. So, I just want to individually and specifically add my gratitude this evening for George's years of dedication and service to Chatham County. I think we all wish there were more people like George in this world.

Jane, Same and Liana, if you hear this or see this, please know that George has had a profoundly positive impact on his community not only through hi service but also through his manner of service and we are all so, so grateful.

Tracy Braynor lives off of Pea Ridge Road and moved to the area from Cary. She felt like her voice was not heard in Cary. She knows development has to happen but there needs to be some give and take. The Board needs to keep more of the development down toward Moncure and Pittsboro and keep the rural area rural.

Chair Howard said the entire conversation around the Small Area Plan has been based on broad community input. Her thought remains that the plan will not reflect an individual commissioner's or a single resident's highest goals but an amalgam of all of the views, interests, challenges, and opportunities that are inherent in planning for development.

Commissioner Kenlan said she felt it was wonderful to see George Lucier honored with planning and zoning input interspersed. She appreciates everything he did to pass his knowledge onto her and for being a mentor.

## **BOARD PRIORITIES**

[23-4964](#)

Vote on a request by the Chatham County Board of Commissioners to consider adoption of the Plan Moncure Small Area Plan.

**Attachments:** [PlanMoncure\\_BOC-Adoption-Presentation\\_10-2-23\\_FINAL](#)  
[Plan Moncure Memo - BOC Plan Pres - 10-2-23\\_FINAL](#)  
[DRAFT Small Area Plan Report PUBLIC REVIEW DRAFT \(with Appendices\)](#)  
[Moncure Short-Term Implementation Projects Matrix-DRAFT 8-14-23](#)  
[Planning Board - Plan Moncure Information & Feedback](#)  
[PlanMoncure\\_BOC-Adoption-Presentation\\_10-16-23\\_FINAL \(2\)](#)

Project team consultant Ben Hitchings gave a presentation to the Board. (presentation attached). He shared that he worked with Dr. George Lucier on the Compact Communities Ordinance in the early 2000s and it was always a pleasure to work with him and he appreciates everything George has done.

Mr. Hitchings said he wants to focus on three things tonight:

- Addressing the issue of housing in the employment center place type
- Possible modifications to the community center delineation as a follow-up to comments received from the public
- Address the issue of the conservation overlay along the roadways

Based on the comments from the last meeting, the project team added small lots of detached homes. They also added some locational criteria for having residential units in appropriate locations in these areas that have access but also that don't detract from having a substantial land base for employment itself.

Vice Chair Dasher asked if compact residential allows for multifamily housing. Mr. Hitchings said the current definition of compact residential talks about allowing small lots of detached dwellings. Therefore, currently it does not allow for multifamily but instead it could occur in the community center or employment center designations. Vice Chair Dasher said he would like to have that as a conversation. Mr. Hitchings said there are place types in the plan and zoning districts in the UDO. There are more zoning districts, so multiple zoning districts roll up into each of the place types. Talking about compact residential in the plan it is a little bit different than compact residential conditional district in zoning. Vice Chair Dasher said he would like to see that as an allowable use in the compact residential area, particularly Moncure proper. He believes that is an ideal area for middle housing that is missing. They are small lots already and he doesn't see any reason not to allow duplexes if single-family homes are allowed.

Mr. Hitchings said what is under discussion tonight is the plan and it will inform what

zoning designations the Board ultimately allows. He asked Vice Chair Dasher if he thinks of cottage courts and duplexes but not apartments when he says multifamily. Vice Chair Dasher said yes.

Commissioner Delaney asked if Mr. Hitchings sees working toward developing the UDO to have a concrete formal plan that is formally adopted versus the Board receiving and accepting a thorough concept that can evolve over time as the UDO takes shape. Mr. Hitchings said it is very helpful to have the Board articulate a clear vision for what should happen in this part of the county. In an ideal framework, you work from more general to more specific and you craft that vision to align the Board's various implementation mechanisms with that plan. Both internally and externally, a clearly adopted plan the Board directs staff to use as the policy framework will be helpful to have productive conversations with those who want to pursue activity in this area. He said the plan is a living document. If a Board's thinking evolves it can bring forward revisions to the plan. If too much is in limbo there is not a clear touchstone for which to apply the appropriate regulations.

Commissioner Kenlan thanked Mr. Hitchings for that clarification. She hopes they can move forward with it in a more specific way.

