



# Chatham County, NC

## Meeting Minutes

### Board of Commissioners

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Monday, May 18, 2020

6:00 PM

Agriculture & Conference Center

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**Present:** 5 - Chair Karen Howard, Vice Chair Diana Hales, Commissioner Jim Crawford, Commissioner Mike Dasher and Commissioner Andy Wilkie

#### **INVOCATION and PLEDGE OF ALLEGIANCE**

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

#### **CALL TO ORDER**

*Chair Howard welcomed those in attendance and called the meeting to order at 6:03 p.m.*

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

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

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

#### **[20-3469](#)**

Vote on a request to accept \$84,834 COVID-19 Crisis Response Epidemiology-Public Health Preparedness & Response Federal Funds

**Attachments:** [\\$84,834 COVID-19 Funds](#)

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

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

#### **[20-3474](#)**

Vote on a request to accept \$6,500 Breast and Cervical Cancer Control Program (BCCCP) additional Funds

**Attachments:** [\\$6,500 BCCCP Funds](#)

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

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

[20-3475](#)

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

**Attachments:** [Innovation Way Petition](#)  
[Innovation Way Map](#)

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

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

[20-3478](#)

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

**Attachments:** [Masonry Lane Petition](#)  
[Masonry Lane Map.pdf](#)

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

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

[20-3483](#)

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

**Attachments:** [Pawpaws Acres Dr](#)  
[Pawpaws Acres Drive map](#)

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

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

[20-3476](#)

Vote on Request to Approve the Amendment with Waste Industries, Durham and Authorize County Manager to execute the Amendment.

**Attachments:** [Waste Industries Durham First Amendment](#)

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

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

[20-3479](#)

Vote on Request to approve Contract with Waste Industries of Sanford and to authorize County Manager to execute the Contract.

**Attachments:** [Service Agreement - Waste Industries Sanford 7.1.20](#)

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

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

[20-3480](#)

Vote on a request granting Dan LaMontagne as County Manager the ability to sign the Guaranteed Maximum Price Exhibit A adding the cost of construction of the new Animal Services facility to Bordeaux Construction Company's existing Construction Manager contract.

**Attachments:** [Bordeaux-A133ExhibitA-2019-No Price](#)

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

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

[20-3487](#)

Vote on a Request to Approve FY2020-2021 BCBC of NC Administrative Services Agreement (ASA) Contract Changes

**Attachments:** [2020 ASO Renewal Chatham DRAFT PDF](#)

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

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

[20-3481](#)

Vote on a request to approve Tax Releases and Refunds

**Attachments:** [April 2020 Release and Refund Report](#)  
[April 2020 NCVTS Pending Refund Report](#)

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

[20-3484](#)

Vote on a request to adopt a Resolution Approving the Addition of Streets in the Cedar Grove/Cedar Mountain Subdivisions to the North Carolina System of Secondary Roads

**Attachments:** [DOT Resolution](#)  
[DOT Resoluiton Request](#)

**A motion was made by Vice Chair Hales, seconded by Commissioner Dasher, that this Resolution #2020-21 For the Addition of Streets or Roads to the North Carolina System of Secondary Roads, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

[20-3486](#)

Vote on a request to approve a request by Moncure Holdings to adopt a resolution supporting the request for Department of Transportation Contingency Funds for the design and engineering of access to the Moncure Megasite.

**Attachments:** [Resolution to Support NCDOT Contingency Funds for Moncure Megasite](#)

**A motion was made by Vice Chair Hales, seconded by Commissioner Dasher, that this Resolution #2020-22 Grant of Statewide Contingency Funds to North Carolina Department of Transportation, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

[20-3485](#)

Vote on a request to approve an amendment to the Chatham County Water System Operating Policies to provide the County Manager certain authorities during declared states of emergency

**Attachments:** [Water System Operating Policies - Amendment for States of Emergency](#)

**A motion was made by Vice Chair Hales, seconded by Commissioner Dasher, that these Policies and Procedures be approved. The motion carried by the following vote:**

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

[20-3490](#)

Vote on a request to adopt the amended Rules of Procedure for the Watershed Review Board.

**Attachments:** [Watershed Appendix B 6-3-2010 with ERB ROP](#)

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

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

[20-3477](#)

Vote on a request to approve re-appointment of Dr. Marcia Herman-Giddens to fill the upcoming Public vacant seat on the Board of Health effective 7-1-20.

