Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, December 19, 2022 **1:00 PM** **Chatham County Agriculture & Conference Center**

Work Session - 1:00 PM - Chatham County Agriculture & Conference Center

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

RECOGNITION OF RETIREES

22-4611 Recognition of Chatham County employees retiring in December 2022

Chair Howard read statements about each retiree into the record and thanked each for their service to Chatham County.

Teresa Clark (Appraisal Technician) began her career with Chatham County in February 1998 and, as an appraisal technician, has had a front-row seat to the tremendous growth of the county. After a brief stint on the assessing side of the house, she transferred over to the appraisal unit and has been the backbone of many revaluations, technology improvements, and tax programs.

Chief Deputy Tracy Kelly began her tenure with Chatham County in December 2002 with the first of many firsts. She was the first female patrol sergeant for the Sheriff's Office and has gone on to also be its first female patrol lieutenant, captain, major, and chief deputy. She has commanded nearly every division of the sheriff's office, as well as the management of the comprehensive budget process (operating and capital) and oversight over the personnel of a now 185-person office. She truly sets the standard of conduct at the sheriff's office and is an example to all (not just women) in public safety of what hard work can accomplish.

Lawana Schulz (Assistant Tax Administrator) brought her experience in tax administration from New Hanover County to Chatham County in November 2020 as a real property appraiser and was quickly promoted to assistant tax administrator. Though only with Chatham for a short time, during that time she oversaw our last revaluation, assisted with the development of the schedule of values, and guided us and the public through the appeal process. Her knowledge and commitment to the public will be sorely missed.

Scott Walker (Deputy Fire Marshal) retired from his career with the Town of Carrboro Fire Department and began working as the deputy fire marshal for Chatham County in December 2019. He is part of the four-person team in the fire marshal's office responsible for preventive fire inspections, but also arson-related investigations. He is a stable and experienced influence in the division and will be greatly missed.

PUBLIC INPUT SESSION

Larry Ballas spoke to the Board on several topics, including problems at the border, clean air and water, and solar energy.

BOARD PRIORITIES

22-4596 Receive Program update from Cooperative Extension Family & Consumer Science Agent Tara Gregory

Attachments: BOC Presentation 12-2022-Tara

Cooperative Extension Consumer Science Agent Tara Gregory gave a presentation to the Board. (Presentation attached)

Commissioner Gomez Flores asked how Ms. Gregory saw her role in the future in partnership with the health department. Ms. Gregory said she currently works with the health department's dietitians and with the libraries for educational events at the Wren and Goldston branches.

Chair Howard said she loves the work Ms. Gregory is doing. She was excited to hear about EBT and SNAP benefits at local farmers' markets. Chair Howard asked if raising a healthy eater was a program that could be provided virtually at daycares. Ms. Gregory said she starts at the adult level, but there could be a spinoff version of that for children.

This Agenda Item was received and filed.

22-4580 Vote on a Request to approve an appropriation of $268,000 for the FY24 Human Services Nonprofit Allocation funding process and to approve the continuation of the FY22 Board of Commissioner's Goal and Outcomes for the FY24 Human Services Nonprofit Allocation funding process.

Attachments: 12.19.22 BOC Presentation Nonprofit Appropriation Request

Community Partners Analyst Courtney Cooper Lewter gave a presentation to the Board. (presentation attached)

Commissioner Gomez Flores asked where the Arts Council fell in this. Ms. Cooper Lewter said they are funded separately outside of this process.

Vice Chair Dasher asked if she could remind them what the increase is based on. Ms. Cooper Lewter said it was based on the increase in property tax valuation. Assistant County Manager Bryan Thompson said that as tax values go up, staff use the prior year to come up with a percentage to increase the nonprofit allocation.

Chair Howard said the Board may want to revisit the mechanism to determine increases.

Budget Director Darrell Butts said in FY 17 the funding was around $208,000 and in FY18 it was raised to $250,000 and it stayed at that level for a while.

