



Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, June 18, 2018

6:00 PM

Historic Courthouse Courtroom

Work Session - 1:00 PM - Historic Courthouse Courtroom

Present: 5 - Commissioner Jim Crawford, Chair Diana Hales, Commissioner Walter Petty, Vice Chair Mike Dasher and Commissioner Karen Howard

PUBLIC INPUT SESSION

Frans Verhagen submitted the following comments:

I am a sustainability sociologist and a resident of Carolina Meadows where I started an energy and environment working group. I have two comments to make. One is about the solar presentation from CleanPath. The second is about sustainability planning for the County. I support what Amanda is presenting on solarization. There is return on investment for many of those solar systems and I have been working on this for three or four years at Carolina Meadows. There is a return of about 12% of the life span of a solar system. Most people think sustainability is environmental sustainability, which is of course a very important part but it is not the only part. Basically, how we can conceive of sustainability is a three legged stool. Social, economic and environmental. The three of them together constitute real sustainability. Another way of showing that is with a sustainability obelisk. I made those devices for Carolina Meadows where we are engaged in a sustainability study and program. This will be part of the sustainability week that we will plan for next year. What I am suggesting for the County is to engage in sustainability planning. You should have several people in different departments engaged in a program of the International Society of Sustainability Professionals.

Martha Girolami submitted the following comments:

I really look forward to reading an article in the near future entitled "Chatham County NC, First in Solar". That would be so smart! As more and more County buildings and spaces install solar, this progress needs to be displayed on a solar powered electronic board for all to see. We should be proud to solarize because this investment will save money! Solar panels payback the cost in a modest amount of time. Solar panels allow the County to become a producer of its own electricity. Solar panels allow us to have more energy cost stability. If Chatham down the road invests in storage batteries, we will have more energy and grid independence and savings. Most importantly solar energy is the good news for Chatham in a sea of bad news about climate change impacts for our County, North Carolina and the US. It is what we CAN do. This shows our young people that we care and that we value their future well-being on a livable earth. The NC Clean Path program argues for solarization and electrification of our buildings and homes and cars. We must find ways to reward and implement this vision. At all costs we must not participate in more fossil fuel energy use and development. These destroy climate stability and endanger us all.

Kathleen Hundley submitted the following comments:

Chatham County was a different kind of place when my organization, RRHF, was organized. According to the 2010 census, the population was 63,505. It was more rural then - a livestock and agricultural county with development yet to come. In 2016, the population was 72,243 and growing, with less agriculture. The Northeastern part of the county had blossomed with development and the western part of the county was facing increased growth. The influx of population, new and expanding industries that are becoming established have generated waste from the resulting increase in the use of fossil fuels as a source of energy by more cars and additional needs for production of energy by use of fossil fuels was resulting in more and more pollution invading our community environment.

As we use more fossil fuels as a primary source of energy, we have to contend with greater exhaust which morphs into a degraded air quality that pollutes the environment of the county. There is a different way to produce the energy the 21st century depends on - solar power. Solar power was first considered a wild dream, and efforts to develop into low cost energy were slow in coming. Today we know that "low cost" doesn't enter the picture. Nonetheless, in the Summer of 2018, it is not only possible to capture that constant source of energy, but by doing so and by moving away from fossil fuels, the waste-free exhaust gives us a cleaner environment in Chatham County. And as the loss of pockets of oil begin to speed up, solar will be able to not only generate more energy in the future, but at a lower cost for communities and individuals. Oil will become less and less available but as long as it is used, it will continue to foul the air.

In spite of the advantages of solar technology, there are drawbacks to adequate solar power, two of which include: the need for cleared acreage on which to build energy farms, as well as the truth that the sun doesn't shine 24/7. When clouds float in and night falls and block sunlight, energy waits until any barrier lifts and sunlight returns. Solar production will address these drawbacks, improve the technology and ultimately drop in price, while the Sun will continue to be there and will continue to provide us with energy and allow Earth to clean up its environment - a win - win for the planet.

Progress into the field of solar power begins here, in communities with buildings built and maintained by local government- county schools, government housings, departmental buildings and others. And as the county shows a decided swing from fossil fuels to solar power, the citizens of the community will see a similar swing away from hazy horizons, oil scum and higher property tax. It's TIME to think "future", to convert county buildings to solar power and to face the future of Chatham County knowing that the environment of the county is and will be cleaner, less disease-producing and with lower cost energy from the Sun instead of dirty, disease generating fossil fuels versus the constant and consistent SUN that can give us clean power and lower cost energy forever.

So - in Summer, 2018, what's stopping this conversion to solar power? We have the technology that can develop into a growing industry, and we are aware of a cleaner source of energy production. But for those individuals who want to build solar power on their own homes converting from fossil fuel to solar power, the cost of conversion is presently quite expensive. As solar power becomes more technologically available and in private homes, in addition to buildings maintained by local governments, not only will the technology be able to work more easily and quickly, the cost of the conversion will gradually fall, making solar power an economic advantage as well as using the SUN as

the primary energy source, the health of communities will become the energy standard.

Diane Ursano submitted the following comments:

I'm here representing the Friends of Pokeberry Creek Beavers and Watershed. We really hadn't planned to be here but we saw that you had the Beaver Management Assistance Program on the agenda. We thank you for considering it. We just want you to know that we are concerned about part of that management program that calls for the extermination of beavers. We've learned a lot since our organization got started a couple of months ago. In many people's minds extermination is the answer to the nuisance of beavers. It isn't a workable solution because beavers will find other places to build their homes. We do believe beavers add a lot to the environmental quality in this county. The waters of Pokeberry Creek lead to the Haw River, to the Cape Fear Watershed and into Jordan Lake. While we appreciate the management program we hope that in Chatham County we will follow the example set by Durham County and the Ellerbee Creek Watershed. They worked together to come up with a marvelous solution to a difficult problem having to do with roadways that are used by many people. Now we have the Ellerbee Creek Watershed which is a marvelous environmental benefit to Durham County. We would like to see something like that happen here in Chatham but we realize our watershed is little.

Wyoming did a study where they discovered given Wyoming's eco-tourism, one bobcat pelt is worth \$400. One live bobcat is worth \$308,000 to the tourism industry. We don't say that our little \$8 pelted beavers are going to do much for Chatham County tourism but we do say they are going to add to the quality of life in the county, to the water and to our environment. There in this little watershed New Hope Audobon observed eighty species of birds last month. We don't know how many reptiles and amphibians there are because the five year old boys haven't been out of school long but we imagine we will have a count on that. Families, nursery schools, individual walkers, dogs on walks have all been to the watershed and seen the beavers at night, the otters in the daytime and everyone is excited to be a part of what Briar Chapel calls itself - an environmentally friendly and eco-friendly environment. Beavers are a challenge and they are difficult to manage. We believe their benefits far outweigh the burdens. The Pokeberry Creek Friends will work with our allies to provide public education, information and awareness. We invite you to visit our website: pokeberrycreekbeaversandwetlands.org or beaverinstitute.org which has a marvelous educational program. Thank you for your consideration and we hope that you will come up with humane and ecologically friendly solutions to the problem with beavers.

Commissioner Petty entered the meeting at 1:22PM

Betsey Downing submitted the following comments:

I live in north Chatham County. I wanted to speak a little bit on the financial benefits as a homeowner with solar on my roof. I did that in 2015. I found my last bill was \$13 in this heat. I estimate that I save approximately \$1000 a year on my heating and air conditioning bills. That is just a little homeowner. If you multiply that by many times for public buildings it could be a tremendous savings. I also echo what some of the other people have said. I would love to see Chatham County be the leader in this whole field. This is definitely the wave of the future. Cities are getting on board. Mayors are getting on board all across the country. Just the other day Berkeley and

San Francisco together passed a resolution to have 100% renewables. I think it would be so fantastic if we got on the bandwagon and if we were a leader in our state and showed people what is possible. Thank you.

BOARD PRIORITIES

[18-2688](#)

2018 Second Quarter Employee of the Quarter Award-Anne Chapman, Child Victim Services Coordinator

Attachments: [Anne Chapman-Child Victim Services](#)

Human Resources Analyst Courtney Goldston introduced Child Victims Coordinator Anne Chapman, the Second Quarter Employee of the Quarter. Ms. Chapman was nominated for Employee of the Quarter because of the exceptional job she has done to reinstate, revamp and deliver the sexual abuse prevention curriculum for fourth graders. This program has not been delivered consistently in years past, and Anne started to work almost immediately after her hire to build relationships with school staff and deliver a program that was well received and age appropriate. Every fourth grade student in the Chatham County school system now has valuable information about themselves, appropriate behavior and what to do if they feel uncomfortable. Anne also does follow up with any children who have questions or issues that come up around the topics they cover in the curriculum.

Chair Hales presented Ms. Chapman with the Second Quarter Employee of the Quarter award.

[18-2662](#)

Vote on a request to approve a request from The Sprott Youth Center (SYC) Board of Directors for \$25,000 to complete the renovations at the Center.

Deputy County Manager and Finance Director Vicki McConnell reviewed the background of the item.

Houston Blair, representative of the Sprott Youth Center, reviewed the specifics of the request.