Chair Howard said the question Commissioner Delaney is asking is where the Board is now. There is a comprehensive land use plan but there is not a specific plan around future development in the Moncure area that was triggered by industry landing at the Triangle Innovation Point site. The Board now has the opportunity to frame that more intentionally and build the ordinances that will support that vision. This is a plan. It does not take anyone's land and do anything with it but it does allow for a managed approach to future development. It is not what this area will look like but what it could look like.

Vice Chair Dasher said the Board has not done a plan like this for any other part of the county and he understands why this plan is a hard sell for folks living in Moncure who have been living there for generations. Chair Howard said it is not easy for the Board. It is harder to balance the preservation and development in a rural area than in a denser or highly developed portion of the county. Commissioner Kenlan said does think this is a good plan and would like this type of approach if it was where she lived. She also appreciates the modifications of place types since the previous meeting.

Nick Robinson is an attorney representing a landowner in the Pea Ridge Road community center/residential area. He and his client have attended all of the community meetings and spoke to the Planning Board about various things. The owner was happy with all of this being a community center and didn't know until this morning that a proposal was going to be made to bifurcate his land on the plan from partially community center to partially compact residential. His client's position would be to leave it the way the consultants had originally proposed to allow the community center in that entire section. The reason is that the place type descriptions make it so that if you read the description for a community center in that area you can have residential uses including single-family homes, patio cottage homes, attached units, and multifamily units. That gives maximum flexibility on the types of housing one could have in that area. If the top half is changed to compact residential you narrow down what kind of housing you can have to only single-family detached. His client's point is it seems like the Board's objective of having more affordable housing could not be achieved if everything is made single-family detached. If the Board wants to ensure the possibility of more affordable housing then it would make sense to leave it as a community center so they have all the options or add to the definition of the compact residential place type to be detached and attached residential units

complemented by a variety of open spaces.

Commissioner Gomez Flores asked what the traffic impact would be if it were all community center. He believes members of the community said they wanted less density along that corridor along Pea Ridge Road. Mr. Hitchings said a detailed analysis of the traffic impact was beyond the scope of this project. However, with the County's framework it would be studied and required by the County, if not the NC Department of Transportation, for specific future development proposals.

Commissioner Delaney said his inclination is to forego formally adopting a specific plan. He does not see how it helps the Board enough right now to be this specific about these things and not have a plan for or understand how it will tackle the things that have come in other places as well. While it may be true that this footprint may conceptually tell us what may happen in these spaces there is a certain amount of density, land value, and services that the Board can anticipate may go along with that, but it doesn't have any of the strategy done or groundwork laid to figure out how that will happen. He believes the Board should sequence this in a way that aligns with the UDO coming forward. He suggested the Board forgo the specifics right now and let these things mature over time as the UDO comes together and think about formally adopting this or something similar at a later date.

Chair Howard said that is how the Board got to this point. Commissioner Kenlan disagreed with Commissioner Delaney and believes the Board should adopt this plan tonight. It is what is going to inform the UDO. By not adopting this plan, the Board is not doing itself any favors.

Chair Howard said development will still happen and the County will end up with another Briar Chapel. Shouldn't the Board put in place a framework that guides how the County is developed? Whoever is in this seat in ten to fifteen years will see how the community wanted this area to develop in the future.

Vice Chair Dasher said to Commissioner Delaney's larger point he is still concerned about the lack of specificity around utilities in this plan. There are really big important things that this plan does not and cannot address but he appreciates all the work that has gone into the development of this plan. He thinks it is a good plan.

Commissioner Delaney asked if it would be helpful at the next meeting to hear from the County Manager or the planning staff about what this means for the County staff. For example, the law enforcement numbers that came with this idea showed around seventeen additional officers for an area served by eleven officers. He believes additional conversations around the future impacts would be helpful.

Commissioner Kenlan made a motion to adopt Plan Moncure with the three proposed changes.

Commissioner Dasher asked if motion could also include the definition of the compact residential place type to include detached housing. Commissioner Kenlan said she had an issue with that because the change was made based on public input at the last meeting to create more buffers and allow more density in that area.

Commissioner Howard said because you have attached housing does not mean you will have greater density. Commissioner Kenlan asked if her motion could remain, and this be noted in the discussion as a topic for future discussion. Vice Chair Dasher said one of the things that focuses these large scale developments is if an owner has a small parcel the only way they can do anything with it is to sell it to a developer who can put together ten more of those lots and make a larger residential development.