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

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

[20-3491](#)

Vote on a request to approve the appointment of Kim D'Amico to the Chatham County Appearance Commission

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

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

[20-3492](#)

Vote on a request to appoint Shamilla Godfrey to the Chatham County Housing Authority Board of Commissioners

**Attachments:** [CCHA Board Appointment Letter SG](#)

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

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

### **End of Consent Agenda**

### **PUBLIC INPUT SESSION**

*Charles Esther submitted the following comments:*

*My name is Charles Esther, and I live on Wilder Ridge in Chatham County. I would like to take this opportunity to provide input into the agenda item related to conduct of remote Board of Commissioner meetings during the current state of emergency. I recognize and support the need for the Board to conduct business and hear from the public even during the current crisis. Furthermore, I would like to commend Lindsay Ray and her staff for developing procedures to provide for public input. The proposed blend of in-person appearances, opportunities to speak remotely, and playing of prerecorded voicemail messages at board meetings represents the best possible solution to allowing at least a degree of public input while adhering to public safety guidelines.*

*However, the proposed system represents a necessary compromise that will not work well for all proposals. In particular, the need to limit large gatherings deprives the board of valuable information regarding public support or opposition to a given proposal. We have heard repeatedly from the Commissioners and others that the number of citizens who attend a board meeting is a powerful indicator of public interest. This interest is very difficult to gauge when large gatherings are not possible.*

*Therefore, I would urge the board to be selective on which proposals are discussed while we remain under a state of emergency that limits the size of public gatherings. Specifically, proposals that have already garnered significant public interest and controversy should be delayed until we can once again allow unfettered public access to the relevant meetings. Clearly, exceptions could be made for proposals that have direct and immediate impact on public welfare.*

*I recognize that such a delay could pose a degree of hardship for certain individuals or groups who have business before the county. However, I do not believe such hardship to be out of line with that experienced by many Chatham County citizens. Delaying controversial proposals will allow the Commissioners and citizens to focus their energy towards efforts to mitigate the current crisis. A delay will also allow the board to better assess the economic impact of the COVID-19 pandemic in regard to new proposals. I*

*think we can all agree that our future will be very different than we envisioned just a few months ago. Thank you for your time.*

*Anthony Curtis submitted the following comments:*

*Thank you for the opportunity to speak with you today. My name is Anthony Curtis, my wife and I moved here from Alamance County last year, where I've lived my whole life. In fact, and with the exception of recently, I've lived in Saxapahaw, just a few miles to the north, since I was born. I know you are all very busy, especially now, considering the effect this quarantine is having on the state of the county's economy, so to that end, I will try to keep this fairly brief.*

*We are living in unprecedented times. Anyone presenting a path that claims to be the best for all, is folly. We are living in a state that changes, and must change, the equations that have guided this county's decision making process. I think it would be safe to say that our priorities as a whole have changed, and what used to be essential for progress, benefits now only a very very few of our citizens.*

*You will likely hear tonight Bold Development's lawyer argue on behalf of policies in favor of expediting land management decisions, despite their being antithetical to the current needs of the county. He will even likely mention Williams' Corner by name. That is, after all, what he is being paid for. That is essentially why I am here tonight. To offer counter point and urge you to please wait and revisit land management concerns once our county has rebounded, and give developers an opportunity to revisit, at the least, Economic Impact Studies which have undoubtedly been altered by the current state of affairs.*

*These types of delays would not be without precedent. In fact, the state just passed guidance for handling Land management decisions that would make delaying perfectly appropriate and within the law. This is in part evidenced by Session Law 2020-03(Senate bill 704), which offers considerations for delays of permitting and building of development permits during this pandemic.*

*For what it's worth, I feel that the next several months should be focused on the recovery of our county, our education system, and the recovery of those citizens hit most hard by impacts of this unprecedented time. Please, I urge you, take the next several months to tend to our wounds. Let's work together to get this recovery on the right track. Let's get these meetings working so that our community can offer solutions and ideas for how we, together, can come back to a place where it would be appropriate to begin to argue in favor of new expansion. Out of "Fairness, Equity and efficiency" let's take the time needed to appropriately develop the type of rule changes that Nick Robinson detailed at the April 20th meeting. Moving in that direction is prudent, but hastiness in this regard will undoubtedly subvert those "reasonable accommodations" he also detailed.*

*Now is not the time to push for growth when our citizens can't pay rent. Now is not the time to set precedent with regard to size and scale and scope of new developments. Now is the time to be conservative and to take care of those more impacted. If this county doesn't succeed together, right now, it cannot succeed through ill-conceived expansion.*

*Alicia Koblansky submitted the following comments:*

*Good Evening Commissioners and staff. My name is Dr. Alicia Koblansky. I'm a Chatham County resident who is a clinical researcher investigator at ViiV Healthcare/GSK and a Professor in the Department of Infectious Disease in the School of Medicine at the University of North Carolina at Chapel Hill. I thank you for the opportunity to be heard in these unusual times during this pandemic.*