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

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

[18-2656](#)

Receive presentation on Beaver Management Assistance Program and vote on a request to sign the participation agreement for FY 2018-2019.

Attachments: [Chatham BMAP 6-4-2018](#)
 [BMAP agreement](#)

Andy Moore with USDA Wildlife Services gave a presentation to the Board about the Beaver Management Assistance Program. (Presentation attached)

Commissioner Howard asked if the BMAP program relocates beavers. Mr. Moore said it is illegal in North Carolina to trap and relocate beavers so they are trapped and euthanized. They try to offer multiple options that do not include lethal control. Once they make the recommendations it is up to the land owner to decide which path to take.

Commissioner Crawford asked if there was potential to relocate the beavers onto a different property. Mr. Moore said it is legal to catch on release beavers to a different location on the same property.

Commissioner Petty asked about water management devices. Mr. Moore stated a water control device is a big piece of ten inch pipe and on the upper end of the beaver dam there are a bunch of holes in the pipe. There is a cage on the outside of the pipe that goes through the dam and there is an elbow below the dam. That device is designed so that a beaver cannot figure out how to plug it up.

Chair Hales asked if anyone in Mr. Moore's office worked with the Elerbee Creek folks in Durham. Mr. Moore said he didn't recall having a lot of input in that. He is not familiar with that site.

Chair Hales stated she would be interested in trying the BMAP process for a year.

Vice Chair Dasher asked if Mr. Moore was contacted by the land owner at Pokeberry Creek. Mr. Moore said they were contacted by the board and visited the site and provided recommendations.

Vice Chair Dasher asked why the County discontinued the program. County Manager Renee Paschal said it was for lack of use.

Commissioner Howard asked if groups have reached out to the County with concerns about beavers. The County Manager said the County has had at least one situation besides the situation in Briar Chapel.

The County Manager said the money could come from contingency.

Commissioner Howard asked how can they let people know about this. Commissioner Petty suggested Cooperative Extension would be the best place to promote the program.

Commissioner Crawford stated he is voting in favor of joining the program because it brings expertise to the county.

A motion was made by Vice Chair Dasher, seconded by Commissioner Howard, to approve the County participating in the Beaver Management Assistance Program for one year. The motion carried by the following vote:

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

[18-2661](#)

Vote on a request by Chatham CleanPath to accept the Request for Proposal for Solar Energy Installations on County Facilities and Lands and proceed to obtain proposals from qualified suppliers as outlined in the RFP and submit the required documents to take advantage of the free SolSmart program for identifying those properties in the county that

would be best suited for solar energy.

Attachments: [chatham_solar_presentation](#)
[solar_request](#)
[Chatham_County-RFP](#)
[SolSmart_Application_current](#)
[SolSmart_Fact_Sheet](#)
[SolSmartSolarStatementTemplate-3](#)

*Amanda Robertson with Chatham CleanPath gave a presentation to the Board.
(Presentation attached)*

The County Manager said staff will have to review the RFP and make sure it matches the County's procurement process.

A motion was made by Commissioner Crawford, seconded by Commissioner Howard, to direct staff to begin laying out the process by which the county will solicit proposals for solar installations on county buildings and report back to the Board in 90 days. The motion carried by the following vote:

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

[18-2605](#)

Receive presentation on Chatham Aging Plan

Attachments: [Chatham Aging Plan Presentation](#)

*Council on Aging Director Dennis Streets gave a presentation to the Board.
(Presentation attached)*

This Agenda Item was received and filed.

[18-2676](#)

Receive a presentation on minority hiring and diversity initiatives

Attachments: [Minority Hiring Report BOC 0618 Revised](#)

*Human Resources Director Carolyn Miller gave a presentation to the Board.
(Presentation attached)*

Chair Hales asked how many people were enrolled in Leadership Academy. Ms. Miller said this year there are forty-two. Leadership Academy has been opened up to nonprofits and to the towns. The Leadership Academy usually averages about twenty participants from the County.

Commissioner Howard stated she was so proud of staff and their willingness to assess and continue to improve.

This Agenda Item was received and filed.

CLOSED SESSION

[18-2663](#)

Closed Session to discuss matters relating to attorney-client privilege, economic development and personnel.

A motion was made by Commissioner Petty, seconded by Commissioner Crawford, to approve going out of the Work Session and convening in Closed Session to discuss matters relating to attorney-client privilege, economic development and personnel. . The motion carried by the following vote:

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

ADJOURNMENT

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

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

End of Work Session

Regular Session - 6:00 PM - Historic Courthouse Courtroom

Present: 5 - Commissioner Jim Crawford, Chair Diana Hales, Commissioner Walter Petty, Vice Chair Mike Dasher and Commissioner Karen Howard

INVOCATION and PLEDGE OF ALLEGIANCE

Chair Hales invited everyone to participate in a moment of silence after which she invited everyone present to stand and recite the Pledge of Allegiance.

CALL TO ORDER

Chair Hales welcomed those in attendance and called the meeting to order at 6:09 PM.

APPROVAL OF AGENDA and CONSENT AGENDA

Commissioner Crawford acknowledged the reappointments of members to the Board of Health with whom he serves and thanked them for their service. He also asked to pull the EDC Contract Extension extension and move it to the regular agenda. The Board also agreed to move the Affordable Housing Advisory Committee appointment from the Work Session to the Regular Session.

Chair Hales reviewed some changes that were made to the agenda after it was posted.

- Item 18-2668 updated the contract expiration date to August 31, 2018

- Item 17-2328 added an additional budget amendment

- Item 18-2658 had the funding plan modified by the state but it does not affect the County's budget in any way

- Item 18-2671 was changed from a vote to approve to a vote to deny

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that the agenda be approved as amended. The motion carried by the following vote:

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

[18-2679](#)

Vote on a request to approve the May 7, 2018 Work and Regular Session Minutes, the May 21, 2018 Work and Regular Session Minutes, the May 22, 2018 Budget Public Hearing Minutes, and the May 24, 2018 Budget Work Session Minutes.

Attachments: [Draft Minutes 05.07.2018](#)

[Draft Minutes 05.21.2018](#)

[Draft Minutes 05.22.2018](#)

[Draft Minutes 05.24.2018](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that the Minutes be approved. The motion carried by the following vote:

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

[18-2547](#)

Vote on a request to approve re-appointment of Dr. William Roscoe, OD, to fill the upcoming Optometrist vacant seat on the Board of Health effective 7-1-18

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

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

[18-2548](#)

Vote on a request to approve re-appointment of Dr. John Kessler, PharmD to fill the upcoming Pharmacist vacant seat on the Board of Health effective 7-1-18

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

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

[18-2549](#)

Vote on a request to approve re-appointment of Dr. Tammy Lynn Morris LLOYD, MD, to fill the upcoming Physician vacant seat on the Board of Health effective 7-1-18

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

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

[18-2550](#)

Vote on a request to approve re-appointment of Carol Reitz-Barlow, BSN, RN, CCRN, to fill the upcoming Nurse vacant seat on the Board of Health effective 7-1-18

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

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

[18-2637](#)

Vote on a request to approve re-appointment of Dr. Lewis N. Lampiris, DDS, MPH to fill the upcoming Dentist vacant seat on the Board of Health effective 10-20-18.

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

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

[18-2680](#)

Vote on a request to reappoint Deanna Jones to the Triangle South Workforce Development Board.

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

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

[18-2599](#)

Vote on a request to approve reappointments to the Affordable Housing Advisory Committee

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that the Appointments be approved. The motion carried by the following vote:

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

[18-2602](#)

Vote on a request to approve reappointments to the Chatham County Appearance Commission.

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that the Appointments be approved. The motion carried by the following vote:

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

[18-2603](#)

Vote on a request to approve reappointments to the Board of Adjustment.

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that the Appointments be approved. The motion carried by the following vote:

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

[18-2604](#)

Vote on a request to approve appointments to the Climate Change Advisory Committee.

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that the Appointments be approved. The motion carried by the following vote:

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

[18-2606](#)

Vote on a request to approve appointments to Environmental Review Advisory Committee.

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that the Appointments be approved. The motion carried by the following vote:

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

[18-2607](#)

Vote on a request to approve appointments to Library Advisory Committee.

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that the Appointments be approved. The motion carried by the following vote:

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

[18-2608](#)

Vote on a request to approve reappointments to Recreation Advisory Committee.

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that the Appointments be approved. The motion carried by the following vote:

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

[18-2610](#)

Vote on a request to approve appointments to Transportation Advisory Committee

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that the Appointments be approved. The motion carried by the following vote:

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

[18-2562](#)

Vote on a request by Beth & Joseph Pendola dba Old Lystra Inn, Parcel No. 18649, located at 1164 Old Lystra Road, for a Conditional Use Permit for a Bed and Breakfast Inn on approximately 10.034 acres, Williams Township.

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

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2018-24 Approving a Conditional Use Permit Request by Beth and Joseph Pendola, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[18-2561](#)

Vote on a request by Dale & Mary Stansell to rezone an additional .25 acres of Parcel No. 5248 located at 1060 New Elam Church Road from R-1 Residential to CD-NB Conditional District Neighborhood Business to expand the existing boat and RV storage facility, Cape Fear Township.