*He thinks it would be nice if small property owners with an acre lot could put a duplex or quadplex on it. That is the type of small development that shaped American towns a long time ago and no longer does. Commissioner Kenlan said she appreciates learning that information but the large property in question is owned by one landowner.*

*Commissioner Gomez Flores asked if the Board wants to keep the amended map presented or consider changes based on the input from Mr. Robinson about his client's request. Commissioner Kenlan said her motion is to adopt the plan with the additional three changes proposed this evening and does not include Mr. Robinson's client's request.*

*Commissioner Delaney said he wishes it were as clear to him as it seems to be with the rest of the Board that this will give the Board the things it generally says it wants. He does not think it is clear and does not think there has been the right level of County strategy work and as a result he will vote no on the motion.*

**A motion was made by Commissioner Kenlan, seconded by Commissioner Gomez Flores, to adopt Plan Moncure with the three proposed changes. The motion carried by the following vote:**

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

**No:** 1 - Commissioner Delaney

### [23-4890](#)

Vote to approve a legislative request by Manns Chapel II, LLC and Circle K Stores, Inc., to rezone Parcels 2642, 2641, 2562, 2564, 2563, 2542, 2560 from B-1 Business and CU-B1 to CD-NB to redevelop the convenience store site and allow for additional retail and personal services commercial building, located at 11399 US 15-501 N, Baldwin Township.

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

[23-4890 Staff Presentation](#)

[Circle K Public Hearing Presentation FINAL](#)

*Commissioner Delaney said he pulled the item from the consent agenda because he noticed it was submitted with the atypical addition of a minority report from the Planning Board on a number of points. He felt the points were well made and maybe there was not enough discussion about the rezoning about those points. He proposed sending the agenda item back to the Planning Board to have a deeper dialogue on some those points and see if there is anything in addition they would like to give the Board of Commissioners for consideration. By rezoning this area, including some residential properties, it sets a precedent for what ought to happen in other adjacent areas. He would benefit from additional commentary from the Planning Board on those points.*

*Commissioner Kenlan said she appreciates Commissioner Delaney highlighting this. She read the minority report and spoke with Planning Board member Shelley Colbert. It made her proud that they have such dedicated volunteers and that she took the time to write the report. Commissioner Kenlan said she still thinks it was a clear recommendation from the Planning Board and planning staff.*

**A motion was made by Commissioner Kenlan, seconded by Vice Chair Dasher, that this Resolution #23-54 approving a consistency statement and a statement**



of reasonableness for approval of a request by Manns Chapel II, LLC and Circle K Stores, Inc., attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

**No:** 1 - Commissioner Delaney

A motion was made by Commissioner Kenlan, seconded by Vice Chair Dasher, that this Ordinance amending the zoning map for Manns Chapel II, LLC and Circle K Stores, Inc, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

**No:** 1 - Commissioner Delaney

### **CLERK'S REPORT**

*The Clerk reminded the commissioners that their One on One meetings will be this Friday at the Manager's Office.*

### **MANAGER'S REPORT**

*The County Manager said there is a celebration at The Farm at Penny Lane on October 26th. Also the new Emergency Operations Center will have its grand opening on October 27th.*

### **COMMISSIONERS' REPORTS**

*Commissioner Kenlan said she is participating in the Sheriff's STAR program and did a four hour ride along and tour of the jail. She also attended a field trip with the CCCC History of Rock and Roll class. They went to Sanford to see the mural dedicated to the connection Sanford has with the band Pink Floyd. She also attended the YMCA ground breaking in Chatham Park.*

*Commissioner Delaney thanked the County Manager for meeting about affordable housing with others back in September. He and the County Manager will be in touch soon with someone from NACo to help continue the conversations about planning the January retreat. He also heard from the professor with UNC's program on civil discourse and he looks forward to bringing that back to an agenda in November.*

*Chair Howard spoke at Carolina Meadows University about Chatham County local government. DCCH-MPO had its first meeting at the new Central Pines Regional Council of Governments office and it is a great facility. She also attended the YMCA groundbreaking in Chatham Park. She and Commissioner Kenlan took a course with the School of Government Local Elected Leaders Academy. This weekend she will attend the NC Association of County Commissioners Executive Board meeting in Greensboro.*

### **ADJOURNMENT**

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

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