



Chatham County, NC

Meeting Minutes Board of Commissioners

Monday, March 16, 2015

6:00 PM

Historic Courthouse Courtroom

Work Session - 3:30 PM - Historic Courthouse Courtroom

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

PUBLIC INPUT SESSION

[15-1178](#)

Vote on a request to adopt a Resolution Honoring the County's Erosion & Sedimentation Control Office

Attachments: [sedimentation control award resolution march 2015](#)

The Chairman read the resolution into the record.

The Chairman presented the resolution to Rachael Thorne, Lead Erosion & Sedimentation Control Officer, and congratulated her on her hard work. The Chairman and Ms. Thorne posed for pictures.

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, that Resolution #2015-12 Honoring Chatham County's Erosion & Sedimentation Control Office, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

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

CLOSED SESSION

[15-1186](#)

Closed Session to discuss matters within the attorney client privilege.

A motion was made by Commissioner Hales, seconded by Vice Chair Cross, to go out of the Work Session and convene in Closed Session for the purpose of discussing matters within the attorney/client privilege. The motion carried by the following vote:

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

ADJOURNMENT

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

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

End of Work Session

Regular Session - 6:00 PM - Historic Courthouse Courtroom

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

INVOCATION and PLEDGE OF ALLEGIANCE

Commissioner Cross delivered the invocation after which the Chairman invited everyone present to stand and recite the Pledge of Allegiance.

CALL TO ORDER

Chairman Crawford welcomed those in attendance and called the meeting to order at 6:01 P.M.

APPROVAL OF AGENDA and CONSENT AGENDA

A motion was made by Commissioner Howard, seconded by Vice Chair Cross, that the Agenda and Consent Agenda be approved. The motion carried by the following vote:

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

[15-1176](#)

Vote on a request to approve re-appointments to the NC Fireman's Relief Fund Board of Trustees; North Chatham Volunteer Fire Department, Bennett Volunteer Fire Department, Silk Hope Volunteer Fire Department, Moncure Volunteer Fire Department, Siler City Fire Department, Goldston Rural Volunteer Fire Department, Pittsboro Fire & Rescue Department.

Attachments: [Fireman's Relief Fund-Commissioner's Appointment Requests.pdf](#)

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

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

[15-1177](#)

Vote on a request for two appointments to the Agriculture Advisory Committee

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

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

[15-1180](#)

Vote on a request to approve and accept revised appraisal services, and award contract to Pearson's Appraisal Services, Inc.

Attachments: [Chatham County Reappraisal Proposal 2015 02 25](#)

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

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

[15-1181](#)

Vote on a request to approve the Tax Releases and Refunds

Attachments: [February 2015](#)

[February 2015](#)

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

[15-1166](#)

Vote on a request to approve \$2,332.00 Chatham Hospital Funds.

Attachments: [\\$2.332.00 Chatham Hospital Funds.pdf](#)

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

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

[15-1159](#)

Vote on a request to approve \$8,077 Pregnancy Care Management Funds.

Attachments: [\\$8,077 Pregnancy Care Management Funds.pdf](#)

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

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

[15-1179](#)

Vote on a request to approve purchase of property by the Board of Education.

Attachments: [SchoolProperty\(AcrossfromJSWaters\)](#)

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

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

[15-1187](#)

Vote on a request to approve the 2015 fiscal year audit contract.

Attachments: [Chatham County - 2015 Audit Contract](#)

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

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

[15-1189](#)

Vote on an appointment to the Community Care Advisory Committee

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

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

End of Consent Agenda

SPECIAL PRESENTATION

[15-1182](#)

Special Presentation to Tony Tucker Upon His Retirement

The Chairman stated Tony Tucker, Director of Emergency Operations and Communications, was retiring after 27 years of service to the county. Mr. Tucker was being honored with a plaque and the Chairman read the inscription into the record. The Chairman asked Mr. Tucker to come forward to receive his plaque and pose for pictures. The Chairman thanked Mr. Tucker for his service to the county.

PUBLIC INPUT SESSION

Barbara Lorie, 117 Blue Heron Farm Road, Pittsboro submitted the following comments:

Seven thousand acres of Chatham land are about to be eroded, torn apart, destroyed with McMansion homes, useless businesses, endless paved roads, and air made unbreathable by the detritus of useless development. We humans are killing the Planet in our corrupt and endless quest to make more money. The word developer has now entered normal conversation as a dirty word in the lexicon of those who confabulate in English. Given the fact that we in this room know we are killing the Planet, unless one is building alternative, sustainable energy structures, development should no longer be allowed. As individuals we are helpless like alcoholics and over eaters to stop building useless buildings.

So now it is up to our forms of government, for our county commissioners, to stop the insanity of Chatham Park. We come before you and beg you to take action, which will prevent this latest building monstrosity from going forward. The destruction of old growth forest, the destruction of flora and fauna, the destruction of water resources, the destruction of wilderness, plants, animals, and clean air must be stopped before it

is too late. This is no longer an issue of shall we or shall we not build this or that building. THIS IS A MORAL ISSUE OF WHETHER OR NOT WE WILL CONTINUE TO DESTROY THE PLACE WE LIVE.

Think carefully of what I say. Scientists now predict that within fifty years at the rate we are using water from Jordan Lake, there will not be a lake. We will have lost our major water resource. We are almost past the point of no return in the destruction of the Planet. Now is the time to begin healing the earth, not continuing to destroy what is left.*

Danielle DuClos, submitted the following comments:

I am a recent new resident of Chatham County. I have lived here about two years and am a student at CCC and studying sustainability technologies. A lot has been said about future development here in Chatham County. Basically, I believe we all truly know the difference between right and wrong. I would like to say a blessing that we act with our hearts and our minds going forward. May we grow in Chatham County in a way that we really utilize our love and ingenuity. May we grow in a way that truly utilizes the talent and intelligence of our community by respecting our habitat. Amazingly innovative growth and change is taking place all around the world right now. It is taking place because people are responding to the need for this and if we act with the wisdom and respect to what has true value, resources versus dollars, what is truly costly, if we really respect the values and the costs, we can grow in a way where we will prosper and our children and our children's children will prosper as well. They will thank us for our foresight and care rather than regret us for our rush to profit in the present. May we develop with vision, love, care and intelligence.

Mike Watkins, 400 Prince Creek, Pittsboro, submitted the following comments:

The Chatham Park Master Plan first emerged into general awareness in May, 2013. Its size and scope stunned the entire community. But did you know there was actually a public hearing in March - two months earlier? If you didn't know that, well-nobody I know knew either. Not surprisingly, the only public comments at that public hearing were from Chatham Park themselves. I live in the ETJ. Not merely adjacent to Chatham Park but surrounded on three sides by what The Lawrence Group consultants referred to as the "new city center" and I now refer to as "Ground Zero". Yet it seems Chatham Park was considered almost a "done deal" by the time I received the first official notice from the town on July 10th. With 20/20 hindsight, these were just the first indications of the disconnect between the town of Pittsboro and its ETJ.