Chair Howard feels they are funding this less than appropriately, but doesn't think it should be an arbitrary number; the number should be meaningful. The goal is to increase in proportion to the need. As Chatham's population grows, the need grows.

Commissioner Delaney said he did not have the background. He asked why they

need to allocate so far out for FY 24. Ms. Cooper Lewter said the Board needs to approve the funds now so that applications can open in 2023. That gives adequate time so that the funds can be approved in the FY 2024 budget.

Commissioner Delaney asked about metrics. Ms. Cooper Lewter said the County requires two reports from the nonprofits: mid-year and end-of-year. They first report on their outputs and how that is affecting their short-term outcomes. The final report helps staff see how the funding has supported their overall services over time. That is part of the agreement with each agency.

Vice Chair Dasher suggested that at the budget retreat, the Board discuss the funding mechanism and the process for determining the allocation.

Chair Howard asked if they could have a motion for an amount that equals the $10,000 from last year and change the language such that the current formula used is no less than $10,000 for continuation. County Manager Dan LaMontagne asked if the language could read "no less than the previous year". Chair Howard agreed that would be even better.

A motion was made by Vice Chair Dasher, seconded by Commissioner Kenlan, to approve the continuation of FY22 goals and outcomes. The motion carried by the following vote:

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

A motion was made by Vice Chair Dasher, seconded by Commissioner Kenlan, to approve an appropriation of $270,000 for FY 24 human services nonprofit allocation funding process. The motion carried by the following vote:

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

22-4602 Vote on a request to approve the 2022-2023 Housing Trust Fund award recommendations and to approve an additional allocation of $37,562 from the Affordable Housing Article 46 fund balance to the current FY2023 budgeted allocation of the Housing Trust Fund for a second grant/loan cycle in FY2023

Attachments: AHAC Trust Fund 2023 Recommendation to BOC - Dec 2023

Assistant County Manager Bryan Thompson gave a presentation to the Board (presentation attached)

Vice Chair Dasher asked what the fund balance was for the affordable housing trust fund. Mr. Thompson said just over $400,000. Vice Chair Dasher, if there were loan receivables there. Mr. Thompson said the County made loans to Wallick in FY 22.

Chair Howard asked why they would not want to fund the Wallick project at 100% of their request. Mr. Thompson said the County had $300,000 in the fund, but to fund them fully, it would take up almost the entire allocation. Wallick has also asked for funding several times, and staff wanted to keep some dollars available so that in the second round County could have some funds available for home preservation.

Chair Howard said she would bring Article 46 funding back up at a future meeting because she believes the Board should have a major investment in affordable housing.

Vice Chair Dasher asked at what point the County would need a mechanism to look at potential land for the County to acquire for affordable housing. Mr. Thompson said the staff have not looked into land banking for affordable housing. It could be a partnership with a land developer that includes land acquisition. There will be opportunities for larger Low Income Housing Tax Credit (LIHTC) projects on property that the County already owns.

Commissioner Delaney asked if staff knew what affordable housing problems these projects specifically addressed. Mr. Thompson said the Affordable Housing Advisory Committee (AHAC) has not been as active on the homelessness issue until recently. There is a working group addressing that. The last working group had at least 30 people, and 20 organizations represented. AHAC has recently begun to join those meetings.

Commissioner Gomez Flores said he felt the Habitat for Humanity allocation was not the best way to go since it is only four units. Chair Howard said they serve such a different population that not supporting them could send a message that the Board doesn't support that part of the population.

A motion was made by Commissioner Delaney, seconded by Commissioner Dasher, to approve the Housing Trust Fund Award recommendations of the Affordable Housing Advisory Committee. The motion carried by the following vote:

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

A motion was made by Vice Chair Dasher, seconded by Commissioner Delaney, to approve an additional allocation of $37,562 from the Affordable Housing Article 46 fund balance to the current FY2023 budgeted allocation of the Housing Trust Fund for a second grant/loan cycle in FY2023. The motion carried by the following vote:

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

22-4583 Receive a presentation from White & Smith, LLC regarding the Unified Development Ordinance and Plan Moncure (Small Area Plan) Phase 1 Report and vote to award a contract amendment for Phase 2: Countywide Assessment and Moncure Area Plan and authorize the County Manager to negotiate a contract amendment for Phase.