*As a professional working in the field of infectious disease, I am acutely aware of the current situation we, and our country, are in. I applaud the decisions that this Council and staff have made over the past few weeks regarding handling of governmental issues and communicating the current situation to it's citizens. I applaud my fellow citizens of Chatham County who collectively made these recent public health guidelines a success through a concerted effort helping the vulnerable and most susceptible. Many in our community are scared and worried, and it is up to our leaders to be mindful of that and think of needs of the many vs. the needs of the few.*

*As I listened to the April 20 2020 Board of Commissioners meeting, comments were given requesting our Commissioners and staff develop a route for conducting planning and land use matters during these unprecedented times. In particular, this request compared our county to other jurisdictions like Southern Pines that have implemented policies for remote legislative public hearings. At best, it is challenging to draw a direct comparison of those smaller projects to the larger more widely contested proposals that are planned to be presented to you. One such proposal, Williams Corner, is so controversial that a petition was started requesting that the Board of Commissioners vote "No" to the rezoning outright.... This petition is now approaching 1000 signatures.*

*Recently, The General Assembly realized that pandemic related shutdowns will adversely affect local government operations and passed legislation Session Law 2020-3 (Section 4.40) to extend the effective date of Land Use policies for 5 months. It would not be inappropriate to use this as a model to handle controversial proposals. These pending proposals do not have a shot clock, so to speak. They are not critical to the operations of the county. At some point in the future we will need to discuss land use but this should include the input of the whole community and not a "chosen" few or in this instance otherwise interested lawyers on retainer with local developers.*

*As a citizen, I like to try to be mindful of the greater needs of everyone in the county. Federal Reserve Chair Jerome H. Powell stated that almost 40% of American households making less than \$40,000 a year had lost a job in March. The Census Bureau gives Chatham County an average per capita income of \$39,299. This would suggest Chatham County may be disproportionately affected by this economic downturn. I would request that we focus on these items. While we are all affected, the burden has fallen most heavily on those least able to bear it. Our county needs to take steps to protect those most affected. Let's develop policies that will aid this recovery. This is where our immediate interests should lie.*

*As our County Manager Dan LaMontage mentioned in his Budget Presentation, we will need to make difficult choices at this time. Our decisions should be conservative and our choices should reflect our values:*

- 1) Maintain the debt model*
- 2) Supporting our school system, and*
- 3) Support the people of Chatham County.*

*As a concerned citizen during these unprecedented times, my thoughts are not on land*

*management, and out of fairness of equity and efficiency I strongly urge you to think about the entire county, prioritizing what is more important to all our citizens vs. a small specific minority. This is going to take all of us coming together so we can get through this. I thank you for your attention and look forward to hearing Lindsay Ray's presentation on recommendations from the staff on how to conduct remote Board of Commissioner meetings during this state of emergency. I look forward to helping test out these renditions at future meetings.*

*Traci Fallecker submitted the following comments:*

*Dear Commissioners and Lindsay Ray, I want to thank you all for allowing us to provide input on how to move forward with Public Hearings in light of this pandemic. Public Hearings are a vital part of a fair and just government. There are few areas in the legislative/government process where those of us living on the land, "boots on the ground", contributing to the community, supporting local businesses, actually get to participate in the decision making process as to what new development should be allowed to affect our livelihood. Without the consideration of Public Input, we wouldn't quite have a Democracy.*

*Public Input must be provided for and having the patience to wait for the safest time, may be hard for some to understand. The real question at hand is: "What are the types of decisions that are waiting for a public hearing, that should be postponed until it's safe so that all generations and citizens with varying immune systems can safely attend vs. what types of matters could "remote public hearings" work best for? This is why we are here tonight.*

*Mr. Nick Robinson informed you that Southern Pines is having success moving forward with remote public hearings. Fortunately those hearings were for a few small parcels. Mr. Robinson may have assisted us in discovering that for small, non-controversial, land use proposals, that maybe you can remove the "Public" from public hearings. What is suggested tonight is not what can work for all types of Public Hearings. Proposed Controversial Developments must be dealt with in all seriousness that includes with all sincerity, the public's opinion. William's Corner is at the very least controversial. It's a gleaming example of a controversial rezoning hearing that must, must have all who are affected (in this case it's in the 1000's, including several large local prominent neighborhoods) be able to participate in the Public Hearing format. Waiting may be tough for the developer. But consider the ramifications of moving forward with Controversial Hearings in the same manner that a 3 parcel rezoning on a private person's land gets handled the same way? This "down-plays" the importance of larger scale proposals, not even mentioning the fact that they are controversial.*

*We must wait until it is safe to move forward with Public Hearings on controversial proposals. Controversial Proposals must be handled differently than non-controversial, smaller scale proposals. They are not the same. The number of people that a large controversial proposal effects must be considered with the utmost care of inclusion of all citizens. A technical problem with either the private citizen's computer or the County brings forth negative consequences. Perhaps irreparable damage to our citizen participation in public hearings at all, which affects our Democracy and our ability to participate in it.*