The largest development in the history of North Carolina, fourteen times the size of Pittsboro today, yet the Pittsboro town board believed it had the capability to give proper due diligence to this monster plan. There may be less than a dozen organizations in N. America experienced in projects of this size. Sadly, neither Pittsboro nor Preston Development is one of them. Since Preston (aka Chatham Park) is well known for acquiring land, putting in roads and utilities, then selling off to the highest bidder, it is unlikely they will be around to witness the end result of their Master Planned Community. Pittsboro, however, doesn't have that choice. Apparently unphased by the developer's insistence on zero impact studies but overwhelmed by the magnitude of the project, the town placed increasingly heavy reliance on the developer to guide them through the process. Meeting after meeting, the town accepted the developer's perspectives and recommendations, demanded nothing in return and gradually relinquished any power for negotiation. A pattern

emerged of deferring all major issues to future Small Area Plans, simultaneously sidestepping decades of potential cumulative impacts across 27 separate sites while utterly negating any real benefit of a Master Planned Community.

Sixth largest development in US history, yet just seven months into the process, apparently in an attempt to appease an impatient developer, a vote to rezone was pushed forward precipitously. Fortunately, it failed, and public pressure forced the town to get help. Within ludicrously tight deadlines imposed by the town but with wide experience of mega projects the Lawrence Group Consultants produced an outstanding report that identified significant deficiencies in the Master Plan. Given a chance to start over- expert, independent guidance to hand -a list of approximately 40 recommendations was crafted. The developer promptly rejected virtually all of them, making just six cosmetic changes to the Master Plan and the town accepted that. Three public hearings and public feeling against the development rose to where, at the last packed hearing on November 24, there was not a single voice that didn't either advise more caution or offer outright condemnation. Two weeks later, on December 8, despite three chances to do it right, despite the impassioned pleas of one commissioner and utter rejection by the mayor, the ordinance was voted through without further discussion. You may know, our mayor refused to sign that ordinance.

Thus, in hope of bringing some process and best practice to this uncontrolled development free-for-all, I am here to ask the county to take back those extra areas of jurisdiction granted to Pittsboro from 1989 onward .. In the end, it's not Pittsboro who will be "paying-the-piper" for Chatham Park- it's the county and county taxpayers. Your timely intervention may just result in something good coming out of this impending tragedy. Thank you

Amanda Robertson submitted the following comments:

I am speaking tonight on behalf of Pittsboro Matters.

As you are likely aware, Pittsboro Matters is a grass-roots organization formed 18 months ago by local citizens. These citizens were concerned about the Chatham Park development and the lack of process and required protections by Pittsboro Commissioners on behalf of town and ETJ – county – residents who would be impacted by this enormous development. Since the town board's approval of the development, Pittsboro Matters has filed suit against the town – twice now – on behalf of many hundreds of its members and constituents in response to their blatant violation of their own Land Use Plan, Zoning Ordinance, and their disregard for equal protection and substantive due process for all ETJ and town citizens, among many other claims.

I am here tonight to request that you, our elected county officials, please step in and do what is in your power to protect your citizens and our beloved community: To improve this plan and hold the Pittsboro Town Board accountable in providing basic protections for county citizens, town businesses, schools and the environment. Pittsboro Matters hereby makes the following requests of this board:

1. Request that the U.S. Army Corp of Engineers require an EIS before Issuing Permits

As you are aware, Pittsboro Matters, through attorney John Runkle and in partnership with the Haw River Assembly, Rocky River Heritage Foundation, Chatham Citizens for Effective Communities, and the Orange/Chatham Group of the Sierra Club, has recently requested the U.S. Army Corp of Engineers require a valid, comprehensive environmental analysis of the Chatham Park development before

issuing any water quality permits for Chatham Park. We hope you will request the same.

2. *Require that Water Allocations from Jordan Lake Meet 21st Century Realities*
Take steps to ensure that the expected allocation of over 4 million gallons per day (MGD) for Chatham Park is part of a total water allocation for our county and region that acknowledges the severe threats posed by climate change and future droughts. The total drinking water supply allocation from Jordan Lake is 100 MGD, with 63 MGD already allocated. The calculations supporting this allocation, however, ignore climate change and the high probability that droughts will become more severe and more common in the future. As such, the full allocation of 100 MGD could result in Jordan Lake being drained to the point where wildlife, recreational and aesthetic values will be severely damaged.

3. *Request and Create a Bilateral Agreement for a Joint Planning Jurisdiction Covering the ETJ of Pittsboro*

Similar to the joint planning jurisdiction agreement between Chatham County and the Town of Cary, a joint comprehensive land-use plan could become a guiding document for developing a joint land-use ordinance to protect natural resources, including water bodies, steep slopes, critical habitats, natural heritage areas, and highly erodible soils. Such an ordinance could result in strong environmental protections, and also address traffic, affordable housing, and other aspects of new development, such as schools, libraries, courts, social services, etc., that will be paid by county taxpayers who have no say in the town's current planning approval processes.

4. *Approve Appointments of Pittsboro ETJ Residents to the Pittsboro Planning Board*

Appointments of residents to the Pittsboro Planning Board who live in the Pittsboro ETJ are required by state statute to be approved by Chatham County. By insuring this requirement is observed, residents of the ETJ who are being impacted by Chatham Park will have some measure of representation to protect their interests.

5. *Take Back Zoning Jurisdiction over Chatham Park ETJ Lands*

As is provided by North Carolina statutes, Chatham County can initiate procedures to take back, under Chatham County Jurisdiction, those ETJ land areas granted to the Town of Pittsboro in 1989 and 2013 (Local Bill Chapter 415, HG 804, 1989). The 1989 grant extended Pittsboro's extra territorial jurisdiction (ETJ) to encompass three miles around Pittsboro. According to a January, 22, 2013 memo prepared by the Pittsboro Planning Director, the 2013 area encompassed 1,900+/- acres, which extends the ETJ to 4.87 miles south of the Pittsboro town limits.

Chatham County could take back all lands in the ETJ that are further than 1 mile from the city limits. This would include the most fragile natural areas near the Haw River that are part of Chatham Park. Action by Chatham County to take back jurisdiction of some or all of Chatham Park could act as leverage to encourage Pittsboro to work with the County to protect the Haw River, Jordan Lake and the residents of this area of the county who currently have no property protections under the current plan. If Pittsboro refuses to cooperate with Chatham County then the County could proceed to take back some or all of Chatham Park. Taking this action would give Chatham County much greater control over planning and development activities undertaken by Chatham Park Investors.

Thank you for your serious consideration of the above requests.

Turner Whitted submitted the following comments:

My name is Turner Whitted and I live on Hanks Chapel Road here in Chatham County. Our residence is within Pittsboro's ETJ and surrounded on three sides by

property belonging to Chatham Park Investors. For several months now I've been attending meetings of the Pittsboro Town Council including one on December 8, 2014 when the Board of Commissioners voted to approve the zoning application of Chatham Park in spite of the conclusion of the town's own paid consultant that the applicant's master plan was inadequate. It was a poor decision with severe impact on life and property of citizens here in Chatham County made by elected officials who do not represent us. Anyone who has read the Chatham Park master plan would conclude it is not actually a plan, but instead a list of permitted uses accompanied by vague promises to insert a plan at some later date. Any citizen can see that approval under these circumstances was illogical. As we have learned, the approval process also has a few legal shortcomings and needs to be redone.