Attachments: Plan Moncure 12 08 22 _ BOC Workshop Draft v2REDUCED
White & Smith Budget (11-23-22)
CCNC BOC Workshops

Consultant Tyson Smith began the presentation by updating the Board on the status of the UDO and the background of how staff and the consultants got to the report today, and the history of the projects.

Consultant Meg Nealon continued the presentation with the details of Phase 2 of Plan Moncure.

Consultant Ben Hitchings continued the presentation with the Moncure area maps.

Ms. Nealon picked up with the analysis process.

Vice Chair Dasher asked if it is not anticipated that Plan Moncure would not have zoning districts on the map. Ms. Nealon said that was correct. They want to inform about what zoning districts are possible.

Mr. Hitchings continued with the implementation part of the process.

Mr. Smith continued by facilitating the Board discussion.

Chair Howard said they are good at coming up with a big idea and bringing in the right people to the table to make it happen. She was very impressed with the level of detail incorporated into Phase 2.

Commissioner Kenlan asked how community leaders would be identified in the Moncure area. Ms. Nealon said staff are familiar with some from previous planning work. They have asked the advisory committee to provide the names of folks they deal with regularly in the area. At the end of January, they will do virtual stakeholder interviews and hope to generate more names through that process.

Chair Howard asked if there would be intentional outreach to underrepresented groups. Ms. Nealon said yes. They want to meet them where they are and meet them in settings that are comfortable for them.

Commissioner Gomez Flores asked if they were able to provide feedback on policy and how it affects home prices. Ms. Nealon said economic leadership is part of being the consulting team, and they are accustomed to answering those types of questions and looking at those types of impacts. They can give informed opinions based on their experience.

Vice Chair Dasher asked if they had any advice on what to do in the meantime, as these rezoning applications come in. Ms. Nealon encouraged the commissioners to make sure they were telling people to be engaged in the process. The Board members need to be ambassadors of the plan.

Chair Howard said there has been some concern at the Board level about preemption. Should they continue to engage the applications when they know there is something they are seeking to learn and understand, and implement in that area? The rezonings being asked for now may not meet the zoning they decide on after the plan is finished. Ms. Nealon said they do see that anytime there is a major investment in an area. Mr. Smith said zoning can always be changed. It is a legislative process. Chair Howard asked if the entirety of this area is within the TARPO boundary. Planner Chance Mullis said yes. Chair Howard said she was very interested in what would happen with transit planning in this area. Ms. Nealon said transit justification comes with those ridership numbers, and they hope to have that data after studies are conducted.

Chair Howard asked for the County Attorney's thoughts about how to handle rezonings in that area prior to the plan being adopted.

County Attorney Bob Hagemann said this question was posed to him last month. The question is whether or not the Board of Commissioners can use a moratorium for rezonings. Because a rezoning is a legislative decision, it is not subject to the moratorium statute that applies to administrative and quasi-judicial decisions. NC General Statutes are silent on whether or not you can have moratoriums on rezoning. Because it is a legislative decision, which is discretionary, he does not believe the

Board has an obligation to vote on a rezoning. There is nothing in state law or in County ordinances that sets a specified time period within which the Board must act or vote. The ordinance does have some mandatory processes and uses the word "shall" in several places, including in some places in the process setting deadlines. He believes one could have a legal claim that they are entitled to have the process move forward with "shall" type matters. But he finds nothing in the ordinance or in state law that says the Board of Commissioners shall vote or shall vote in a certain time period. If the Board wants to hit pause, he suggests the best way to do that is to indicate that the Board will not be taking any votes on rezonings in the study plan area until adoption of the Small Area Plan. Staff can communicate that to potential applicants so that they can make an informed decision about whether they want to submit an application, knowing the Board is not going to vote on the rezoning application. He recommends that the Board take a vote to indicate the Board will not be taking votes on rezonings within the Moncure small area plan study area until it receives and adopts that plan. The Board could not take that position now and take it in the future if it sees a need.