*Laurie Slade submitted the following comments:*

*My name is Laurie Slade. I am a resident of the Legend Oaks subdivision here in Chatham County. The current pandemic has changed many peoples' behaviors. I stand here today to emphasize my belief that speaking out at public hearings is vital to our governmental process. Many in my neighborhood will not venture out into a public setting at this time, furthermore, the prudent among them may not venture forth until a proven vaccine is readily available. I can't blame them for their caution. I fully recognize that the business of government can't be shut down indefinitely. I applaud efforts to reach out virtually to gather input. I would hope that written comments would also be included in the record and the decisions of this Board. Please, continue to seek ways for all to voice their concerns in these troubling times. I understand that different people have different visions for Chatham County, and what is the best way to move forward. I ask that our BOC do their level best to gather input from all, even the technology challenged like myself, and those who are isolating themselves to protect themselves and others. Thank you for working on behalf of all.*

*Laura Bradley submitted the following comments:*

*Thank you for allowing me to speak to you today. My name is Laura Bradley, and I have been a resident of Chatham County since 2012. I live in Legend Oaks. I'm here tonight to talk about the county's proposal to move forward with remote public meetings and hearings. I am encouraged by the proposal that the staff will lay out for you tonight. I particularly support the idea of citizens having several ways of providing feedback directly to commissioners, including voicemails and remote participation during meetings. And I'm very grateful to Lindsay and the rest of the staff for all of their work, addressing several of the concerns we had raised earlier. While I urge you to adopt this plan, I also encourage you to take this opportunity to provide additional assurances to our county that essential business will be prioritized over long-term development projects.*

*It is obvious that the county needs to be able to move forward during this challenging time with critical business. I question, however, whether remote public hearings are appropriate and efficient for highly contested, controversial matters such as Williams Corner, for example. The sheer volume of community members who have already demonstrated concern with this proposal make relying on remote technology concerning. Moreover, it is not an efficient use of anyone's time - community, staff or commissioners - when we are in a state of emergency. Controversial rezoning matters, are quite simply, a time suck, compounded by the fact that for many citizens it is the first time they have engaged with local government. And the larger the group, the greater the chance of misinformation, requiring even further demands on the county's time. In a non-pandemic scenario, sifting through hundreds of emails, calls, and hours long hearings can be challenging; in an emergency, it is inappropriate, if not impossible. Our county needs your time to be freed up to focus on the critical day to day challenges of resource allocation, public health, and ensuring we have sufficient funding to meet our county's ever-growing needs.*

*Quite simply, we are all still in survival mode. Our focus is on meeting day to day needs for ourselves and our neighbors. There will be a time to plan for what our community may look like years from now, but this is not that time. Please be judicious in your usage of remote public hearings while we are still facing this crisis and limit them to essential business.*

*Nick Robinson submitted the following comments:*

*My name is Nick Robinson. I am a Chatham County resident, also practicing law at 128 Hillsboro St., Pittsboro, NC 27312. I'd like to direct my comments to the Board's deliberations about how to proceed with remote legislative hearings during the Covid-19 restrictions. A few background facts that might be helpful:*

- 1. To my knowledge, because of Covid the Board has held no citizen prompted public hearings since February 17, 2020.*
- 2. Based on my review of the County Planning website, there appear to be six (6) citizen-filed applications awaiting public hearings.*
- 3. The applications with the most seniority (i.e., longest pending without a hearing) are the two Williams Corner applications which were filed on January 31, 2020 for public hearing two months ago, on March 16, 2020.*
- 4. The remaining four (4) applications seeking public hearings (one for the Glandon Forest Equity Rezoning and three for the Vickers Bennett text amendments) were filed two monthly planning cycles later than Williams Corner and would have been scheduled for public hearing tonight.*

*I have read through the County Staffs' Recommendation for Remote Public Hearings. The Staff recommendations for how to physically and technologically handle the remote public hearings seem excellent. The recommendation of further delaying Williams Corner public hearings and holding the later-filed Glandon Forest Equity Rezoning at next month's meeting in June (as a "test run" because it may be non-controversial) would be prejudicial and extremely unfair. This is because your Ordinance does not call for public hearings in July. So the delay for Williams Corner, which has already waited two months longer than all other applicants, would be an additional 3 months from now. If you are going to hold any public hearings in June, it should be the Williams Corner public hearings since they were filed first and they have been pending twice as long as the others. Who is to say that the Williams Corner meeting won't go well in June? And even if it does have some logistical difficulties, isn't it better to begin ironing them out then rather than waiting two more months when the same or different problems may arise?*

