



Chatham County, NC

Legislation Details (With Text)

File #: 20-3431 **Version:** 1

Type: Contract **Status:** Passed

File created: 3/2/2020 **In control:** County Manager's Office

On agenda: 3/16/2020 **Final action:** 3/16/2020

Title: Vote on a request to approve an Amendment to the Incentive Agreement entered into by Chatham County and Mountaire Farms of North Carolina Corp., dated October 2, 2017 and authorize the County Manager to execute the agreement.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Amendment to Incentive Agreement, 2. Mountaire Farms, Inc

Date	Ver.	Action By	Action	Result
3/16/2020	1	Board of Commissioners	approved	Pass

Vote on a request to approve an Amendment to the Incentive Agreement entered into by Chatham County and Mountaire Farms of North Carolina Corp., dated October 2, 2017 and authorize the County Manager to execute the agreement.

Action Requested: Vote on a request to approve an Amendment to the Incentive Agreement entered into by Chatham County and Mountaire Farms of North Carolina Corp., dated October 2, 2017.

Introduction & Background: Chatham County entered into an incentive agreement with Mountaire Farms in October of 2017. The incentive agreement was approved by Chatham County in light of the proposed private investment and net new job creation associated with Mountaire Farms' industrial expansion within Chatham County. The industrial expansions include a hatchery located within an unincorporated area of the County and a poultry processing facility located within the Town of Siler City's corporate limits. This agreement establishes deadlines for reporting total number of jobs created and average annual wages paid during each year under incentive eligibility. The deadline set in this agreement is "on or before the first (1st) day of February of each year". According to Mountaire Farms representatives, owing to availability timing of the data utilized for making such reports, the February 1 deadline is difficult to meet. Mountaire Farms, therefore, has made a request to amend the existing agreement to extend the reporting deadline from the beginning of each February, to the end of each February. The proposed amendment will carry through the life of the subject agreement, with a closing year's reporting deadline of February 29, 2024. The proposed amendment has been reviewed by the County's legal counsel. Mountaire Farms made a similar amendment request concerning the incentive agreement between Mountaire Farms and the Town of Siler City. The Town recently approved this requested amendment.

Discussion & Analysis: The nature of the requested amendment to the Mountaire Farms incentive agreement does not materially alter the intent, terms or conditions of the original agreement; but rather, affords Mountaire Farms with a marginal extension in time for the reporting required of Mountaire Farms to demonstrate sufficient performance under the conditions of this agreement. Staff

believes the interest secured by the initial agreement is preserved with the adoption of the proposed amendment.

How does this relate to the Comprehensive Plan: N/A

Budgetary Impact: No budgetary impacts are anticipated with the approval of the proposed amendment.

Recommendation: Approve an Amendment to the Incentive Agreement entered into by Chatham County and Mountaire Farms of North Carolina Corp., dated October 2, 2017