Chair Howard asked to hear from the other members of the Board.

Vice Chair Dasher said that for projects like the ST Wooten rezoning that was necessary for the VinFast and NCDOT projects, the Board would need to act on it. Mr. Hagemann said if the Board does hit pause on rezonings, they can decide if that applies to anything already in the pipeline. They could continue to process and vote on anything already in the pipeline, but pause new applications.

Commissioner Delaney asked what the normal timeline is for a rezoning. Planning Director Jason Sullivan said the Board consistently votes on a rezoning at the meeting it comes to them for a vote. He does not recall a time when the Board just didn't take action on a rezoning. Commissioner Delaney said he was trying to understand if the Board's action or inaction affects someone's economic livelihood.

Chair Howard said that is her concern. She doesn't want to approve a rezoning, and then the small area plan identifies that area for another kind of zoning, and that business is not able to move forward with its plan. She believes they should pause rezonings until the plan is completed to give folks certainty. The Board can tie it to the plan being finished in July. Planning Director Jason Sullivan said that when the Board has the final plan before them in July, there could be recommendations in that plan that do not accommodate the County's current regulatory framework. It would have to be accommodated in the completion of the UDO work. It is possible that the Board will not have an endpoint in July, but it would need to wait for the adoption of the UDO.

Commissioner Kenlan appreciated Commissioner Delaney's comments, but it was her wish that the Board not flip back and forth.

Mr. Sullivan said there are applications for the January meeting, but he did not know of any already in the pipeline outside of those.

Commissioner Kenlan said this was in line with what they saw with Plan Chatham. Plan Moncure will inform developers so that they can make a better decision as to whether they want to submit an application.

Commissioner Delaney said he would like to vote on applications already in the pipeline and still consider how they want to approach new things that come up.

Vice Chair Dasher said he would feel more comfortable with a set end date. Chair

Howard suggested the end date be July as a start, and then they can revisit it if needed.

Mr. Sullivan said Zoning Administrator Angela Plummer regularly tells applicants in that area that the Board of Commissioners wants a small area plan for that area.

A motion was made by Commissioner Delaney, seconded by Commissioner Gomez Flores, to delay legislative action on new rezoning applications for rezonings within the Moncure small area plan study area until August 2023. The motion carried by the following vote:

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

A motion was made by Commissioner Kenlan, seconded by Vice Chair Dasher, to award a contract amendment for Phase 2: Countywide Assessment and Moncure Area Plan and authorize the County Manager to negotiate a contract amendment for Phase 2. The motion carried by the following vote:

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

RECESS

End of Work Session

Regular Session - 6:00 PM - Chatham County Agriculture & Conference Center

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

INVOCATION and PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

The Chair called the meeting to order at 6:01 pm.

ADOPTION OF THE FY 2024-2030 CAPITAL IMPROVEMENTS PLAN

22-4609 Vote on a request to adopt the Recommended FY 2024-2030 Capital Improvements Plan

Commissioner Gomez Flores would like an educational document as a supplement to the CIP document. Assistant County Manager Bryan Thompson said staff are going to explore ideas with the new budget and CIP software.

Chair Howard said commissioners have to be ambassadors of the Board's policies and plans to the community. They are elected by the entire county even though they are residents in their own districts.

A motion was made by Vice Chair Dasher, seconded by Commissioner Gomez Flores, to adopt the Recommended FY 2024-2030 Capital Improvement Plan. The motion carried by the following vote:

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

APPROVAL OF AGENDA and CONSENT AGENDA

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

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

22-4497 Vote on a legislative request by Edward Holmes, Jr. to approve a General Use rezoning on Parcels 5837, 79837 and portions of 5276 and 5806 totaling approximately 84.842 acres currently zoned R-1 Residential to Industrial Light, Cape Fear Township.