*I have sat through hundreds of public hearings in Chatham County and we have soldiered through all manner of issues, huge crowds, power failures, location changes, projector failures, HVAC issues, microphone issues, you name it. We are a good, flexible and resilient constituency. We can make it through the remote Williams Corner public hearing in June. But preemptively delaying Williams Corner in favor of choosing another later-filed application is not countenanced by your practice, your ordinance nor by the law, in my opinion. We believe it would be inappropriate to single Williams Corner out for exceptional and prejudicial treatment (i.e., only a 1 month delay for Glandon Forest and a 5 month delay for Williams Corner). We request that you hear Williams Corner in June and let's see what happens from there.*

*Marian Norton submitted the following comments:*

*Thank you for allowing me to speak today. Three minutes is not enough time to address my concerns, but I hope I have them in writing for you. I am thankful today for life, home, and my country.*

*At your last meeting a vote was taken to amend the Chatham County zoning*

ordinance. Among the additions was Section 8 on Recreational Vehicles. The wording of the ordinance allows them to be stored unoccupied on residential lots. The only provision for temporary occupancy is during new construction or replacement of damaged or destroyed home when work is ongoing with a valid building permit.

I am asking that tonight you remove 4a in Section 8. Leaving band c in place still makes it unlawful for them to be permanent residences. (Not to say that I fully agree that Chatham County even needs this ordinance.) The ordinance as written does not allow for personal discretion in the temporary occupancy of an RV. Provisions like (4.a.i.) "Not to be connected to any permanent utility service. The use of extension cords for cleaning and/or repair is allowed on a temporary basis.", do not help persons who find that using an RV during our pandemic is a helpful and healthy option. Currently self-contained RV's are being promoted as a way for frontline health care workers in Covid 19 environments to isolate and protect their families, while still being able to come home between shifts. They should not be restricted in plugging in these units for comfort and safety. Many families are now dealing with both children home from school and the challenge of working from home. Self-contained RV units make ideal spaces for Zoom meeting or a quiet place for student to complete online schoolwork, however, one must be allowed to "occupy" and to make that electrical connection.

The requirement for registration and licensing is not well synced with current state law and county provisions. In January of 2020 the county tax office required listing of unlicensed vehicles for taxation. Recreational vehicles without a current road use tag are among those required to be listed. The zoning ordinance adopted on April 20, 2020 requires unregistered RV's to be registered. The state now only does tags with taxes. That means that law abiding citizens who listed an RV in January will be charged taxes 2 times this year in order to comply. I see no need for a zoning ordinance, that is supposed to regulate land use, to enter into the business of requiring tags or insurance. That is already regulated and under the authority of NC DOT. I can find no other requirement for insurance in the zoning ordinance ... not for homeowners, businesses, manufactures, or dangerous construction projects. RV owners have been singled out for this requirement. Zoning is not to regulate farms, so the very use of the word "farm animals" should not be there.

Lastly, I think it is beyond the scope of zoning regulations to regulate what is inside an RV. The abstract for this amendment to the zoning ordinance refers only to making it unlawful for RV's to be permanent, primary residences. The ordinance needs to be taken back to that focus. It has gone far beyond that intent. The abstract also noted that there was discussion with the planning board about adding a time limit for temporary use, but in the end it was not added, though the other provisions were. We don't know how long we will be in a mode where protection of our high risk populations will be necessary. Please grant us flexibility in the protection and care of ourselves and loved ones and the use of self-contained RV's. No health care worker should be made to feel they are "lawbreakers" by plugging in the A/C and sleeping in the RV.

## **PUBLIC HEARINGS**

[20-3489](#)

Public Hearing to receive public comments on the Fiscal Year 2020-2021 Recommended Budget

**Attachments:**     [RecommendedBudgetPresentation FY2021](#)

County Manager Dan LaMontagne gave a presentation to the Board. (Presentation attached)

The Chair opened the hearing.

Doug Emmons submitted the following comments:

Dear Chatham County Commissioners and County Manager,

You may recall that Maria Parker-Lewis, Michael Fiocco, Greg Lewis, and Lesley Landis (all board members of Main Street Pittsboro) requested FY19-20 funding in the amount of \$16,000 on November 18, 2019. This funding was specifically for the upfit of the new Pittsboro and Chatham County Welcome Center which will be located near the Circle at 37 Hillsboro Street in the old Capital Bank Building. During that November meeting you as Commissioners unanimously voted to support our request, and for that we are sincerely appreciative!

We are pleased to share that with the County's committed FY19-20 funding of \$16,000, we have raised \$75,409 to complete the upfit of the Welcome Center by June of this year. We have also applied for an FY20-21 AARP grant to fund a new outdoor patio adjacent to the building. Our goal has been to renovate this building to make it suitable as a Welcome Center that both the Town and County would be proud to have in our downtown Pittsboro and County Seat districts. Once the upfit is completed, we believe this goal will also be accomplished. We expect the Welcome Center to be available for a soft opening later this summer and a grand opening later in the year once NC allows all businesses to reopen.