Attachments: [More Information from Planning Department Website](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2018-25 Adopting a Consistency Statement for the Approval of Conditional District Neighborhood Business Rezoning Expansion for Dale and Mary Stansell, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

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

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

[18-2560](#)

Vote on a request by Scott Griffis dba Courtesy Towing to rezone Parcels 5150 and 5804 (2.91 acres collectively) from R-1 Residential to IL Light Industrial General Use located at 860 Pea Ridge Road, Cape Fear Township.

Attachments: [More Information from Planning Board Website](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2018-26 Adopting a Consistency Statement for the Approval of Rezoning for Scott Griffis, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

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

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

[18-2559](#)

Vote on a request by the Chatham County Board of Commissioners to rezone parcels 5379 and 5842, containing approximately 984 acres, from CU IND-H Conditional Use Heavy Industrial and R-1 Residential to IND-H Heavy Industrial, located off of Moncure Flatwood Road.

Attachments: [More Information from Planning Department Website](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2018-27 Adopting a Consistency Statement for the Approval of Rezoning Parcels for Moncure Megasite, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

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

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

[18-2564](#)

Vote on a request by Moncure Holdings, LLC to rezone Parcels 65277, 66669, 5369 and 5623 and portions of Parcels 5620 and 65276 from R-1 Residential and Conditional Use Heavy Industrial to IH Heavy Industrial General Use being a total of 686.45 acres, located off the Moncure Flatwoods Road and Christian Chapel Church Road, Cape Fear Township.

Attachments: [More Information from Planning Department](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2018-28 Adopting a Consistency Statement for the Approval of Rezoning Parcels for Moncure Holdings, LLC, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

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

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

[18-2563](#)

A request by the Chatham County Board of Commissioners to rezone 47 selected businesses in the formerly unzoned portion of Chatham County.

Attachments: [More Information from Planning Department Website](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2018-29 Adopting a Consistency Statement for the Approval of Multiple General Use Rezoning, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

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

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

[18-2675](#)

Vote on a request by the Chatham County Board of Commissioners to rezone Parcel No. 10665, being 72.78 acres, Hadley Township, located on Henderson Tanyard Road, from R-1 Residential to RB-Regional Business.

Attachments: [More Information from Planning Department Website](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2018-30 Adopting a Consistency Statement for the Approval of General Use Rezoning from R-1 Residential to RB-Regional Business, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

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

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

[18-2645](#)

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

Attachments: [RESOLUTION Habitat for Humanity 06182018-BOC-Corrected](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2018-31 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 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[18-2648](#)

Vote on a request to adopt a Resolution to Approve Lease-Purchase of Apple Computers for Chatham County Schools.

Attachments: [Apple Computer Resolution](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2018-32 Approving Lease-Purchase of Apple Computers for Chatham County Schools, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[18-2669](#)

Vote on a request to adopt a Resolution Approve Student Dell 1 to 1 Chromebooks for Chatham County Schools.

Attachments: [Dell Computer Resolution](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2018-33 to Approve Dell One to One Chromebooks for Chatham County Schools, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[18-2659](#)

Vote on a request to adopt the amended Triangle J Council of Governments Charter Resolution

Attachments: [Chatham County](#)
[TJCOG Charter - amended April 25 2018](#)
[TJCOG Charter redline - April 25 2018](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2018-34 Amending the Triangle J Council of Governments Charter, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[18-2664](#)

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

Attachments: [Personnel Policy \(Proposed Amendment June 18 2018\) redline copy](#)
[Resolution Amending PP June 2018-Uniform Guidance](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2018-35 Amending the Chatham County Personnel Policy June 2018, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[18-2652](#)

Vote on a request to adopt the Chatham County Uniform Guidance Conflict of Interest Policy

Attachments: [Chatham- UG Conflicts and Gifts Policy](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that this Policies and Procedures be approved. The motion carried by the following vote:

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

[18-2668](#)

Vote on a request to approve an extension of the FirstHealth EMS Agreement through August 31, 2018 and authorize the County Manager to execute the agreement.

Attachments: [First Health Extension June 2018 FINAL \(2\)](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

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

[18-2649](#)

Vote to amend a contract with Green Revival Landscaping for facilities mowing and award a one-time third year extension.

Attachments: [FIRST AMENDMENT- July 1, 2018 - FACILITIES-GREEN-REVIVAL with rates](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

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

[18-2658](#)

Vote on a request to approve the Chatham County Juvenile Crime Prevention Council Annual Plan and Certification

Attachments: [Annual Plan](#)
[Certification](#)
[Revised June 15 2018 FY 18-19 Chatham County Funding Plan \(ver3-4-16\)extended rows \(002\)](#)

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

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

[18-2651](#)

Vote on a request to approve the Home and Community Care Block Grant for fiscal year 2018/2019 as recommended by the Advisory Committee appointed by the County Commissioners.

Attachments: [731 County Services Summary FY 18 proposed](#)
[2019 RevisedCounty HCCBG funding 5.18](#)
[HCCBGCommitteeInformation2018](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

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

[18-2660](#)

Vote on a request to approve a contract for Stephenson & Fleming, LLP to provide legal services for Social Services for the fiscal year 07/01/2018 to 06/30/2019.

Attachments: [Executed Stephenson & Fleming, LLP Contract FY19](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

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

[18-2666](#)

Vote on a request to approve contract for Chatham Transit Network for Social Services for the fiscal year 07/01/2018 to 06/30/2019.

Attachments: [Executed Chatham Transit FY19](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

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

[18-2667](#)

Vote on a request to approve a Department of Social Services MOU with NC Department of Health and Human Services and authorize the County Manager and DSS Director to sign the MOUS as required by NCGS 108-74.

Attachments: [Talking Points](#)
[Chatham County 2018-2019 MOU with DHHS \(revised\)](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

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

[18-2677](#)

Vote on a request to approve Aggregate Stop Loss (ASL) and Single Stop Loss (SSL) Contracts with Blue Cross Blue Shield of North Carolina for the plan year July 1, 2018-June 30, 2019 and authorize the county

manager to execute the contracts.

Attachments: [FY19 ASL Chatham County](#)
 [FY19 SSL Chatham County](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

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

[18-2678](#)

Vote on a request to approve Tax Releases and Refunds

Attachments: [May 2018 Release and Refund Report](#)
 [May 2018 NCVTS Pending Refund Report](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, 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 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2328](#)

Vote on a request to approve Fiscal Year 2017-2018 Budget Amendments

Attachments: [Budget Amendment 2017-2018 June](#)
 [Budget Amendment 2017-2018 June-a](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that the Budget Amendments, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

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

[18-2686](#)

Vote on a request to approve a Pyrotechnics Display at Governor's Club Clubhouse on July 4, 2018.

Attachments: [Attachment A- N.C.G.S. 14-410 -14-413](#)
 [Attachment B-Letter of Request](#)
 [Attachment C- NC Pyrotechnic Operators License](#)
 [Attachment D-Certificate of Insurance](#)
 [Attachment E- ATF License-Permit](#)
 [Attachment F- Pyrotechnic Display Site Drawing](#)

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

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

[18-2670](#)

A request by the Planning Department to schedule a legislative public hearing on July 16, 2018 at 6:00 p.m. to adopt revisions to the Chatham County Flood Damage Prevention Ordinance.

Attachments: [Attachment-FEMA Letter](#)

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

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

End of Consent Agenda

PUBLIC INPUT SESSION

Howard Fifer submitted the following comments:

My name is Howard Fifer and I am a resident of Chatham County. I would like to thank the commissioners for adopting zoning protections for the historic district in Pittsboro. I refer to the new ordinance which restricts certain types of businesses from opening within a quarter mile in every direction from the historic courthouse. There remains, however, the compelling issue at the center of the overlay district. There remains the item which is truly offensive to the county's progress, and the true impediment to growth and development. Here, on the eve of the Juneteenth celebration, in a county where six of our citizens were lynched, there remains the so-called confederate monument whose only function is to celebrate white supremacy.

Listen to the explanation for the erection of these monuments provided by the people who built them. The Governor of North Carolina, at the dedication of the monument in Granville County in 1909 said the following, promoting white supremacy as a simple fact of nature: "You see what the whole country is beginning to recognize, that it is not in the power of all the armies ever drilled or of all the constitutions ever written to make the white and black races equal"

The dedication of the monument in Anson county in 1906 referenced the 1898 race riots in Wilmington, praising the white men who led the coup d'etat for refusing to surrender their inheritance to an "inferior and numerous race" of former slaves and took up the "heroic task of redeeming their state and committing her destinies into the hands of her native white citizens". The confederate monuments were placed and stood as "emblems to teach future generations lessons of fidelity to the principles and culture which are the heritage of the southern people and the pride of every true Son and Daughter of the south" What lesson do you five people sitting here wish to teach future generations of Chatham residents? This is the question you have thus far chosen to ignore and failed to address. Thank you for your attention.

Quentin Murray submitted the following comments:

I am from the Cape Fear Township in Moncure/Haywood. I am here on behalf of the Moncure/Haywood Organization in regards to asking the commissioners to consider funding for events in that area, such as our food truck event we started last year. Our

community is wishing to uplift community pride and we would love to have the commissioners' support. We are requesting money from the coal ash funds.