Speaking to the Chatham County Commissioners who do represent my neighbors and me is a far more hopeful experience. I ask you to consider what role you can play to correct the flaws in this planning process. Evaluating, amending, and approving a project of Chatham Park's scope is more than the Board of Commissioners of a small town can adequately manage. As several informed people have pointed out, this development is a regional issue and Chatham County absolutely must have a part in the planning. As you have heard, or will hear, from other concerned citizens the Chatham County Board of Commissioners has the legal standing to join this planning process and to take actions needed to repair it. This is not an attempt to drive a wedge between Chatham County and the Town of Pittsboro. It is simply a request to have broader regional representation in a decision process that affects the entire county.

Matthew Flyer submitted the following comments:

Is here in response to the growing discussion about the possibility of county wide zoning to the unzoned part of the county. Last spring I purchased a sizeable portion of a piece of property in Bear Creek and I specifically looked for property that was unzoned and came free of restrictions and walked away from several parcels because they were not suitable in that regard. I am currently in the process of developing the first of what will be two family homes and a small business with the intent of building another home next and an agricultural barn. By the time it is all said and done we will have invested roughly one million dollars of family money on this property. I am not a developer, I am not an investor. I am doing this because it is a place I wish to make home for the rest of my life. As it stands I am opposed to having zoning applied to the county by the wish of outside influences until and as such time the people impacted by this and in those areas wish to and appeal to having zoning applied and take it up as a ballot measure. I think that the issue should be tabled.

Jeffrey Starkweather, 590 Old Goldston Rd., Pittsboro, submitted the following comments:

The single most powerful word in our democracy is "we," as in the phrase "We the people" in the preamble of US Constitution. We can have a local government of "we the people" primarily by holding our elected officials accountable when we vote, but also by providing input during their policy deliberations. Both those mechanisms have been denied your constituents with regard to Pittsboro's approval of Chatham Park.

I am speaking first and foremost about those of us who are county voters who reside in the extra territorial planning jurisdiction of Pittsboro. A 1989 local bill gave Pittsboro

a one-mile ETJ. This bill also gave the county commissioners authority to grant Pittsboro a larger ETJ and the county immediately granted a two miles ETJ expansion. This was based on the assumption that Pittsboro's elected officials would be responsible stewards of Chatham's water source and other environmental resources and the property rights and quality of life concerns of the rural ETJ residents.

Pittsboro's elected officials failed to be responsible stewards in their approval of the Chatham Park master plan. ETJ residents have no voice, and no recourse, because they cannot vote in Pittsboro's municipal elections. Thus, we are turning to you, the only elected officials we can vote for who have the legal authority to influence this process by taking back control over much of the ETJ area for the proposed Chatham Park. We are asking you to use the leverage of that authority to negotiate a joint land use plan and approval process with Pittsboro, just as the previous county board did with the Town of Cary.

I do not have time to address all of the flaws in the approved Chatham Park master plan. But it ignores recommendations of the Triangle Land Conservancy's environmental assessment and the town's own independent planning consultants. There is no commitment for affordable housing or providing land for public schools. Moreover, the town allowed the developer to lock in 22,000 residences and 22 million square feet of office and commercial space without requiring any demand or financial feasibility studies, something any bank would require for a development a tenth its size. Finally, the town refused to require environmental, fiscal, traffic and socio-economic impact assessments for the overall development, despite the fact that both the town and county can require such impact assessment for any development of more than 50 dwelling units.

The town has continually ignored citizen input from ETJ and county residents who had serious concerns about how the approved development will negatively impact their quality of life, environment, and property taxes. Remember county taxpayers will pay for schools and other public facilities and services. I was pleased when this board made a public commitment to use whatever authority and tools at your disposal to protect the county from the negative impacts of fracking, coal ash storage and other environmental threats. There is no bigger potential threat to Chatham's environment, quality of life, property rights and tax rate than Chatham Park as currently proposed. Thus, I ask you to commit yourself to using your authority to also protect county residents and voters from this massive threat as well.

Tommy Emerson, 186 John Emerson Road, Siler City, submitted the following comments:

I would like to speak about the proposed countywide zoning. I have been associated with the agricultural related businesses all my life. I want to speak on the potential impact that zoning may have on Chatham County farmers. Western Chatham County is a rural area that has many farmers. As a former appraiser, one of the principal things you learn very early, you appraise a property for its highest and best use, that includes farms. The gentleman earlier pointed out he bought a farm because it was unzoned. When you zone it you limit what it can be used for. This affects the market value. If you zone it as agricultural and limit it to agricultural only that will deeply impact farmers in Chatham County. Farming is a tough business. From a cash and accounting perspective, sometimes the margin is very thin or none at all. Many farmers hold on to their land and the appreciation and value of the real estate makes farming financially feasible. Zoning can stop that. Many of our farmers depend on supplemental incomes including lawnmower repairs, welding shops, carpentry shops, etc. If you stop that it will severely impact many. If you have a

referendum by those who own the land, zoning will fail in Western Chatham.

Brian Bock submitted the following comments:

My name is Brian Bock and I'm a Chatham County citizen. "We were hopeful that there would be some peacemaking and earnest efforts to reach out to the nearly half of Chatham voters who did not support the victors. However; "Rather than govern with humility and compromise, the commission chair moved quickly to apply his ideological beliefs to county decisions, taking little time to consider opposing viewpoints." These words were written in 2012 by self proclaimed non partisan group CCEC. Please keep those statements in mind as you consider your plans for zoning. I'm not here to speak for or against zoning. I'm here to ask why the rush. What is magic about getting it done this summer? I know that you haven't publically said that is your goal, but the planning board is working at full speed to that end at the urging of one or more of the commissioners.

For most of the past 4 years we were reminded by Commissioner Sally Kost, the CCEC, the democratic party, and even commissioner Hales that government is supposed to move slowly in order to ensure all aspects of major issues were considered. If your goal is to protect Chatham citizens, as you have stated, then why not take the necessary time to ask those citizens who are directly affected? In December, Commissioner Crawford you said" we are dedicated to open and inclusive government. In our deliberations we seek counsel and advice of all people. Everyone's concern shall have a full hearing." It is impossible to implement zoning in the timeframe being discussed and give everyone's concern a full hearing. If you truly believe the former BOC should have moved more slowly and considered opposing viewpoints more often, then don't do the same thing. Because if you do, we are left to ask; Was the criticism of the former board based on implementing "ideological beliefs without significant citizen input" or just that it wasn't the right ideological belief being implemented.