During early March, we completed and submitted Main Street Pittsboro's input as requested for the County's FY21 Agency Budget Template. For FY20-21, we requested \$25,000 for Welcome Center operational funding beginning July 1, 2020. (We did not request this funding back in November, because we were focused then solely on achieving sufficient funds to upfit the building which we expected would take the bulk of FY19-20 to complete.). On May 6th, we submitted an updated version of our budget request given several changes due to the pandemic's impact. Our request of the County remained the same at \$25,000. County Manager Dan LaMontagne and I spoke by phone on May 8th regarding our FY20-21 funding request, because he indicated he was not expecting to receive a funding request and had not included Main Street Pittsboro in the draft budget.

Attached is Main Street Pittsboro's FY20-21 funding request letter, budget template, and exterior renderings. We have proceeded in good faith to create a Welcome Center for both Pittsboro and Chatham County, including signage to this effect. We understand that these are difficult times, but we sincerely hope that the County Commissioners will support this FY20-21 budget request to help make this Welcome Center truly representative for not just Pittsboro, but also all of Chatham County.

Robert Shi, Moncure Fire Chief, submitted the following comments:

Before I begin, I just want to say I hope all of you and your families are faring well through this Pandemic.

*Thank you for the opportunity to speak to you tonight regarding next year's operational budget for Moncure Fire Department.*

*As you are aware, Moncure Fire is requesting an increase in our tax rate and I am hoping to impress upon you how important we feel this is – in spite of – or even because of the unprecedented times we are living in.*

*None of us in the leadership of Moncure Fire are generally a fan of increasing taxes, but taxes do serve the important function of providing for essential services. We feel strongly that fire and life safety are at, or near the top of the list of government services that are truly essential. The times we are currently living in make bring that into better focus than ever.*

*Moncure Fire is trying to provide the very best service possible to the people who live in our district. While we have made great advancements in our level of service in the last 10 years, we will never be satisfied with good enough. We wish to excel and the people who live in our district deserve no less.*

*In our proposed budget, the entire increase is earmarked for only one line item – Payroll & Benefits.*

*Within that category we have 2 priorities:*

*A much needed salary increase for the full-time staff, excluding myself, and adding some additional staffing.*

*First on the salary increase.*

*Like many other Chatham County Fire Departments, until recently, we were an all-volunteer fire department. We started adding minimal staff as volunteerism was on the decline. At first, these were just part-time positions and we were only able to pay what the available funds would allow. The pay was very low, but we used to do it for free. Fast forward 12 years and these jobs are now demanding careers, but through the growing pains, the compensation has never reached a professional level that is comparable to the surrounding departments with paid-staff.*

*Our top-end salary in every rank is currently below the starting salary for the same position at North Chatham Fire Department. The salary disparity is even greater when you go to the Wake County Departments that are on our border. This situation cannot be sustained.*

*We are becoming a training ground for other departments. Young Firefighters get a job in Moncure and we train them and just as they become great at their job and a real asset to their community, they move elsewhere for a huge pay increase.*

*We do an exit interview for every person leaving and every single person that has left in the last several years has stated the same reason, lack of pay and lack of the prospect of higher pay. We have a great work culture at Moncure Fire and I am confident that pay is the real reason that they have left. The proof is that they have all asked to stay on the department as volunteers or as duty-crew firefighters.*

*The turnover is bad for the community to a couple of ways. First, an experienced crew of firefighters who are used to working together will certainly provide better service than a string of constantly changing new people. Second, we are not building a bench of people who can take over as our older guys retire out. This is a real concern.*

*The second priority is adding more staffing. We are requesting 1 additional full-time firefighter during the day and some additional part-time (or duty-crew) firefighters for weekend nights. It is well known that volunteerism is becoming a thing of the past. We do still have a core group of good volunteers, but they are largely not available on weekdays and many of them are not available on weekend nights either.*

*Adding this staffing will pay direct benefits to the people living in our district by having more qualified firefighters and EMTs show up in a timely manner in their hour of need.*

*This is especially important now as we fill in the gaps left by the redistribution of EMS units in Chatham County.*

*Due to the explosive growth in Pittsboro and North Chatham, there has been a huge increase in call volume in those areas. As a consequence, the 2-person transport unit has been moved out of Moncure.*

*I have been involved with the Fire Department in Moncure since I moved here in 2002 and this is the first time we have not had a 24-hour ambulance stationed in Moncure in that entire time.*

*At this time, for at least ½ of each day Moncure Fire is the only hope of timely life-saving care, as the ambulance is coming from Pittsboro, if we are lucky.*