Angie Hilliard submitted the following comments:

I want to speak about Item 18-2674. This matter has been before the Board for quite awhile now. We went as a neighborhood off of Mays Chapel Church Road. This area was zoned as residential back in 2016. I also spoke at the last meeting. We went to the planning committee at that time and they agreed with a unanimous vote in favor of this other item not being rezoned. The item below that I am speaking about tonight is being brought to you for a vote tonight. This is right up the hill from where we reside. We would definitely want to stand firm tonight on this actual location not being rezoned as light industrial. We did not know that this property might be something that we would want to look at as not being rezoned. This is the same road in rural Chatham County. It is a farming community. We all live out there and we raise our children there. My main concern is for the legacy there and the runoff and the problems we might have in the river beds there from the Bear Creek running into most of the rivers we have in our community. I am also concerned about the burden of industry going into that region. It is causing a problem for us in the country community we live in. Buses go in and out of that road carrying our children. This is a very bad curvy road with which we already have issues. I think that would be a concern with light industrial and big industrial trucks coming in and out. We would greatly appreciate it if you would go into prayer about that and make the best decision for this area. Thank you for your time.

Anthony Antonelli submitted the following comments:

I've addressed this body before on two different occasions. Like I said before, this property that is up for rezoning is adjoining my property. My property is 900 feet wide and 1200 feet deep. I don't want it there because we can see where he is already putting things up the hill at another site and its already junked. I don't want it next to me. I don't want to lose property value if and when I decide I want to sell my property. I know good and well this will affect it. I don't know for sure but I've been told that the property does not perk and is not acceptable to the pumping. It is also uphill to me and I don't want this junk running downhill and possibly ruining my well. My property is right across the road from Mays Chapel Church and this is a residential community. Always has been. We want to keep it that way. I hope you would entertain the possibility of not rezoning it light industrial.

PUBLIC HEARINGS

[18-2665](#)

Hold a public hearing on the 2018 borrowing and vote to adopt a resolution approving a contract and a deed of trust and the delivery thereof and providing for certain other related matters

Attachments: [Approving Resolution - Chatham 2018 LOBs](#)

Chair Hales explained the specifics of the request. This is a public hearing to receive

input on the upcoming borrowing of a principal amount not to exceed \$125,000,000 to pay the capital cost of constructing and equipping a new high school to be known as Seaforth High School, a new elementary school to be known as Chatham Grove Elementary School and a Health Sciences building for Central Carolina Community College.

The Chair opened the hearing.

No one signed up to speak.

The Chair closed the hearing.

A motion was made by Commissioner Crawford, seconded by Commissioner Howard, that Resolution #2018-36 Approving a Contract and Deed of Trust and the Delivery Thereof and Providing for Certain Other Related Matters, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[18-2681](#)

Public Hearing to receive public comments on the System Development Fee Study for Water Facilities and vote on a request to approve adoption of the study.

Attachments: [Water System Development Fee Study Chatham County NC Draft 03.29.18 \(002\)](#)
[Chatham County System Dev Fee Presentation for 04.16.18](#)
[Impact Fee Study Responses All 180604](#)
[system development fee study presentation](#)

Assistant County Manager and Public Works Director Dan LaMontagne gave a presentation to the Board. (Presentation attached)

The Chair opened the hearing.

No one signed up to speak.

The Chair closed the hearing.

A motion was made by Commissioner Crawford, seconded by Vice Chair Dasher, to approve the adoption of the study. The motion carried by the following vote:

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

[18-2682](#)

Vote on a request to approve the updated Chatham County Water System Policy to reflect changes to the system development fee structure and to correct outdated information.

Attachments: [Final Water Policy Effective July 1, 2018](#)

Dan LaMontagne explained the specifics of the request.

A motion was made by Vice Chair Dasher, seconded by Commissioner

Crawford, that this Agenda Item be approved. The motion carried by the following vote:

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

[18-2657](#)

Vote on a request to approve the adoption of the FY 2018-2019 Budget Ordinance

Attachments: [FY 2018-2019 Budget Ordinance](#)

A motion was made by Commissioner Crawford, seconded by Commissioner Howard, to amend the Budget Ordinance to reflect the performance review for the County Manager from meets to exceeds expectations and adopt the amended Budget Ordinance, attached hereto and by reference made a part hereof. The motion carried by the following vote:

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

[18-2578](#)

Public hearing by the Board of Commissioners to consider an extension of an existing temporary moratorium on oil and gas development activities within Chatham County until January 31, 2019 and vote on a request to approve adoption of the ordinance.

Attachments: [Attachment](#)

Planner Dylan Paul reviewed the specifics of the request.

Attorney Glenn Dunn said staff is making progress on the ordinance and he believes it will be ready prior to the expiration of the moratorium.

The Chair opened the hearing.

Joshua Kricker submitted the following comments:

I have lived here since 2001. I would like you to adopt the ordinance of the extension. If I could, I would have the Board adopt an ordinance banning fracking in this county all together. I am presenting two studies to the Board which I would like to be included in the record. (Studies are on file in the Clerk's office) One is by Dr. Judy Stone and that very radical leftwing publication known as Forbes magazine. Dr. Stone is an infectious diseases specialist and has written a number of books on the subject. Her conclusions states "There is growing evidence of a variety of health problems being associated with fracking. Common sense dictates that drinking and breathing cancer causing agents will take their toll. The correlation is too strong to ignore, especially when we have other cleaner energy options. For our safety and that of future generations, we should not allow the new administration to sell off public lands nor allow drilling on our land and ban fracking completely." The other study from the National Academy of Sciences is by far the most comprehensive study done on hydraulic fracturing and infant health. The conclusion states "The paper provides evidence that exposure to hydraulic fracturing on infant health using a large scale analysis of vital statistic records for more than 1.1 million in Pennsylvania during the 2004-2013 period. Overall the results suggest that the introduction of fracking reduces health among infants born to mothers living within three kilometers of a well site during pregnancy. The largest problem is lowered birth rates. What do these estimated

impacts imply for the infected infants? Studies show that low birth weights is a risk factor for infant mortality, attention deficit hyperactivity disorder, asthma, lower test scores, lower earnings and higher rates of social welfare participation." I strongly urge the Board to adopt the ordinance and if I could have the Board ban fracking entirely from this county, I would.

Martha Girolami submitted the following comments:

I am speaking on behalf of the Chatham Climate Change Advisory Committee to voice our support of the temporary moratorium on fracking in our County until January 2019. It is so important to get the applicable ordinances perfectly crafted to regulate heavy industrial development. These are often the source of extreme and widespread water and air pollution. All sources of methane and burning which increase green house gas emissions deserve the strictest of regulation because these damage our climate. From fracking for natural gas and from gas infrastructure there is enormous leakage of methane which is over 90% of the composition of natural gas. Methane is a green house gas on steroids. Its potency to cause temperature rise is 86 times that of Carbon Dioxide. Methane leakage occurs through gas drilling, tracking, gas processing and cleaning, gas storage from tanks, gas transportation in pipelines, from gas compressor stations, from explosions, from valve and fittings leakage, from processes that liquefy gas; from processes that regasify liquid methane, and more. On September 2017, the Chatham BOC adopted the "Resolution to Slow the Climate Crisis by Reducing Methane Emissions from Natural Gas Systems". Many urgent reasons to reduce and/or eliminate methane releases are given in this document. The urgency to reduce methane and move rapidly to clean energy is extreme.

Amanda Robertson submitted the following comments:

I respectfully request that you extend the moratorium on oil and gas activities in our county until such time as these activities can be deemed safe to do so. The risks involved in this process, which have already been demonstrated across the country and in particular in West Virginia and Pennsylvania along the Marcellus shale reserves, are extensive, impacting not only the water people drink, necessary for all life, but also harm the land and endanger the people who live near this activity. The shallow basin that is being considered for fracturing in Chatham County poses additional concerns because it is shallow. The shallow depth, according to many experts, may exacerbate impacts for all local water bodies in Chatham County, which may be impacted in ways we cannot fully understand without further study. I have spoken before this board numerous times about the dangers of fracked gas and the associated methane released through this process. I ask that you please include in an extension of this moratorium a further study of the associated methane release and its impact on climate change based on the most recent data from 2018, and include this information as part of the final report of this study. Thank you for your consideration.

Maja Kricker submitted the following comments:

I have lived in North Carolina for 31 years and in Chatham County for 23 years. Our county is primarily residential and agricultural, and developing as an ecotourism and retirement community. Our economy relies on clean air and water and the perception that people are coming to an environmentally safe and sustainable community with a

wonderful quality of life. Where are the economic and environmental impact studies for shale gas extraction, fracking and other gas and oil development activities?

We know that cancer-causing agents that include chemicals such as benzene and radium are in fracking waste water and that these have contaminated wells in 20 states, have been dumped on road sides and in wastewater treatment plants in Pennsylvania. Wastewater treatment cannot adequately treat these chemicals. Methane and other toxic agents have contaminated rivers and streams throughout Appalachia as a result of fracked gas pipeline leaks. We are jeopardizing drinking water resources for more than a million people when we place Jordan Lake at such risk.