To ensure a full hearing of everyone's concern, you need get out from behind the protection of this bar and into the communities. Discuss, don't dictate. Answer the tough questions. We ask that you establish an advisory committee made up of those living in the unzoned parts of the county. Reschedule the community meetings that have been cancelled. Finally, take your own advice and just Slow Down.

Dee Reid, 590 Old Goldston Rd., Pittsboro, submitted the following comments:

Concerning Chatham Park's Impact on Public Schools

As a longtime Chatham County taxpayer and resident of Pittsboro's ETJ, I am very concerned about the impact that Chatham Park will have on Chatham County's Public Schools. Unless the County intervenes proactively in the oversight and planning of Chatham Park, County taxpayers are headed for a public schools disaster similar to what is going on right now in Wake County.

Wake County is considered one of the best places in the country to live, work and play. Nevertheless, its children study in crowded classrooms and year-round schools. And Wake taxpayers are facing increased property taxes as the county tries to meet the growing demands of a surging population, despite its large retail, commercial and high-wage job market. This demonstrates the true cost of unmanaged residential growth. As experts agree, residential property taxes and fees alone cannot finance the full cost of our public schools.

Consider the facts:

- If Chatham Park fills 22,000 new homes, as envisioned, that could result in 9,900 new students over the next 30 years (based on county projection of 0.45 students per household).
- This could require the construction of at least 12 new public schools!
- Chatham Park will also result in undetermined increased spillover residential development beyond Chatham Park, to house the additional teachers, police and service workers who will serve the development but won't be able to afford to live there.
- Consider that the entire county currently has about 8,400 students in 18 schools, many of them already crowded. And that North Chatham has been waiting for years for a new high school to accommodate its population growth.
- When Chatham Park is completed, our county's total public school population will be more than double what it is today.

This raises many questions:

- Who will pay for Chatham Park's new schools? The Town of Pittsboro did not ask Chatham Park to donate land for any of the new schools or to pay an additional educational impact fee to defray school construction costs.
- Who will hold the developers accountable for additional costs? Chatham County has an impact fee that can be imposed on all new homes being constructed anywhere in the county, but it covers only about a third of the full cost of schools for each new residence. Because the county does not have land-use planning jurisdiction over Chatham Park (which is in Pittsboro's ETJ), the county does not have the authority to negotiate a higher impact fee for Chatham Park homes, to cover most of the costs. So as long as Chatham Park is regulated only by the Town of Pittsboro, Chatham County taxpayers, like their counterparts in Wake County, will end up footing the bill for Chatham Park's new schools.
- How will Chatham County plan for these new schools? Chatham Park Investors has not been forthcoming about the number of new students they expect to add to our public school system over the short- and long-term. First they said they would need 12 schools over time, but in a recent presentation to Triangle J Council of Government's mayors and chairs council, they scaled that back to 9 schools (because they might have senior housing), and they said the first 3 would be private schools (so they can market homes more quickly). Without providing any details to substantiate these statements, they have said that the number of new students added to the public school system each year will be "less than the 400 students per year" originally projected.
- Who will force Chatham Park Investors to provide necessary details? We don't know whether one or more private schools actually will be constructed, when they would be finished, and how many parents would send their children there. Without such details, how can we plan appropriately for our public schools.

Who Will Protect the County?

- The Town of Pittsboro is not adequately protecting Chatham County taxpayers from these significant challenges and costs.
- I urge the County Commissioners to engage in joint planning with the Town of Pittsboro and, if that doesn't adequately protect county taxpayers, consider taking back the land in Pittsboro's Extra Territorial Planning Jurisdiction, so that the County can impose sufficient impact fees and regulations for schools and other services.

Peter Theye submitted the following comments:

Good Evening. Thank you for the opportunity to speak tonight. I first would like to make an observation and a comment. Brian Bock has been appointed to the

planning board. Unlike the previous BOC headed by Bock, which refused to allow Sally Kost to make her appointment, this board took the higher road. That is commendable. Back in December of 2010, a citizen warned the newly elected BOC that she will be watching them, well, I hope she still is, maybe Bock and company will learn something. I have watched tons of mud flow into Jordan Lake from the developments approved during the Bunkey Morgan era. I remember the lawyers and developers at BOC meetings state over and over that they will follow all of the Divisions of Land and Water Quality rules and regulations. Well they did not. And I remember NC DENR failing in its duty to enforce those rules and regulations.

The citizens of Chatham were outraged and in 2005, with the enactment of the Soil Erosion and Sedimentation Control Ordinance, Chatham County started on a path of responsible stewardship of its land and water. And in 2008 with the passage of the Watershed Ordinance, Chatham protected its ground water by buffering seeps, springs, and ephemerals. What enrages me is that the Pittsboro Town Board has not learned from the county's mistakes and is allowing Chatham Park to bulldoze hundreds if not thousands of the ephemerals that flow into the many streams leading to the Haw River. Chatham Park eclipses all the developments lumped together that have occurred in Chatham over the past decade. This board's 2015 Vision Statement Third Goal is to be proactive in protecting natural resources and promoting responsible growth and land use. The Pittsboro Town Boards approval of Chatham Park ignores our Watershed Ordinance and makes a mockery of your Vision Statement. I hope this board will use its influence and power to ensure the Pittsboro Town Board protects seeps, springs, and ephemerals in all of its ETJ. Thank you.

Sonny Keisler submitted the following comments:

My name is Sonny Keisler. My topic today is water resource management.

At your last meeting I encouraged the County to determine why the Rocky River has low dissolved oxygen levels from the Charles Turner Reservoir downstream 6.7 miles to Varnell Creek. The oxygen levels are so low they violate state water quality standards and have resulted in this stretch of the Rocky River being placed on the 303D list of impaired waters. Eventually this problem must be rectified. The leading hypotheses concerning why the problem exists holds that not enough water is being released by the Charles Turner Dam. If this is the case then, Siler City will not have 4 MGD to support local economic activities including the Chatham-Siler City Advanced Manufacturing Site.

Today I wish to focus on Jordan Lake and the Haw River. I am here to encourage Chatham County to do everything it can to see that the Corps of Engineers will not issue any 404 construction permits until Chatham Park completes a first class environmental analysis of the impacts it will have on the local environment – especially Jordan Lake and the Haw River. As you may know, no environmental analysis of Chatham Park impacts has been undertaken. In addition, it appears Chatham Park is attempting to avoid provisions of the National Environmental Policy Act requiring an environmental analysis by dividing the development of the 7,200 acre project into 27 small area units. This would then set the stage for claims that these small areas will not significantly harm the human environments and therefore are exempt from requirements for a detailed environmental analysis. Chatham County should do all it can to see that this gambit will fail and a detailed environmental analysis is completed before the Corps issues any 404 permits. It should do this because Jordan Lake already is impaired and any further impairment will damage the recreational and water supply values of Jordan Lake.

This is all the more important because as climate change bears down on Chatham County, the water resources we take for granted today will be stressed as never before. As our miners Canary, we need only to look at California and the Southwest. Here, climate change is decimating water supplies. This past week, for example, NASA announced that California has only a one year supply of water left in its reservoirs – and at the same time, the historic drought continues. In addition Lake Mead is only 40% full. In short, we in Chatham need to prepare for the future and do everything we can to protect our water resources.