Attachments: More information from the Planning department website

Oct 17 2022 PH Holmes and Thurber

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Kenlan, that this Resolution #22-52, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

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

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

22-4498 Vote on a quasi-judicial evidentiary request by Lori Lay Thurber for Special Use Permit to approve Parcel 68864 for an in-home daycare center for up to 15 children at 3721 Old Graham Rd., Center Township.

Attachments: More information from the Planning department website

Oct 17 2022 PH Holmes and Thurber

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Kenlan, that this Resolution #22-53, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

22-4582 Vote on a request by Warren Mitchell on behalf of Morgan Ridge

Partners, LLC to approve for six (6) months extension of first plat to extend the current first plat expiration date for Morgan Ridge Conservation Subdivision Phase 2 from January 12, 2023 to June 30, 2023, consisting of 36 lots, located off Jones Ferry Road, S. R. 1942, parcels #1435 and #69883.

Attachments: More information from the Planning department website

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

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

22-4525 Vote on a request to approve the Debt Write-Off for the Chatham County Public Health Department ($37,603.60 for the period July 1, 2020, through June 30, 2021).

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

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

22-4561 Vote on a request to approve conveyance of one wrestling mat to the Boys and Girls Club of Siler City.

Attachments: 1910- Facilities- Wrestling Mat

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

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

22-4562 Vote on a request to approve conveyance of two fetal monitors to Piedmont Health Services.

Attachments: 5011 - Health- Fetal Monitors

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

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

22-4569 Vote on a request to approve $227,600 of Vaya Health funding for Foster Care reinvestment.

Attachments: Vaya Health Check #166927 $227,600.00

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Kenlan, that this Agenda Item be approved. The motion carried

by the following vote:

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

22-4572 Vote on a request to approve the contract allowing Yanders Landscaping to furnish all labor and materials for the Lawn Maintenance Contract for the Chatham County Agriculture & Conference Center.

Attachments: CCACC - Yanders Lawn Maint Contract - 11152022-Contractor Signed

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

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

22-4579 Vote on a request to approve Fiscal Year 2022-2023 Budget Amendments

Attachments: Budget Amendment 2022-2023 Dec22

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

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

22-4581 Vote on a request to approve the naming of one (1) private road in Chatham County

Attachments: Morazan Farm Way Petition

MORAZAN FARM WAY MAP

MORAZAN FARM WAY AREA MAP

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

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

22-4584 Vote to approve Tax Releases and Refunds

Attachments: November 2022 Release and Refund Report

November 2022 NCVTS Pending Refund Report

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Kenlan, that the Tax Releases and Refunds, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

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

22-4585 Vote on a request to approve the 2023 Year of the Trail Proclamation

Attachments: Chatham County Proclamation for 2023 Year of the Trail

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Kenlan, that this Resolution #22-54 Proclaiming 2023 as the Year of the Trail, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

22-4598 Vote to approve the three-year service contract for $140,992.44 with Info-Tech Research Group, Inc. for IT related services.

Attachments: Info-Tech Revised Proposal - Chatham County (002)
Info-Tech Research Group-Chatham County Contract
Info Tech - Legal Approval email

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

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

22-4597 Vote on a request to adopt the proposed EMS Base Project Ordinance, Animal Shelter Expansion and Renovation Project Ordinance, Emergency Communications Radio System Upgrade Project Ordinance, and Athletic Field Lighting at Northeast District Park Project Ordinance.

Attachments: Project Ordinance Athletic Field Lighting at NE District Park 12-19-22
Project Ordinance Radio System Upgrade Amended 12-19-22
Project Ordinance EMS Base Amended 12-19-22
Project Ordinance Animal Shelter Amended 12-19-22

A motion was made by Commissioner Gomez Flores, seconded by Commissioner Kenlan, that these Ordinances, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

22-4599 Vote on a request to adopt the proposed Detention Center Final Cell Blocks Completion Project Ordinance

Attachments: Project Ordinance Detention Center Cell Blocks 12-19-22

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

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

22-4600 Vote on a request to adopt the proposed Margaret Pollard Middle School Expansion Project Ordinance

Attachments: Project Ordinance Schools Margaret Pollard Expansion 12-19-22

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

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

22-4601 Vote on a request to approve the adoption of a Land Preservation Fund.