We will have thousands of diesel trucks on our roads, spewing polyaromatic hydrocarbons and other particulates into our air. Our local UNC scientists have published research studies showing that diesel exhaust can damage the immune systems of children and asthmatics, causing a lifetime risk of systemic disease. According to the International Agency For Research on Cancer, diesel exhaust contains human carcinogens linked to lung and other cancers.

Cancer is the second leading cause of death in the United States and 40% of us can expect to get cancer in our lifetimes (<https://seer.cancer.gov/statfacts/html/all.html>). Shall we make it 50%? Shall we insure that every family suffers devastating emotional and financial loss due to illness that could be prevented by rules and laws that protect our air and water?

Fracking will neither enhance tourism nor attract clean tech business. It will damage our air and water quality, our health, our roads, and require greater law enforcement resources. Chatham County can't afford it. We are risking our local economy when gas wells are typically tapped out within two to five years. Shale gas extraction will result in greater local job loss than it generates. Shale gas extraction doesn't give us a future, it's a dead end that kills local economies.

Instead of handing over our natural resources to any corporation with a bad business model willing to throw some money at it, let's create a sustainable plan for our natural resources that builds on the wealth that local sustainable businesses are developing right now for Chatham County. I am asking you to continue the moratorium on gas and oil development activities.

Jeannie Ambrose submitted the following comments:

In 2011, I first heard about hydraulic fracturing and horizontal drilling: fracking for natural gas was coming to North Carolina. Over the years, some of the harmful effects of fracking have been studied and documented. For instance, fracking itself-not just deep well injection of fracking waste triggered an increase in the number of earthquakes from Oklahoma to Ohio. This year Oklahoma passed regulations intended to reduce the fracking-related earthquakes. Since the Shearon Harris Nuclear Power Plant is located near the Jonesboro Fault and other less well known faults, the NC Oil and Gas Commission should study this potential problem.

Also, the Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking (UGOE), now in its fifth edition, provides more evidence about the negative health and climate impacts associated with fracking studies. Regulations to minimize environmental and

human health risks should also be undertaken by the OGC.

Human activities do affect climate change. We have grown accustomed to seeing news about extreme weather events, sea level rise, and the melting of the glaciers and ice packs. Yet we still aren't motivated to move away from fossil fuel dependence or try to reduce the release of methane, a potent greenhouse gas, emitted from natural gas operations and pipelines.

Should we risk fracking with its trade secret sauce of fracking chemicals that could further degrade our natural resources for both present and future generations? What are the environmental and health costs associated with fracking? There are already pollutants from various sources present in our drinking water. 1,4-Dioxane, poly- and per-fluorinated compounds related to GenX, nitrogen and phosphorus from stormwater runoff, pharmaceuticals and personal care products, heavy metals from coal ash and industrial waste streams, and bacteria from CAFOs are just some of the contaminants that are known to enter the waterways that flow into the Haw River Basin. Our public water and sewer utilities aren't equipped to treat all of these contaminants so many may end up in the biosolids/sludge that are applied to our fields or in the "treated" water released back into our waterways.

We all value the quality of life and the natural resources that we have in Chatham County. Extending the moratorium gives the CCBOC the advantage of reviewing the findings of the Lee County fracking study conducted by Dr. Charles Yuill. This is all part of the important decision making process on ordinances and regulations that are now being considered in both Lee and Chatham counties. Therefore, I support the extension of the Chatham County temporary moratorium on oil and gas development until January 31, 2019. Thank you.

Heidi Zehnal submitted the following comments:

I wanted to share some studies and facts on fracking.

A Cornell University engineer Anthony Ingraffea and his colleagues read through 16, 017 fracking well inspection reports filed over four years in 2012 and in 2010, 111 of 1609 wells drilled and fracked failed and leaked- a 6.9% failure rate and in 2012, 67 of 1014 wells leaked - a 7% failure rate. This did not include pending violations and was only at the wellhead, not leaks that have been found up to 2,000 feet away from the well site in water wells, streams, etc. As wells age, they found that percentage of leakers can increase to 30-50%. The worst leaks were from horizontal drilling. In fact leaking wellbores has been a persistent and chronic problem for decades. Even a 2003 article in Oil Field Review, a publication of Schlumberger, reported that, "Since the earliest gas wells, uncontrolled migration of hydrocarbons to the surface has challenged the oil and gas industry."

The migration of methane or fracking fluid has repeatedly contaminated groundwater across North America or polluted the atmosphere with methane, a potent greenhouse gas. Evidence is also growing that toxic fluids used for hydraulic fracturing can also migrate into adjacent water bodies. A 2012 study in the journal Ground Water warned that hydraulic fracturing opens more pathways for the movement of both fluids and methane. And a recent study by the US Environmental Protection Agency in Pavilion, Wyoming, found that toxic fluids had contaminated local water supplies. We have a water table that is a few hundred feet down and vertical aquifers and horizontal drilling and fractured shale, so chances of contamination are much higher than from horizontal

drilling from fracking and the water table is a few hundred feet down instead of a mile down in Pennsylvania.

There is no place in NC to dispose of millions of gallons of fracking wastewater, other than the coastal plain that has laws to ban wastewater injection so aquifers won't be contaminated. There has been a problem with illegal dumping of this radioactive fracking wastewater into waterways and onto farmland in other states. According to data obtained by ProPublica, oil companies in North Dakota reported more than 1,000 accidental releases of oil, drilling wastewater or other fluids in 2011. Many more illicit releases went unreported, state regulators acknowledge, when companies dumped truckloads of toxic fluid along the road or drained waste pits illegally.

"The Harms of Fracking" is a brand new 266 page report on the increased rates of asthma, birth defects, and cancer from fracking (article on it in the Rolling Stone Magazine). There are now over 1200 peer reviewed articles related to the public health risks of fracking. Fracking wells emit toxic chemicals such as benzene and air pollutants that have been linked to chronic nose bleeds, asthma, and birth defects.

In an analysis of more than 1,000 chemicals in fluids used in and created by hydraulic fracturing (fracking) in 2016, Yale School of Public Health researchers found that many of the substances have been linked to reproductive and developmental health problems, reported in the Journal of Exposure Science and Environmental and Epidemiology. The research team evaluated available data on 1,021 chemicals used in fracking. The researchers determined that wastewater produced by fracking may be even more toxic than the fracking fluids themselves and some of that stays underground after the drilling and removal of much of the wastewater. While they lacked definitive information on the toxicity of the majority of the chemicals, the team members analyzed 240 substances and concluded that 157 of them- chemicals such as arsenic, benzene, cadmium, lead, formaldehyde, chlorine, and mercury - were associated with either developmental or reproductive toxicity.

Methane is 86 times more potent than Carbon Dioxide as a greenhouse gas and as we speak, they are digging mass graves in places like Bangladesh and you can't grow coffee in some Central American countries now due to the global warming we are already experiencing. There is more sunny day flooding on the North Carolina coast from climate change than in any other state and some beach houses have had to be removed due to coastal flooding and sea level rise. 195 countries signed the Paris Climate Agreement and thousands of towns and mayors in the US are working to switch to Fossil fuel-based fracking isn't helping. If you look at infrared photos of fracking wells, you can see all of the methane coming off of them.

I met a couple women from Pennsylvania that had an organic dairy farm and they allowed fracking on their farm. Their cows were sick and had organ damage (which I have also read about in humans), and they were still selling their organic milk- I hope I haven't bought any. There was an explosion of a fracking well in the backyard of some people who lived near those farmers and the oil and gas company gave free pizzas to everyone in town, as seen on Comedy Central's Daily Show.

Jobs are mostly transient. Once things are built out, the additional jobs go away, for the most part.

Thousands of N.C. residents wanted setbacks from fracking operations to prevent their drinking water from being irreversibly contaminated with toxic chemicals; to

safeguard the Shearon-Harris Nuclear Power Plant; and to protect occupied buildings from fires and explosions of drilling operations. Instead, MEC rules provide only minimal setbacks from bodies of water and occupied buildings and no setback at all from the Shearon-Harris Nuclear Power Plant, the nation's largest repository of highly radioactive nuclear waste. Since fracking can extend horizontally two miles underground, the rules allow fracking to be conducted under all of Jordan Lake (our reservoir) and the nuclear power plant, built next to a fault line that could be affected by fracking induced earthquakes.

Open storage pits can leak, hurt wildlife, and pollute the air.

Thank you.

Ron Hatley submitted the following comments:

I own four properties in Chatham County. I was born about 300 yards down the road. I am very well vested in Chatham County. Water is life. It is why many of us have rain barrels. It is why we monitor our streams. It is why we look at our water table. As commissioners, you took an oath to protect the citizens and resources of Chatham County. That is why many of us are speaking here tonight. We have all seen the videos of people as they turn on their water faucets in various parts of the country and they catch fire. We have all seen and heard the people from Flint, Michigan. Ask them about their water quality. Ask them about their preferences for water. I ask you tonight that you respectfully continue the moratorium and thoughtful consideration about and against fracking. Thank you for your time.