Beth Kricker submitted the following comments:

This Board of Commissioners has an unenviable job of undoing the previous four years of conservative and racist rule. Now our commissioners are suddenly faced with the imminent dangers of fracking with the inordinate disturbances of the earth dug so deep underground creating fires, floods, explosions, and earthquakes. A conservative legislature supports the avoidance of safety regulations. Under the cover “we will create jobs” is used to justify welcome to developers. Reality dictates all the jobs that are needed here are created by redoing our aged and probably unsafe bridges. Create a viable transportation system, sidewalks, bicycle paths, healthcare, and above all clean water and air for our children. Let us not forget the children of Camp Lejune who died of Leukemia caused by contaminated water. In addition to the myriad problems created by fracking, the imminent invasion of developers who refused to be committed to building heights which are limited to four stories in Chatham County. Forty story monstrosities are now being contemplated in Brooklyn, Chicago, Massachusetts; it is a very disturbing fear. Historic Pittsboro was founded three hundred years ago by William Pitt as an oasis for farmers, artists, writers, and scientists to allow them to work in peace and seclusion free of the turmoil of city life. I hope we will continue to respect our history and vote no to Chatham Park.

Cathy Wright, 51315 Eastchurch, Chapel Hill, submitted the following comments:

Commissioners, thank you for this time to speak. The word on the street is that you are pushing fast and hard to zone the entire county. Over the years some people here have tried to zone the entire county, but the citizens living in the western portion of Chatham were able to successfully fight it off. The rural parts of the county are not zoned because the people who live there don't want to be zoned. The word on the street also is that some folks want to get this done early, early enough so it will not become an issue for commissioners who are up for re-election. They're hoping that with a fast-tracked effort, new zoning can just be slipped in unnoticed. Mind you, this is the word on the street! While I live in a more regulated area of Chatham, I respect the property rights of everyone. I respect their right to freedom. And with all due respect to you, I urge you to slow down. I urge you to hold public hearings and allow the citizens to weigh in on this matter. Thank you.

Lynn Mann submitted the following comments:

Stated he is a dairy farmer in Chatham County and his family has been in the area since 1842. He has about 200 cows and sells about 200 million pounds of milk a year. They have another 150 young stock animals. His biggest concern with the zoning is if they zone it totally agriculture his offspring may not want to farm and if it is zoned agriculture then will they have to settle for a cheaper price on the land. If he was to get sick or if he had to have a sale to pay some bills, is it going to impact him

that way? A couple of years ago there was talk about the regional landfill and the old landfill is right beside his property. He really didn't want a regional landfill because the family farm has been there 175 years and he didn't want to see it turned into a dump. Would you grandfather his property in so that he and his family could continue to farm? He would like for the Board to consider the landowners and the property owners. A lot of them make their total living off of their land and if the land is not available for them to farm with they are out of a job. He is sixty years old, who is going to hire him? He would like for the Board to consider the farmers in the area before they make a decision.

Cindy Dameron, 11080 Highway 64 West, Siler City, submitted the following comments:

She and her husband have been farming and married for 30 years. Today is actually their anniversary. This is not exactly how she planned on spending it but she felt it important enough to be here. They have two daughters that they hope some day will be able to inherit their farm. That is what worries her is what the value will be for them. She doesn't know many people in this area and are working for businesses that are multi-generational like farms. One of the problems is the commissioners may consider this a way of life but it is also a means of income. When you start touching people's wallets and their incomes it gets serious. They know and have experienced what over regulation will do to a farm. They were in the ostrich business and they were thriving and it got over regulated and soon they were out of business. She is concerned that the process and the hurry that the Board is taking the zoning. She has heard rumors and heard at different planning meetings that the Board is talking about hiring a consultant at \$250,000. She thinks you can save those tax payer dollars and talk to the farmers and residents for whom you are affecting. In conclusion, before she came to the meeting she saw a brochure that the Democratic Party put out with scare tactics of pollution and dump sites for the county as a means of getting the zoning put through. She knows and the Board knows that no amount of zoning, if the State decides to use Chatham County as a place that they want to consider, it will happen. No amount of zoning is going to stop that. She finds that upsetting the tactics that some of the people are using to try to scare the farmers to go into zoning.

Judy Andrews submitted the following comments:

Stated she has lived in Chatham most of her life. She would like to speak in favor of the commissioners' and planning board's efforts to zone Chatham County. She thinks it is extremely important that there is zoning in place for the entire county. She thinks it is a way of preserving property values, it is a way to stop sprawl. She wishes that the zoning begin as soon as possible

Jim Vanderbeck, 111 Greg Trimnal Circle, Pittsboro, submitted the following comments:

Stated he wanted to speak on the topic of countywide zoning. He wanted to note he is an independent voter and he does not have political statement in his comments. Contrary to what some may think, unzoned areas of Chatham County do not come without regulations. Permit requirements, ordinances, etc. They are all manner of government obligations and approvals necessary to carry out daily life. Some twenty years ago, after my wife and I had lived in Chatham County for a few years, we looked to move from our home into a more rural unzoned area in Hadley Township.

It was challenging and risky for us. We now live on a one hundred and twelve acre tree farm. Over time I have had the feeling that others want from me what I don't want and have not asked for myself. That others want a say in how I use my land. There have been neighbors who said we should not be allowed to cut our trees. They just like to look at them. That comment lead us to apply to be a voluntary agricultural district to protect our agricultural interests. Why are so many wanting to tell me what I should or should not do with my land? If protecting the rural character, the language used in the land use plan, means now that the county has grown it wants to restrict my land for the benefit of everyone else, I don't want it. I took all the risks, paid for my land, paid taxes and worked very hard to improve my property. By the way, the last snow storm destroyed hundreds of my trees. It will take me the better part of the year to straighten out my tree farm. I made a similar plea to the Board in 2007 and was told that the corridor zoning would not reach the area we live in. That turned out not to be true. In 2008 that was done. I enjoy the benefits of our government at the same time government is very powerful. I am uneasy about how its power will be used in this case. I am here tonight to voice and protect what my wife and I have built. Having attended the planning board meeting I came away with the sense the countywide zoning is fairly complete. The comprehensive land planning equals zoning. Are my comments and position futile? I struggle to see why it is in my best interest to get the county's permission via conditional use or variance to use what I have narrowly restricted thereby reducing its value.