*This increase will cost the average taxpayer less than the cost of a happy meal every other month and could very well save someone's life! I for one, believe that is a bargain.*

*Lastly, our Board of Directors is comprised of 9 members of our community who were elected by the residents of the fire district to represent them and provide for their fire and life safety. These 9 members completed an exhaustive process of research and deliberation before approving this tax request and they believe, as do I, that this is in the best interest of the customer.*

*The people of our community are our customers. Our customers are always right. And our customers are right to expect the same level of emergency services in Moncure as they would get if they lived in Pittsboro.*

*If you require any additional information, my Board Chairman and I are happy to meet with you at any time.*

*The Council on Aging Board of Directors Chair, Larry Ross, submitted the following comments on behalf of the board:*

*On behalf of the Board of Directors of the Chatham County Council on Aging, I am writing to offer these comments as you consider the recommended County budget for FY 2020-2021.*

*It is our understanding that the budget recommended by County Manager Dan LaMontagne includes two items directly relevant to helping the Council on Aging further serve Chatham seniors and their families:*

- \$35,000 to support the council's Family Caregiver Respite program.*
- \$25,000 to provide foundational support to the council.*

*We can proudly report that the Council On Aging is still working hard to carry out our mission of helping promote the health of older adults and enable them to remain living safely at home. Now approaching our 46th year of serving as Chatham's senior portal for information and assistance, this mission has never been more important.*

*While we are pleased to offer a wide array of online and virtual wellness activities (see our website and Facebook), some of our most essential work involves helping vulnerable seniors who are sheltering in place. By distributing food, incontinence supplies and other items (including for pet care), we are helping meet basic needs. Equally vital are our Council's friendly check-in calls and peer support group for seniors and their families.*

*For families worried about the prospect of placing their loved one in assisted living or a nursinghome, especially at this time, our ability to offer relief and reassurance to the family caregiver can make all the difference.*

*Thank you for your consideration of these budget recommendations and for the County's strong and ongoing support of the work of the Council on Aging.*

*The Chair stated the Board would continue to receive written comments until its Budget Work Session this Thursday, May 21st.*

## **BOARD PRIORITIES**

### **[20-3493](#)**

Receive recommendation from staff on how to conduct electronic remote Board of Commissioner meetings during states of emergency.

**Attachments:**     [BOC Remote Meetings Presentation](#)

*Clerk to the Board Lindsay Ray gave a presentation on conducting electronic remote Board of Commissioner meetings. (Presentation attached)*

*Chair Howard asked whether the microphones on the laptops would be the only microphones used. Ms. Ray said that was correct. Commissioner Dasher asked how presentations would be shown. Ms. Ray responded that each person giving a presentation would be made a presenter during the agenda item to allow them to show any presentations from their computer.*

*Chair Howard asked how we ensure that participants are legitimate participants. Ms. Ray responded that they have to register beforehand. She said staff also has control over who can speak and be seen.*

*Chair Howard asked whether GoToWebinar has a chat function and whether staff has control over it. Ms. Ray responded that there is a chat function and staff can control it.*

*Vice Chair Hales asked whether people could submit comments on a phone call during the meeting. Ms. Ray said that was a potential issue but there was time and opportunity to test out how the system would work before the meeting.*

*Vice Chair Hales asked how Granicus, the software used to livestream and record the meeting and minutes, would be incorporated into the remote meeting format. Ms. Ray said it was possible to use the Granicus software with the remote meeting format, however, it complicates things and she would not want to add that component to the*

*mix until staff was more comfortable with the other components being recommended.*

*Chair Howard noted that there were a lot of potential problems that could arise from the remote meeting format and it would be wise to test the format beforehand. Ms. Ray said there was discussion at the test meeting of how best to incorporate resident participation.*

*Commissioner Dasher asked the County Attorney whether there is a prohibition on having a public hearing in July. County Attorney Jep Rose responded that it would likely be interpreted as a prohibition. Commissioner Dasher noted that slowing down projects could have economic ripple effects. Chair Howard noted that even those economically impacted must also have their health protected.*

*Vice Chair Hales asked whether the Board could have two meetings in August. Mr. Rose responded that the Board could have two meetings. Ms. Ray noted that the Board of Commissioners could not meet the first Monday of the month because the planning deadlines are based on the Board of Commissioners meeting the third Monday of the month.*

*Vice Chair Hales noted that they want to avoid having five hour meetings. Mr. Rose stated that they could limit how long those in opposition or support could speak. The Board could also require a spokesperson to speak for each side of the issue.*

*Vice Chair Hales asked what action the Board needed to take tonight. Ms. Ray stated the staff wants some direction from the Board on how to move forward. Commissioner Dasher asked if there was a concern about leapfrogging some of these applicants. Mr. Rose responded that the Board has discretion over when a public hearing is held.*