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

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

End of Consent Agenda

SPECIAL PRESENTATION

22-4563 2022 Employee of the Year Presentation

Attachments: 2022 Employee of the Year Announcement

Chatham County Assistant County Manager Carolyn Miller gave a special presentation to the Board recognizing Michael Daniels and Lucian Stewart as the County's 2022 Employees of the Year.

Ms. Miller said Michael Daniels, who served 21 years in the US Army, has been Chatham County's Veteran Services Officer since June 2021. He was instrumental in transitioning the veteran services office to digital recordkeeping. Michael is an incredibly valuable asset to Chatham County veterans and their families, and routinely goes above and beyond to assist them. Michael often travels great distances across the county, including to the hospital, to meet with veterans and their families to complete forms, ensuring they receive the benefits they deserve.

Ms. Miller said Lucian Stewart is an Application Solutions Engineer with Management Information Services (MIS) after joining the GIS Department in September 2020. Lucian provides excellent customer service, he works continuously to improve himself and others around him, he is a team player, and he has a positive attitude every day he comes to work. Lucian's contributions to various county application deployments have improved efficiency across multiple departments by extending the

functionality of already existing county business systems.

Ms. Miller said Chatham County staff were asked to submit nominations for the 2022 Employee of the Year. The Workforce Development Committee received many qualified nominees. The County is so fortunate to have Michael and Lucian as employees, and they are a great example to their colleagues. Both Michael and Lucian embody the true spirit of Chatham County with their hard work, commitment, and passion to serve the people of our community.

The Board of Commissioners presented Mr. Daniels and Mr. Stewarts with their awards and posed for pictures.

PUBLIC INPUT SESSION

Terry Transue is involved in several food programs in the area that have served 21,000 meals to this area this year. Creekside Apartments sent out eviction notices that residents must evacuate. He understands that the eviction is legal. Miss Esther, who is 93 years old, has served the Chatham community all of her life. One resident is blind and has learned how to get around all of downtown Pittsboro on his own. Another resident is 97 and homebound. He doesn't know where these people are going to go. He doesn't know what to do and is looking for help. Cindy Perry is trying to look into the issue as well.

Chair Howard said she was also contacted by the family of a resident at Creekside. There are a number of Section 8 Voucher holders. She has directed one person to the Department of Social Services, but she would like to stay in touch with him to put their heads together.

BOARD PRIORITIES

22-4574 Consider a request by Nick Robinson, on behalf of NNP-Briar Chapel, LLC, requesting a refund of recreation and affordable housing fees.

Attachments: Attachment 1 2022.11.28 Rec Fee and AHU Refund Request (NNP) Letter
Attachment 2 2022.05.17 AS Email Request
Attachment 3 2022.11.28 Rec Fee and AHU Refund NNP Supporting Documents

Planning Director Jason Sullivan introduced the item and reviewed the specifics of the request. NNP-Briar Chapel has been paying the fees since the project began in 2005. Now that the project is coming to a close, Newland has worked to reconcile things on their end. As is common in larger developments, some of the lots have been reconfigured by developers after the plat has already been recorded. Some were absorbed into other lots, and some were converted into off-street parking areas. Newland has reconciled that and there are requesting a reimbursement of some of the fees that have been paid for lots that have been recombined. The amount comes to a request for reimbursement of $7,912.00 of affordable housing fees and $16,668.00 of recreation fees. As similar request came to the Board in 2012 and it was approved.

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

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

22-4612 Receive presentation from the Coalition to Keep the Maternity Care Center Open

Attachments: BOC Presentation
Copy of KeeptheMCCOpenFlyer (5.5 × 8.5 in) () (5.5 × 8.5 in)
Keep the MCC Open_Letter of Solidarity FINAL

Jen Medearis Costello represents the Coalition and gave a presentation to the Board. (Presentation attached)

The Coalition is asking the Board of Commissioners to consider how it can take action to encourage UNC to stay active and keep the Maternity Care Center open at Chatham Hospital.