Karl Ernst, 711 Red Oak Drive, Siler City, submitted the following comments:

Stated he is a former member, chair, and vice chair of the Planning Board. His major question is how many times the commissioners need to be told how the people in the western part of the county feel about their property and their futures. Mr. Vanderbeck mentioned the Corridor Ordinance situation which some people disagree with him on and that is their right. He admonished all the leaders of that attempt to get out to the public, get in front of the public the same way they did twenty years ago. He asked if anyone remembered April 15, 1997. That was the day when all of the elected bodies of Chatham County came together and said they would work together and would try to come to a plan. They did that after comprehensive meetings throughout the county. They went to every corner of the county and asked how they felt and that was not done in the major corridor effort. Someone else will have to answer as to why. He said we talk about needs versus wants, it is as simple as that. Do we need zoning in the western part of the county, he says no. There are a lot of people who want zoning, but do we need it? He asked how much grows in Flatwoods, not much. How many houses can be built there, not much. He stated we need to get back to basics to make this work and if the majority of people on that side of the county say no, honor their wishes. They are voters, pay attention to them. He would like to hear common sense valid reason, practical reason for applying zoning in the rest of the county when it is simply not needed.

Sandra Culberson, 1217 RC Overman Road, Siler City, submitted the following comments:

Stated she is a farmer and has been in farming for over forty years. She and her husband started with fourteen acres and have built their farm to a reasonable size. She would like for the commissioners to ask themselves if what they are doing is best for the county or best for themselves. She would also like them to look at their plates at night and see how much is on their plate that has come from the farm.

A.P. Culberson, 1217 RC Overman Road, Siler City, submitted the following comments:

Stated he was born in Chatham County and has lived here all his life. He is a farmer and started out with 98 acres, fourteen which was his and 98 has been in his family. They have added to that over the years over 600 acres. They have worked 7 days a week in the poultry business thirty-seven and a half years and also have beef cattle. He would like to ask the commissioners to consider the farmer and what he does for them. He is the man that feeds you. They put a lot of sweat into acquiring their land and don't think someone else should tell them what to do with their land. This is supposed to be a free country. He would like the commissioners to think about zoning a lot more.

Rev. Melody Troncale, PO Box 1058, Pittsboro, submitted the following comments:

Stated she was glad to see that there was an invocation at the beginning of the meeting. She stated in the beginning God made the world and he said it was good. She is asking the commissioners to look at what they are doing and she is not going to tell them which way she would like it to go. Is what they are doing good, for the overall people of Chatham County, for the earth, for the world and for what we want to create. Sustainable farming is here. It is growing. Our farmers are here, they are growing. We have cattle ranches, we have potters, we have people that want to live their lives and they want it to be good. On behalf of some of the people that she represents and the main person that she represents, is it good?

Kim Campbell, 124 Ruby Red, Moncure, submitted the following comments:

She is not here tonight to state the facts. To her this is about doing the right thing. She has spoken to the Board before and she doesn't understand why they don't get it. We are just here to do the right thing. We all make choices every day. Does she do the right thing, does she do the wrong thing. We all here know in our hearts right from wrong. To you our county commissioners, she says the right thing to do would be to require Chatham Park to get an environmental impact study. Then to make sure their master plan follows the recommendations given by the impact study. This would be the right thing to do. Her next concern is if Chatham Park is not being held accountable for the infrastructure that will be needed such as schools, roads, water, sewer, garbage, recycling, fire and police protection, she is afraid the tax paying citizens of Chatham County will perhaps not be able to afford to live here. Chatham County is mostly a working class population. We consider ourselves wealthy in natural resources, not in the size of our bank accounts. She is very worried that if our taxes rise many citizens will have to move elsewhere. She knows that several of the commissioners have the opportunity for personal financial gain from the development of Chatham Park. The faster it moves forward the faster they and others can make money. Things always seem to come down to money. She left them with a thought, when they walk down the streets and show their face in the businesses in Pittsboro and they rub elbows with the people in Chatham County or when they walk across a beautiful Haw River on Bynum's Foot Bridge, or hike the trails surrounding Jordan Lake will they hold their heads high and be proud of what they have done to Chatham County and the good people of Chatham County? What will their legacy be?

Kathy Miller, 105 Grove Hall Court, submitted the following comments:

Was actually part of another agenda item but wanted to say it was very inspiring to

hear everyone's story and to witness the courage they all had to come and tell their stories.

Wayne Sears, 774 Coppermine Drive, Sanford, submitted the following comments:

He started a company 22 years ago with Billy Elkins and they currently own a one thousand acre timber farm. He has a problem with the zoning and he has been going to the planning board meetings. There is one member on the board, maybe more members, who seem to think this is a done deal. July 1 is the magic day. Mr. Cecil Wilson asked a very good question, he asked if it was a done deal or if they were just talking about it. He wants to know the same thing. Is this a done deal or are they just talking about it. He understands there were supposed to be some community meetings and he isn't sure if some of the commissioners voted it out, postponed it or maybe put it off entirely. He wants them to please come to Bennett and Bonlee. He doesn't have problem with people who live in nice subdivisions but he doesn't want someone in a nice subdivision telling him what to do with his timberland when he has been in the business for forty-four years. He may have misunderstood a previous speaker of accusing former board members of being racist. He believes that is one of the ugliest words in the English language and he feels the commissioners should have spoken up about that.

Billy Elkins, PO Boxx 266, Goldston, submitted the following comments:

He stated he was born and raised in Chatham County and is seventy-three years old. He has raised three children and has eight grandchildren and they all live within a mile of his land. He is the fifth generation on his land. The first five acres was given to him by his father and after that he accumulated around two thousand acres through a lot of hard work. He doesn't believe the land should be zoned. The \$250,000 they are talking about spending is like him as a taxpayer paying someone to tell him what he can and can't do with his land. He thinks the county can spend that money in a better way.

Tommy Glosson, 738 Mt. Olive Church Road, submitted the following comments:

Stated in 2008 he lived in the tree hugger section of North Carolina. He lives across the river from Chairman Crawford. If he farmed like he used to you could hear his tractor running. Before 2008, his land was not zoned from the creek; no one was zoned there all the way to Alamance County. It was a different board except for maybe Vice Chair Cross. He can't see any other landowners that knowingly had been zoned. He spoke before the planning board and estimated there were four thousand acres from Haw River over to NC Hwy 87 and then 1500 feet west of Hwy 87 and from the creek up to Alamance County. To his knowledge in seven years there have been two single family homes built and that is the reason he spoke that it did not need zoning. There is a church property there which is two hundred thirty acres, it cannot be sold and cannot be developed but it can be leased. He has had thirty acres down on the creek for thirty years and it cannot be developed. His neighbor Mr. Vanderbeck has one hundred and twelve acres and he doesn't intend to develop. At a planning board meeting he saw that Seventy-one percent of Chatham County land would not support single family sewer systems. That leaves twenty-nine percent. He is over in the zoned area of the county but he does not think there is any reason for zoning. He would like to hear a reason why the commissioners think the rest of the county ought to be zoned. He doesn't live over in the western part of the county but those people are very dear to him and he would like to know how many

acres of the 750 square miles of Chatham County are owned by the people who want to zone the rest of the county. He bets they don't own one hundred acres, yet they want the rest of the county to be zoned. He was on the planning board for six years thirty-five years ago. He knows what they have to do but he doesn't really think they are doing the right thing.