Elaine Chiosso submitted the following comments:

The Haw River Assembly has been concerned about the adverse impacts of the shale gas industry since it first became an issue in North Carolina in 2009. Research into the practices of using hydraulic fracking to drill for shale gas in the Marcellus shale regions of West Virginia and Pennsylvania (as well as areas in the western US) has shown that the problems for land, water resources and people have only increased over the years. New York state, which also has abundant shale resources, has now banned fracking based on its concerns for the health, safety and welfare of its citizens.

The presence of shale belts in the eastern and southeastern parts of Chatham County make this an issue of concern for the Haw River Assembly and our members. The risks to our communities as well as to Chatham's water resources, including the Haw River, Deep River, Jordan Lake and the many tributaries that could be impacted by hydraulic fracking, are still not fully understood. There is also growing evidence that methane gas emissions due to drilling and delivery of fracked shale gas are contributing to climate change.

The Haw River Assembly supports the Chatham County Board of Commissioners in extending the current moratorium on oil and gas development activities in the county for another 6 months in order to consider new facts and conditions that must be taken into account. These include the question of disposal of toxic frack wastewater, socio-economic inputs, and the risks of drilling in the type of shallow shale deposits that are in Chatham, and the impacts that could have on water supplies, including Jordan Lake.

Thank you for consideration of these comments.

John Wagner submitted the following comments:

Thank you for your work on this moratorium and all the considerations that are involved. Dr. Yuill's study gave us a start but there are so many issues that he raised that weren't thoroughly addressed. Science alone needs more time and a lot more than six months. I am not going to address the science. Something that he didn't address adequately is covered in a report. The US Department of Justice formed a special task force to deal with the violence against women. Their final summary review, I am going to read some from the very last paragraph. The topic of it was the impact of fracking in North Dakota and Montana on domestic violence, dating violence, sexual assault and stalking. The effects on human trafficking and drug trafficking were significant. There will be a boom and bust cycle and it is likely to happen very quickly. The impacts on our society, our woman and children and the violence across Chatham County really need to be addressed. The report concludes "The current study sheds light on dynamics of a boom and the challenges associated with rapid resource development, which may provide government officials with insight into strategies to minimize the worst impacts of the boom. Thus, before activity increases again federal, state and local officials should address the need for more affordable housing and adequate child care, support those who provide services to victims and perpetrators, including expanding the work force, increase funding and access to all behavioral health treatment services and support community efforts to implement the Violence Against Women Act of 2013." Those are some pretty significant impacts you all need to consider. I don't know how you are going to do that in six months but you are going to have to reallocate a lot of funds to deal with those issues. Take it seriously, don't rush to this decision. Fracking is going to change our county significantly. Thank you.

Lib Hutchby submitted the following comments:

I am a neighbor in Orange County. I truly just wanted to come and say thank you for your sincere and seriously studied thinking as you decide whether you will extend this moratorium. From what we are hearing tonight we are repeating again the affects of fracking on social behavior and scientific facts of what happens to your air and water. We know that even neighbors in Pennsylvania had great conflict because when they went to church they were sitting next to somebody who said yes, somebody else said no. There was such conflict that people weren't even speaking in some families. Again, I want to thank you for your considerations and I appreciate very much and respect the fact that you are having a public hearing about this.

Kathy Zaunseil stated she supports the extension of the moratorium.

Carl Pasdreck submitted the following comments:

I am a new resident to this area. I moved down recently a couple of years ago from New Jersey. If you want any advice of what not to do you can talk to me. That is the reason why I am down here. We love this pristine environment. I just want to echo

everything everyone has said. I think it would be very irresponsible of this Commission to consider fracking. I have an uncle who lived in Pennsylvania on a 350 acre farm. Gave up the rights to fracking and lost all his cows and wound up having to have water brought to his property to drink. My final comment is don't frack with me.

Sharon Garbutt submitted the following comments:

I would like to ask you to vote tonight to extend until January 31, 2019 the existing Chatham County temporary moratorium on oil and gas development activities. I am making this request based on the following facts:

- The County needs time to do an extensive study of the financial impact that oil & gas development will have on our County. This is especially important because fracking is proven to have negative financial impacts on the communities where it occurs.*
- Since North Carolinians are not experienced in oil and gas extraction, most of the workforce for oil and gas development will come from out-of-state. Chatham County needs to do a study of the level of social service support these outside workers will likely require, including services such as medical care, education for their children, housing, police interventions, mental health services, substance abuse treatment, etc. Sources to fund these services also need to be identified.*
- Shallow fracking is the most likely type of fracking that will be done in Chatham County, yet the regulations for fracking drawn up by the NC Mining & Energy Commission do not address the unique problems that arise with shallow fracking. Chatham County needs time to confer with the new NC Oil & Gas Commission members to assure that rules are added to address the issues that arise with shallow fracking. Shallow fracking has been shown to cause immediate groundwater contamination at a much higher rate than fracking that occurs at least 3000 feet below groundwater levels.*
- Chatham County needs time to work with the NC DOT to determine the suitability of individual roads and bridges for the heavy truck traffic that will come with oil and gas development. Many NC roads were not built to withstand the heavy weight of the trucks and the high frequency of truck trips necessary for oil & gas development, especially fracking. The money and personnel to rapidly repair crushed roads must be available or citizens will not be able to get to work, medical care, school etc. and business and industry will also be unable to use the roads.*
- Chatham County needs time to do a full study of the health impacts fracking will have on citizens and to prepare to meet the health needs of those harmed by fracking. Many studies of the effects of fracking on health have been completed in the past few years and many more are in progress. The overall finding is that fracking causes many more adverse health effects than originally thought. Chatham County needs time to train its health professionals how to identify adverse health conditions that occur near frack sites and how to treat these conditions. Funding for the increased health care services must also be identified.*
- Our County is now home to a number of highly toxic industries, including the coal ash dump and now possibly a STAR facility and fracking. The County needs to commission a study of the cumulative impacts these industries will have on the health of Chatham citizens, especially those who live or work close to these industries. Chatham also has to do a comprehensive study of the environmental degradation that will occur if these industries are implemented in Chatham. Our air and water quality could be seriously degraded. Our water resources, especially our groundwater, could become permanently contaminated and therefore unfit for humans and animals—leaving Chatham with inadequate water supplies for population increase,*

farming and new industry.

Chatham County needs more time to adequately prepare for the adverse consequences of oil and gas development activities. Please vote tonight to extend the present moratorium!

The Chair closed the hearing.

Commissioner Crawford encouraged residents to send their comments to the North Carolina Oil and Gas Commission as they are the ones that will determine the rules for the entire state.

Commissioner Howard said she is in favor of continuing the moratorium while staff finalizes the ordinance.

Chair Hales said the Board promised to do what it could to protect Chatham County and this is the next step in that process.

Commissioner Howard clarified with the attorney that all references to a six month time period would be removed and replaced with an expiration of January 31, 2019.

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

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

[18-2684](#)

A Quasi-Judicial public hearing for a Conditional Use Permit for a solar farm on Parcel No. 5751, being approximately 46.80 acres, located at 2361 Corinth Rd., Moncure, Cape Fear Township.

Attachments: [More Information from Planning Board Website](#)

Chair Hales administered the oath to all those wishing to speak.

The Chair opened the hearing.

Planner Dylan Paul reviewed the specifics of the request.

Mr. Paul: I'll just give a brief overview of the project and I believe the applicant is here as well as other speakers. As you mentioned previously, this is a quasi-judicial public hearing for a conditional use permit for a solar farm on parcel number 5751 being approximately 46.08 acres located at 2361 Corinth Road, Moncure, Cape Fear Township. This is the parcel in question (showed on map) 5751 on Corinth Road. Let me pull up the proposed site plan. It is a solar farm. Dozens or hundreds of solar panels listed here as well as the buffered areas in the center and the eastern portion as well. Apparently staff doesn't give much of a briefing on this topic and would leave it to the applicant to present any evidence along with other speakers.

Karen Kamorite, attorney for the applicant, addressed the Board.

Ms. Kamorite: My name is Karen Kamorite and I am an attorney with Smith, Moore, Leatherwood in Raleigh. My address is 434 Fayetteville Street, Raleigh, NC, 27603. I

am here on behalf of the applicant, Flatwood Farm, LLC. With me today are four witnesses, two of whom are expert witnesses. In the interest of time it is my understanding that there is support but no concern or opposition for this application. To keep this public hearing moving along I have prepared two affidavits from our expert witnesses. They are here and available to answer any questions or provide any testimony that the Board wishes to hear from them directly. I do have their affidavits. (Ms. Kamorite submitted the affidavits as evidence into the record).

What I am going to be doing, I am going to take a few minutes to provide some information about the plans for the proposed solar farm and then to describe based upon expert evidence about how the application meets all of the requirements for the issuance of the conditional use permit for Flatwood Farm, LLC. The proposed solar farm will be located at 2561 Corinth Drive in Moncure. The property is owned by Phyllis Buchanan. It is a large parcel. It is about 46.08 acres and it is zoned Residential-1. As the earlier photographs included by the Planning staff included some aerials. If you notice from the aerials, the property itself is an undeveloped and mostly wooded parcel. There are high tension power lines that run across the northern and southern areas of the property. As you also probably noticed from the aerials that have been provided, this proposed solar farm should have no impact whatsoever to any of the nearby or adjacent properties. The surrounding properties consist mostly of industrial uses with some farms, some commercial uses and some residential uses. The residential use is the Dickens RV Park which is located to the east of the parcel.