Commissioner Gomez Flores heard that the maternity center in Lee County also closed. Ms. Costello said Central Carolina in Lee County is closing its maternity services, including prenatal services from providers. It is important for there to be another place to go for people who have lost these services.

Commissioner Delaney asked if they had some key data points from UNC Health. Ms. Costello said their greatest challenge has been staffing, partly due to the Great Resignation. They also did not consider the population who are mostly Medicaid or uninsured. Maternity care centers are never a large money-making venture. There has been an evaluation of this Maternity Care Center that points to reasons why people are leaving beyond the Great Resignation and also shows the great outcomes for the women receiving care at the CCH Maternity Care Center.

Commissioner Delaney asked if the County has any agreement with UNC Health for Chatham Community Hospital. County Manager LaMontagne said no.

Chair Howard said she feels Ms. Costello's passion. The Board needs to approach UNC as a partner of the County and look at how it can support their goals, not challenge them or tell them what they should be doing. She would be willing to facilitate a relationship or conversation. Ms. Costello feels marketing at a county level would be very helpful. Chair Howard said that as individuals, they can share information about the center with their other boards and committees.

This Agenda Item was received and filed.

PUBLIC HEARINGS

22-4575 A legislative public hearing and vote by the Chatham County Board of Commissioners to amend "An Ordinance Establishing A Planning Board for Chatham County, North Carolina" to revise term limits for Planning Board members.

Attachments: Option 1 Planning Board Amendments - Clarifying Current
Option 2 Planning Board Amendments - Eliminate All Term Limits
Option 3 Planning Board Amendments - No Term Limits for At Large Member

Planning Director Jason Sullivan reviewed the specifics of the request and the three options available. The current ordinance limits planning board members to two terms and requires that they be off the board for at least one year before they can be

reappointed to a new term. The question before the Board is whether it wants to change that. County Attorney Bob Hagemann has provided three options for consideration.

Option 1: Keep the status quo, but it does include some technical amendments
Option 2: Eliminate term limits in their entirety for all eleven planning board members. Commissioner Delaney pointed out that an additional correction will need to be made if the Board chooses this option.
Option 3: Eliminate term limits for the one at-large planning board member

Chair Howard said the risk of losing all the institutional knowledge is something to consider.

Commissioner Gomez Flores said it is very difficult to get applications from his district. He would like to keep someone who is still willing to serve.

The Chair opened the hearing.

No one signed up to speak.

Commissioner Kenlan motioned to adopt Option 2 with Commissioner Delaney's additional correction.

Vice Chair Dasher said he generally is more supportive of term limits, and eight years is a pretty long time to serve on a planning board; however, he does support the motion.

A motion was made by Commissioner Kenlan, seconded by Commissioner Gomez Flores, that this amended Ordinance, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

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

CLERK'S REPORT

Clerk Lindsay Ray asked the commissioners how they wanted to handle their Planning Board appointments. Commissioner Delaney asked that the advertisement include the diversity statement listed in the ordinance. The Board directed her to advertise the vacancies with the diversity statement included.

Ms. Ray distributed the updated table of the Board's liaison assignments.

MANAGER'S REPORT

The Manager thanked the Board for an amazing 2022 and for allowing him to serve the residents of Chatham. He wished everyone a happy holiday season and a happy new year.

COMMISSIONERS' REPORTS

Chair Howard said the MPO is having small group meetings on expanded membership. They are looking into more of Chatham County in the MPO boundary. She said Chatham will not get real transit options if we don't become a bigger player in the region. She thanked the staff for all they do for Chatham County and for their expertise and excellence. She also wished everyone a happy holiday.

Vice Chair Dasher had nothing to report and wished everyone a happy holiday.

Commissioner Kenlan said the deadline for public comment on the VinFast 404 permit has been extended to January 5th.

Commissioner Delaney had nothing to report.

Commissioner Gomez Flores said he would be attending a webinar through the School of Government on January 27th.

ADJOURNMENT

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

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