Larry Ballas, 139 Indian Creek Lane, Apex, submitted the following comments:

Stated he lives on eastern part of the county near Cary. He stated a long time ago there was a king named King George who sent some troops over to this country and he told the troops that they could go into anyone's house they wanted and they couldn't do anything about it. If there was zoning going on back then he would probably say you could zone whoever you wanted to and not be able to do anything about it. Then our founders came up with the Constitution and said we are going to do it the people's way. They said the Third Amendment said you can't put troops in people's house without their permission. Now people want to go around and do zoning without people's permission. People are begging you to go and talk to them, come up with meetings. We need to talk to the people and get the ideas that they have in order to come up with the best solutions for things that are going on in this county. Without that you don't really have what we might call a democracy. We have government control of people and that is wrong. We weren't founded on that principle. A long time ago if we had foresight we would have taken control of the water out of Jordan Lake and we wouldn't have a lot of the problems we are having now in this county with pollution. We would be able to tell people how to take the water out of our lake and we would have made money out of it too. Ten or fifteen years ago Cary sent a letter to the Chatham County Commissioners saying they were coming up to the lake. People in eastern Chatham County didn't know that letter was alive. Then we got a second letter saying Cary wanted to meet with the people to talk about how they wanted to control our land. That is when the Chatham County commissioners got involved. We set up a plan. None of us like the plan but we ended up with a plan. His point is that the commissioners are not in control of anything unless the people say they are in control of something because they vote for the commissioners and if they don't like them, they won't vote for them next time. They will put up with them for a period of time but that is it. Listen to these people and say you want to go out into the community and plan for ways to become innovative in your zoning. You have to have a will to do it.

Herb Gaines, 4284 Siler City Glendon Road, Bear Creek, submitted the following comments:

My name is Herbert Gaines and I live on a cattle and Hybrid Loblolly Pine tree farm on the Siler City Glendon Road about 5 miles south of Siler City. Agriculture in Chatham accounts for 20% of jobs, contributes 25% of County GOP, and results in a \$359 Million Economic Impact. I speak in opposition to any additional Zoning of Chatham County and I appreciate the opportunity to share my concerns. First and foremost if it isn't broke don't fix it. Yet there are some residents of Chatham who are power hungry and desire to zone private property and therefore control all the land and the people of the county. This would literally destroy the value of the rural landowner's property- essentially the family's retirement, all because of the proven effects that zoning has on land values based on highest and best use valuations. As to jobs, recent media reports of improved unemployment percentages in Chatham are a misstatement of fact - I believe it only applies to the eastern half of Chatham. There are very few jobs in western Chatham as most are employed in Greensboro, Chapel Hill, Pinehurst or Sanford and with much less disposable net incomes. What

really bothers me is the fact that we have an area north of Siler City that is an approved mega-site and readily available for businesses which would provide much needed jobs for our people. I would think that our commissioners could better spend their time ramrodding efforts to get corporations to occupy the mega-site than to further penalize county landowners by unnecessary zoning. Please don't do anything that negatively impacts the financial condition and livelihood of our farmer citizens of Chatham County.

George Horowitz, 10 Bynum Beach Road, Pittsboro, submitted the following comments:

Some time ago, apparently, the mayor of Pittsboro and the town's board of commissioners, elected to include in the town's "extraterritorial jurisdiction" my house, my 200-year old house, which is perched over the Haw River at number 10 Bynum Beach Road. I have lived there since 1973. I was not, of course, informed or consulted by the Board, before or after they made this arrogant move. They did it and apparently felt it was best not to tell me or my neighbors, perhaps because there are no benefits for us to derive from this association.

Later came the entry of the Chatham Park Investors and it became more clear what the metastasizing of Pittsboro's jurisdiction was really about: good old money and lots of it. As another Bynum old timer explained to me, "If you got millions and millions of dollars, George, you gotta throw it at something."

And this is how the vague utterances of the Chatham Park Investors appear to me and to many others. The clearing and building plans are environmentally unsound, the agenda for schools does not exist, no attempt has been made to calculate the impact on the Haw (the project's water source), details for the construction of the many needed roads and sewers are not tangible. Apparently the town board of commissioners was willing and lazy enough to ignore these and other important considerations. Why lazy? Human nature. Why willing? Follow the money. It is always about money without doubt.

I urge you, the Commissioners of Chatham County, our peaceful, lovely home, to meticulously investigate this very shady matter and to overturn this "extraterritorial jurisdiction," which is nothing but an unsupervised and lucrative ride for whoever gets in first. I hate saying this, but I must question the authority of the town in this matter, since it smacks of chicanery and illegality.

Stephen Hawthorne, 110 Blue Heron Farm Road, Pittsboro, submitted the following comments:

When he thinks about all of this he has to respect and remember what Jesus said, love they neighbor as thyself. Individuals have property rights. That includes he on his land and his neighbors on their land. He is in favor of countywide zoning and he is in favor of the concept of zoning for the greater good. But in this case, he is against any zoning that does not protect the Chatham County farmers. The commissioners' job is protecting the rights of all property owners. He doesn't want a big cement plant next to his property. He is on the most eastern side of western Chatham in Hadley Township. It is not about money, it shouldn't be about money. What would Jesus do? Forget your neighbor, do whatever your want, blow your neighbor off? No. That is not right. Whatever zoning is done in western Chatham must protect our farmers. Family farms have already taken a terrible beating by corporate farms. He believes the highest and best use of western Chatham is

farming. He trusts that the commissioners will meet with those people because they are their elected representatives. It is their job to do what is best for the community and that is composed of individuals as well as corporations

Jerry Markatos, 800 Rock Rest Road, Pittsboro, submitted the following comments:

Arrived in Chatham County in 1969 after having lived in California where an agricultural area had been rapidly turned into residential development. He rented from a farm family who were from Maine and he learned a lot from them. He came to value what had been lost in that rapid development and he was very glad to get to Chatham County. At that time there were hardly any rules about what you could do when it came to working on your house and things like that but things have changed. We can't just let people put any kind of wiring in the way he did assuming the person renting in a few months, their lives will depend on it being right. There are other obligations that come with dealing with this increasing population. What about the areas developers want to develop as soon as they can leverage our county with sewage connections all over the county or as far as will reach their development. While he has lived in Chatham County, they thought they had a very secure agriculture around them which is trees. After taxes got to a certain point, all the forest land got sold rapidly to developers. He doesn't want to see agriculture in Chatham County leveraged out of place because we weren't farsighted enough to do serious planning that includes whatever zoning is needed to be smart about defending the property rights of everyone, farmers and people like himself. Thank you for getting into the discussion. He didn't see signs that any of this planning was actually happening with the former commissioners. Thank you for taking it on.