I'd like to take just a minute to describe the surrounding properties and what the uses are. The property located to the north and northeast of the parcel for the solar farm is owned by the Brickhaven Clay Mine. That is the parcel where Duke Energy has its coal ash disposal facility. That coal ash disposal facility, I think the County is well aware, is supposed to receive about twelve million tons of excavated coal ash. The property directly to the east of the solar farm parcel is a poultry farm. The property to the east of the poultry farm is the Dickens RV Park. The property to the west is an undeveloped and wooded parcel. Ms. Buchanan's parcel is an ideal location for a solar farm, because as I mentioned it is located at a predominately industrial with some commercial uses, farms and then the RV park. Because it has been located in such a good location for a solar farm there will be no impact to any of the surrounding properties and in particular to the Dickens RV Park, which is the only residential use in the area.

The solar farm should not be visible whatsoever from the Dickens RV Park. The poultry farm will separate it from the RV park. Also there will be the buffer between the solar farm, the poultry farm and then the Dickens RV Park. Because it is such a good location, there has not been any opposition or concern that we are aware of. There were two community meetings that were held and there was no concern voiced at either of those two meetings. At one of the meetings, Mr. Dickens who is the owner of the Dickens RV Park, did appear and he expressed support for this application and for the solar farm.

Now I would like to move on and just summarize our expert evidence that is included in the affidavits to show that our application and the affidavits demonstrate that all of the requirements for issuance of the conditional use permit have been met. The first general standard for issuance of the conditional use permit is that the solar farm must be an eligible conditional use in the district in which the property is located. The solar farm is located in an R-1 district and solar farms are permitted with a conditional use permit in R-1 districts. The second general use standard is that the requested conditional use permit be either desirable or essential for the public convenience or

welfare.

I have submitted an affidavit of Jeremy Spaeth. He is a North Carolina Professional Engineer with Strata Solar. He's provided information in his expert testimony that the demand for electricity has increased in recent years and that solar energy, as we all know, is a clean, inexpensive and unlimited form of energy that has little environmental impact. We also provided evidence that the third general standard has been met. That standard is that the solar farm will not impair the integrity or character of the surrounding or adjoining districts and will not be detrimental to the health, safety or welfare of the community. In Mr. Spaeth's affidavit he has provided information, again, that the solar farm will produce solar energy, which is clean, inexpensive and is an unlimited resource with little environmental impact. Our application and Mr. Spaeth's affidavit also provides evidence that the solar farm will be developed and designed in an environmentally sensitive manner. We will be preserving to the extent possible the trees in the buffer areas. Where there are not trees to preserve in the buffer we will plant landscaping in accordance with the County's requirements.

Also the solar farm will protect against soil erosion and sedimentation. Mr. Spaeth has provided evidence that care will be taken to minimize grading on the site by individually setting holes in the ground to support the solar cells. The area beneath the solar panels will be planted with grass to stabilize the site. He also has stated that during construction erosion control measures will be maintained in accordance with the County's and Department of Environmental Quality's regulations. This is an extremely low impact type of use. The use will not be detrimental to the health, safety or welfare of the community due to traffic, noise, environmental consideration or light. In regard to traffic, this will be an unmanned facility and it will generate very little traffic, only about one to two vehicle trips per month. The solar facility will not produce odor, discernable noise, or glare and it will not emit any type of emissions. It will not produce toxic or hazardous waste and the solar structures do not contain hazardous materials or substances. There will be no light pollution because the solar facility will, of course, be completely dark at night.

Moving on to the affidavit submitted from Richard Kirkland, who is also here this evening. Mr. Kirkland is a NC licensed real estate appraiser. He has provided, as part of the applicaiton and attached to his affidavit, a solar impact study that includes a matched pair analysis. Rich Kirkland has stated that the solar farm is compatible with the existing uses in the area, the farms, the industrial and residential uses. It is a low intensity use. The solar farm will make a good neighbor, especially to the nearby RV park. Mr. Kirkland has provided his expert opinion that the solar farm will not impair the integrity or character of the surrounding or adjoining districts and he also provided information that due to the passive nature of the solar farm, the solar farm will have no adverse impact and that it will blend in with the area. Therefore he also provided his expert opinion that the solar farm will be in harmony with the surrounding area.

Finally, in our application I have provided a detailed description of the number of goals and policies of the County's land use plan that the solar farm is in compliance with. I will not go through all of those goals and objectives but just mention a few. First, it will further the County's goal of preserving the rural character of the county. A solar farm is a quickly growing land use in North Carolina and by constructing the solar farm on this property it will maintain the rural nature of the area. It will also diversify the County's tax base and create economic opportunities. The solar farm will foster healthy community by producing clean, renewable energy and it will further the County's objective to preserve farms and forests that line the rural areas. That is a comprehensive summary of how our application meets the requirements of the

ordinance. We are here to answer any questions the commissioners may have.

Chair Hales: I have one to start out with. The photos I've seen show wooded property. Has it been timbered?

Ms. Kamorite: From the environmental assessment that I have seen it has not been timbered, I believe, since 1950. There is wooded area on the property.

Chair Hales: So that means you have to timber first.

Ms. Kamorite: So, yes. The trees where the solar panels will be located will have to be removed but we will be preserving the trees that are in the buffer and where the trees are not sufficient to the buffer requirement, additional plantings will be made.

Chair Hales: I noticed in the drawing, the site plan, that you have a wetland kind of in the middle. Is that going to maintain the trees?

Ms. Kamorite: Mr. Spaeth may want to speak about this but my understanding is that the solar farm will not be located in that area but I will let him speak.

Jeremy Spaeth: Jeremy Spaeth, civil engineer at Strata Solar. Yes, that is correct. There are two wetlands on the site. The large one that kind of cuts through the middle of the site and the smaller one down at the southern end of the site. Both of those areas will not be touched with construction. The existing vegetation will be left alone. There is a fifty foot buffer on both of those wetlands. That is a Chatham County buffer and that would be adhered to. Fifty feet out from both of those wetlands will not be touched by construction.

Chair Hales: So you will preserve all trees, well trees in that area, those two areas?

Mr. Spaeth: Yes, everything will be left as it is.

Chair Hales: Any questions?

Commissioner Crawford: Are you aware of section 9A of the Duke coal ash agreement with this County?

Mr. Spaeth: No.

Commissioner Crawford: Well, I'll tell you. Part of the negotiation, we accepted the coal ash with the understanding that anybody who has engineer certification of their solar array must be hooked up to Duke's grid within ninety days. So if you encounter any slow down or trouble in that regard, you simply cite that agreement and it should expedite matters. I am sure they will be real quick with you.

Commissioner Dasher: What is the total power, output?

Mr. Spaeth: It will be five megawatts. I estimate a couple hundred homes will be powered, six hundred or seven hundred homes during peak hours.

Commissioner Crawford: That will help close our gap with California that I was talking about earlier.

Chair Hales: Do you have the acreage? Is this, by the way, this is a rental of

agricultural land, correct?

Mr. Spaeth: Yes.

Chair Hales: So you will have a rental agreement with the owner?

Mr. Spaeth: Yes. We will probably be leasing about the entire parcel.

Vice Chair Dasher: I am going to read this entire appraisal report tonight, but if I could get the short version of how the property is valued differently?

Richard Kirkland: Richard Kirkland, of Kirkland Appraisals. I'm out of Raleigh, NC. I've been looking at solar farms and whether or not that impact on adjoining property values for the last eight years. In that time I looked at over 400 solar farms. Most of those were in the state of North Carolina but I've also looked in about a dozen other states. The way you measure whether there is an impact on adjoining properties you do a...

Vice Chair Dasher: I guess I meant the subject property. How does that change the value?

Mr. Kirkland: Oh, how it changes that property value? That is a very different question. I have not been asked to look at that. I have valued land subject to solar farm leases previously in North Carolina. What exactly is your question?

Vice Chair Dasher: I guess is fifty acres of solar farm more valuable to the County from a tax collection standpoint?

Mr. Kirkland: I would imagine so for a couple of reasons. One, it will be pulled out of the agriculture deferment. First of all...(inaudible). Solar panels themselves are going to be taxed as personal property. It doesn't really get into the side of things that I look at. Again, it depends on how the tax assessor looks at the land and whether or not they consider this to be a change in the nature of the land. Some county assessors have and some have not.

Vice Chair Dasher: Thanks, I was just curious.

Mr. Kirkland: Thank you. It wasn't the question I was expecting.

Chair Hales: Any other questions? I was just um, my concern, I mean I know a solar farm you obviously have to have cleared area so that the sun can shine on the panels to make the electricity. But I was also concerned about, that is a lot of timbering. Loss of tree canopy in order to get a greater good. You are leaving two areas with trees. I didn't have any other, you answered my questions about the wetlands.