*During the discussion, Planning Director Jason Sullivan emailed County Manager Dan LaMontagne. Mr. LaMontagne said Mr. Sullivan's email stated Ms. Ray was correct. The Planning Board calendar is set and based on the Board of Commissioners meeting schedule. The ordinance states public hearings will be held the last regular meeting of the Board of Commissioners each month.*

*The Board directed staff to place the Glandon Forest public hearing on the June agenda and to postpone other applicants until the August meeting. The Board also agreed with staff's recommendation for remote/in-person hybrid meetings and to move forward with that format at the June meeting.*

## **CLERK'S REPORT**

*Clerk to the Board Lindsay Ray asked the Board if it would like to cancel the June 1st meeting seeing as she has not received any requests to be on the agenda. The Board agreed to cancel the June 1st meeting.*

*Ms. Ray stated she has been with the County almost nine years and the entire time she has wanted to get copies of all the minute books on the County website. Currently, the word documents of minutes from 1993 to present are on the website but they do not include any supporting documentation such as resolutions, ordinances, contracts, etc. Deputy Clerk Kaitlyn Warren has spent the last two months getting all the minute books since the late 1800s onto the website. Ms. Ray thinks residents will really be excited to have the ability to go through these historical documents. Ms. Warren was able to make most of the minute books searchable. Anyone can go to the search bar on the website and type something in and the minute books will be*

included in the results of that search. Ms. Warren and County Paralegal Ann Hammack are also working on getting all the Board of Commissioner resolutions on the website. Currently resolutions go back to 2011 on the website. Ms. Warren and Ms. Hammack will be able to go back as far as 1993. Ms. Ray said she believes these two projects were a really good use of staff time during the pandemic because of the benefits to the public.

## **MANAGER'S REPORT**

County Manager Dan LaMontagne gave an update on the COVID-19 response in Chatham County.

Mr. LaMontagne stated Health Director Layton Long retires on May 29th. He is grateful for Mr. Long's service to Chatham County, especially during the pandemic. Mike Zelek, Director of Health Promotion and Policy, will be sworn in as Interim Health Director on June 1st. MIS Director Darlene Yudell also retires on May 29th. Ms. Yudell has made great strides with broadband in the County. She has also done a phenomenal job increasing the security of the County Network. He thanked Ms. Yudell for her service to the County. GIS Manager Nick Haffele will be named Interim MIS Director.

Mr. LaMontagne let the Board know he is also helping with assessment for the new Pittsboro Town Manager.

## **COMMISSIONERS' REPORTS**

Commissioner Wilkie thanked the staff for getting the commissioner meetings worked out during this hard time.

Commissioner Dasher thanked staff for all their hard work during this trying time. He asked if the state will go into Phase II on Friday and would our public health department be inspecting those businesses and restaurants that are allowed to reopen. Mr. LaMontagne said at this point it is not something the restaurant inspectors look at. There is a question of enforcement.

Vice Chair Hales stated all the commissioners received a letter from the Haw River Assembly regarding the wetlands permit applications for a joint project proposed by Chatham Park Investors and Department of Transportation. The deadline for comment to the state is tomorrow, May 19th. The Haw River Assembly has asked the Board to send a letter to the NC Division of Water Resources and the US Army Corps of Engineers to extend the comment deadline by 60 days and to hold a public hearing when it is safe to do so. The Haw River Assembly also asks the Board to request an Environmental Impact Statement for the project from Chatham Park Investors and the Department of Transportation. County Manager Dan LaMontagne gave a copy of a draft letter to the commissioners to review. He also gave a summary of the project.

Commissioner Crawford stated the Board of Health is meeting virtually this evening and the CCCC Board of Trustees and TJCOG board are also meeting virtually.

Chair Howard stated there was a DOT update at the DCCH-MPO meeting last week. There are significant shortfalls for the DOT and the County is going to see a ripple effect. They have stopped mowing and other projects are not being completed. She thanked staff for all of their work during this time but she also wanted to thank the public. She asked everyone not to think so much about the hardship of wearing a mask but think about the impact of losing one of your loved ones. She doesn't wear a

*mask for herself. She wears a mask to protect you from her. She thanked the staff for recommending a budget that is humane and values people and things that are important to us.*

*Clerk to the Board Lindsay Ray thanked the Chatham County Agriculture and Conference Center staff and Aaron Hall for making sure the meeting could physically happen and be livestreamed.*

**A motion was made by Vice Chair Hales, seconded by Commissioner Dasher, to approve Chair Howard sending a letter on behalf of the Board of Commissioners to the NCDEQ and US Army Corps of Engineers in response to the request by The Haw River Assembly. The motion carried by the following vote:**

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

## **ADJOURNMENT**

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

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