Ms. Kamorite: And then finally I would just ask that our application and affidavits be entered into the record.

Chair Hales: Yes, and I believe the next step is for this to go to the Planning Board. First we will ask for anyone who wants to speak.

Clerk: The only other person that was on the list was Chelsea Woodfin.

Ms. Kamorite: She is with the applicant.

Clerk: No one else has signed up.

Chair Hales: If there are no more questions from this body I will go ahead and close the hearing and refer the item to the Planning Board.

The Chair closed the hearing.

This Agenda Item was referred to the Planning Board.

BOARD PRIORITIES

18-2671

A request by the Chatham County Board of Commissioners to deny the rezoning of Parcel No. 61829, being 0.9 acres, Bear Creek Township, located on NC HWY 902, from R-1 Residential to IL-Light Industrial.

Attachments: [More Information from Planning Department Website](#)

Planner Dylan Paul reviewed the specifics of the request.

Chair Hales asked what happens if the Board denies the request. Mr. Paul said they can continue to operate under the nonconforming use.

A motion was made by Commissioner Crawford, seconded by Commissioner Howard, that Resolution #2018-37 Adopting a Consistency Statement for the Denial of General Use Rezoning from R-1 Residential to IL-Light Industrial, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

A motion was made by Commissioner Crawford, seconded by Commissioner Howard, to approve the denial of the rezoning request. The motion carried by the following vote:

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

18-2673

A request by the Chatham County Board of Commissioners to deny the rezoning of Parcel No. 90745, being 6.29 acres, Gulf Township, located on Mays Chapel Road, from R-1 Residential to IL-Light Industrial.

Attachments: [More Information from Planning Board Website](#)

Planner Dylan Paul reviewed the specifics of the request

Chair Hales asked what happens if the Board denies the request. Mr. Paul stated the current zoning would stay in place and the Notice of Violation would continue.

A motion was made by Commissioner Crawford, seconded by Vice Chair Dasher, that Resolution #2018-38 Adopting a Consistency Statement for the Denial of General Use Rezoning from R-1 Residential to IL-Light Industrial, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

A motion was made by Commissioner Crawford, seconded by Commissioner Howard, to approve the denial of the rezoning request. The motion carried by the following vote:

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

[18-2674](#)

A request by the Chatham County Board of Commissioners to rezone Parcel No. 60279, being 10.12 acres, Oakland Township, located on Mays Chapel Road, from R-1 Residential to IL-Light Industrial.

Attachments: [More Information from Planning Department Website](#)

Planner Dylan Paul reviewed the specifics of the request.

Chair Hales stated there was some confusion at the Planning Board. There were two parcels on Mays Chapel. Mr. Paul said that staff and members of the Planning Board thought that individuals speaking about this parcel were actually speaking about the other parcel on Mays Chapel.

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, to approve sending the item back to the Planning Board for further discussion. The motion carried by the following vote:

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

[18-2672](#)

Vote on a request by the Chatham County Board of Commissioners to rezone Parcel No. 60289, being 11.60 acres, Bear Creek Township, located on NC 902 Hwy, from R-1 Residential to IL-Light Industrial.

Attachments: [More Information from Planning Department Website](#)

Commissioner Petty recused himself from the discussion and vote as he has a conflict of interest.

Planner Dylan Paul reviewed the specifics of the request.

A motion was made by Commissioner Crawford, seconded by Vice Chair Dasher, that Resolution #2018-39 Adopting a Consistency Statement for the Approval of General Use Rezoning from R-1 Residential to IL-Light Industrial, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 4 - Commissioner Crawford, Chair Hales, Vice Chair Dasher and Commissioner Howard

Recuse: 1 - Commissioner Petty

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

Aye: 4 - Commissioner Crawford, Chair Hales, Vice Chair Dasher and Commissioner Howard

Recuse: 1 - Commissioner Petty

[18-2510](#)

A request by the Chatham County Board of Commissioners to adopt revisions to the Chatham County Subdivision Regulations.

Attachments: [Proposed Ordinance Amendments PowerPoint](#)
[More information available from the Planning Department website](#)

Planner Dylan Paul reviewed the specifics of the request.

The proposed changes in the regulations are primarily a result of legislation passed by the North Carolina General Assembly in 2015 and 2017. These changes are needed so that the County is in compliance with state regulations.

The Planning Board voted with a vote of 5-4 on May 1, 2018 to recommend approval of the revisions to the regulations. A minority report was included in the agenda packets. The minority shared concerns that the elimination of the County's ability to request EIAs addressing secondary, indirect and cumulative impacts, which is inconsistent with federal NEPA law, allows for the consideration of these impacts. They were also concerned that the change from two acres to ten acres as the disturbance area triggers an EIA. The minority is asking the Board of Commissioners to seek a second opinion on this challenge to our right to self governance.

Chair Hales finds these rollbacks by the state very troublesome. She understands the County has to follow the law but she will be voting against the approval.

Vice Chair Dasher thanked Mr. Paul for his service to the County and wished him well on his new job with the Town of Cary. Mr. Paul thanked the commissioners for their support of staff.

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

Aye: 4 - Commissioner Crawford, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

No: 1 - Chair Hales

[18-2601](#)

Vote on a request to approve appointment to the Affordable Housing Advisory Committee.

The Board discussed the applicants and agreed to appoint Linette Tyson to the Affordable Housing Committee.

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

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

[18-2689](#)

Vote on a request to approve an extension of the Chatham Economic Development Corporation contract and authorize the County Manager to execute the agreement.

Attachments: [EDC Extension](#)

Commissioner Crawford asked why the extension only for one month and not an entire year.

Chair Hales said there were two members of the Board on vacation until Saturday and the contract was not ready at the agenda review meeting on Monday because there was some tightening of the contract to be done. Commissioner Crawford asked on what matters.

The County Manager said there were a couple of outstanding issues. One was tightening up the language with regard to the relationship with CCCC and what the expected outcomes were for the Small Business Center.

Commissioner Petty said he would hate to give the EDC any indication that the funding won't be there for an extended period of time. He asked EDC President Kyle Touchstone if he could discuss any of the things the EDC is working on right now.

Mr. Touchstone said this year the EDC has a goal of sixty projects for the current fiscal year. Currently they have responded to sixty-seven projects. While they have not had a significant announcement this year they continue to work several of those projects. There are around 25 projects that are still active. Commissioner Petty asked how many projects the county has been eliminated from. Mr. Touchstone said probably twenty of the sixty-seven projects.

Commissioner Petty thinks with that kind of track record the Board needs to send a message that it is behind the EDC and what they are doing. Commissioner Crawford agreed.

Chair Hales said a third of the members of the Board were not able to look at the agenda until the Saturday before the meeting and it was a very full agenda. Her thought was to get the contract worked out and have it on the agenda in July.

Commissioner Petty made a motion to renew the current contract for a year as the Board has in the past. Commissioner Crawford seconded the motion.

Commissioner Howard did appreciate the time extension. She has looked at the contract and doesn't feel a lot has changed. Vice Chair Dasher has not had time to look at the contract but he trusts Commissioner Howard's judgement. He would love to see some bylaws finalized by the EDC. He knows the contract is not contingent on that but he wishes there was something that could be done to speed up the process.

Chair Hales said she did not see the contract, only the contract extension. Commissioner Howard clarified that was all she had seen as well.

Commissioner Petty asked if the contract was going to change from the previous contract. The County Manager stated the major changes were to streamline the existing contract. There are not any material changes between the two.

Vice Chair Dasher has concerns about approving a year long contract when the contract is not ready and was not attached to the agenda for review.

A motion was made by Commissioner Petty, seconded by Commissioner Crawford, that this Contract be approved. The motion failed by the following vote:

Aye: 2 - Commissioner Crawford and Commissioner Petty

No: 3 - Chair Hales, Vice Chair Dasher and Commissioner Howard

The County Manager stated the Chair was correct that the contract was not attached to the Preliminary Agenda. She has since talked to the County Attorney and Mr. Touchstone about the changes that need to be made to the draft contract. Chair Hales asked if that means the Board could get a copy next week. The County Manager said yes.

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

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

MANAGER' S REPORTS

The County Manager said the Board needs to appoint a voting delegate to the annual NCACC Conference in August. Commissioner Howard is the current voting delegate.

A motion was made by Commissioner Crawford, seconded by Vice Chair Dasher, to approve the appointment of Commissioner Howard as the voting delegate to the NCACC Annual Conference. The motion carried by the following vote:

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

COMMISSIONERS' REPORTS

Commissioner Crawford reminded the Board that the Juneteenth observance this Saturday will be at the Library in the Holmes Room at 11:00. He will be doing a presentation on Reconstruction in the county and Commissioner Howard will be doing the introduction. There is good news from CCCC that their reaccreditation showed no changes were needed. It is a perfectly functioning institution and it is the best community college in the state.

Chair Hales said the affordable housing van tour was on May 29th. She believes Triangle J is going to try to hold it again and encourages the rest of the Board to attend. She attended the NCACC Agriculture and Environment Committee.

The County Manager recognized Policy Analyst Stephanie Watkins-Cruz for the work she did on the affordable housing van tour.

ADJOURNMENT

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

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