Charles Lutterloh, Pittsboro, submitted the following comments:

Stated his family has been in Chatham County since the late 1700's. The majority of his family have been agriculture farmers. He is the President of the Chatham County Farm Bureau Board of Directors. Agriculture is big business in Chatham County and big business in North Carolina. The western part of the county is very different from the eastern part of the county. The eastern part has been more urbanized and the western part has had slow growth. The western part is where most of the agriculture is located. Most of our farmers and rural land owners in this area of Chatham do not want to see it zoned. It could result in loss of property rights and more regulation. We understand issues come up sometimes. No one wants a shooting range in their back yard but there are ways to deal with things like that through hearings and permitting processes. We could do that without zoning the rest of the county. A farmer's land is his prosperity. We are not advocating turning our farm land into housing developments. We want to keep it in farming and agriculture as much as possible. But we want to leave the options open in case a man gets sick and goes to the hospital. If he needs to sell some land he needs to be able to do it without restrictions. For these reasons, please slow down and talk to the people in the western part of the county and thank you for your time.

Mark Barroso, 110 Persimmon Hill, Pittsboro, submitted the following comments:

Supports the idea of the County taking back the ETJ so that this Board can have jurisdiction over Chatham Park. It is understandable that you don't want the headaches and all the public gnashing of teeth but he would like for the Board to be like every other political board and grab power when it can. While issues like coal ash, fracking, zoning and others are important, he believes they dwarf in comparison

to the impact of Chatham Park. As my elected officials you impact all current and future citizens. He stated that while he usually agrees with Beth Kricker on many points they are going to disagree on characterizing the previous board as racist. Some people may not understand that the commissioners are not supposed to speak up during the public comment time. He thinks most people would disagree with her statement.

Wesley Seawell, Goldston, submitted the following comments:

Stated he has lived in Goldston all his life. Remembered having a lot of conversations with Commissioner Howard at the Goldston precinct during the election and he enjoyed those talks and came to respect her views and compassion for her fellow man. He thanked her and Chairman Crawford for talking in Siler City. He is a republican but he has come to respect them. He is not going to argue whether zoning is right or wrong for Chatham. But he wants to say at the state and federal level we can't have this type of town hall meeting. The population area is too vast. The town hall is the birth right of America. He has a political science degree from Campbell University and he knows that the Board has the legal authority to zone Chatham County. He asks is it the correct thing to do without the consent of the people. These people are here to voice their concerns and all he ask is that they consider putting this to a public referendum at the next election. In that time period allow the people to discuss if is this right. They are intelligent enough to know what is right for their community. He asked them to allow the democratic process to take place.

Michelle Eichelberg, 140 Gosling Way, Cary, submitted the following comments:

Stated she lives in the densest part of Chatham County, in the eastern part of the county in Carolina Preserve. She agrees with Mr. Seawell. This is a big deal. This should not be decided by just the Board. This affects people's property, their property rights, their assets, their retirement. This is a big deal. If the Board listens to these people and the pleas that they are making, she doesn't see how they can possibly vote on this by themselves. This needs to be brought to a vote in the county.

BOARD PRIORITIES

[15-1155](#)

Vote on a request to adopt a Resolution Praising the Solarize Chatham Project.

Attachments: [BOC Solar Resolution](#)

Chairman asked John Graybeal to come forward. Mr. Graybeal stated there were several other people present with him; Laura Lauffer who is in charge of the sustainability course at the community college, Sally Roberson who is with NC WARN, and Kathy Miller. Mr. Graybeal stated he wrote the resolution and that is why he is here today. There have been various solarized projects throughout the state but Chatham has set the record. Solar panels have been installed on sixty-four homes in Chatham County.

Mr. Graybeal stated a prior Board of Commissioners passed a resolution in October of 1985 praising more than 1,000 volunteers who then had installed solar units and were trying to make Chatham County the solar capital of North Carolina. He believes they will be following in a great tradition if they move forward with the resolution. An interesting thing about the resolution in 1985 was then they thought that we were running out of oil and coal. Now, of course, if we save the planet most of the coal and oil in the ground is going to have to stay there. Mr. Graybeal asked the people involved with the project to stand up and be recognized for their work.

Laura Lauffer introduced two students from CCCC, Daniel DuClos and Ky Bailey, who went door to door promoting the project. She was thrilled to announce that NCWARN is going to have another Solarize Chatham Project starting on April 15 and it will go through May 15.

Sally Roberson stated she was not very familiar with Chatham County before they started the program and now she believes it is a great place with a great spirit. She praised the County for going above and beyond what was expected.

The Chairman read the resolution into the record.

Commissioner Hales stated she has seen that they have been very active and commended them for their work.

Vice Chair Cross likes the resolution and commended the project. He stated he means no disrespect to the group but feels that they do not need to mention the two companies in the resolution when there are other companies that also do the work.

The Board agreed to amend the resolution by removing the two company names.

A motion was made by Vice Chair Cross, seconded by Commissioner Howard, that Resolution #2015-13 Praising the Solarize Chatham Project, attached hereto and by reference made a part hereof, be adopted as amended. The motion carried by the following vote:

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

[15-1183](#)

Vote on a request to approve an appointment to the Central Carolina Works Committee.

Attachments: [Central Carolina Works Website](#)

Vice Chair Cross nominated Commissioner Howard. He stated this program works closely with our Community College and High Schools in promoting early college credits and he thinks she is a good match and probably already knows many of the other people involved. He believes she would do a fine job.

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

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

[15-1147](#)

Discussion regarding establishment of a Board of Adjustment.

Attachments: [BOA BOC Distrct map 11x17](#)

The Board of Commissioners currently serves as the Board of Adjustment but it has

expressed interest in establishing a separate Board of Adjustment. Jason Sullivan, Planning Director, reviewed the specifics of the item.

Vice Chair Cross asked if there were a five member board with one from each district, would that cover the rules? Mr. Sullivan stated that it would because you have to have a minimum of five people on the Board. Vice Chair Cross asked if there would have to be an alternate from each district or could there be two at large alternates. Mr. Sullivan consulted with the County Attorney and they agreed two at large alternates would be adequate.

Vice Chair Cross stated this is not an easy board for which to recruit members. Mr. Sullivan stated the county is also competing with other municipalities for members. They also deal with hot topic issues and meet pretty infrequently.

Commissioner Hales asked if there is any specific background that people need for this service. Mr. Sullivan stated there is not. Typically you will see attorneys apply but an attorney background is not required. Vice Chair Cross stated the county does provide training. Mr. Sullivan stated The County Attorney has agreed to provide training.

Vice Chair Cross stated he would not have a problem with a person from the ETJ serving because they can't do anything for a town. Mr. Sullivan stated they can serve on their town's Board of Adjustment they just can't vote for the town's elected officials.

Commissioner Howard asked when the Board needed to have a decision. Mr. Sullivan stated a decision was needed by the time the text amendment comes back to the Board.

By consensus the board agreed to a five member Board of Adjustment, one member from each district, 2 at large alternates, excluding residents of the municipalities but not excluding the residents of the ETJ's.

Mr. Sullivan stated the applications to serve on the Board of Adjustment would need to be back in April and the text amendment would come back to the commissioners in May

MANAGER' S REPORTS

The Manager had no reports at this time

COMMISSIONERS' REPORTS

Commissioner Hales stated she has been actively meeting with people involving coal ash in the Moncure area.

Chairman Crawford stated Jack Bennett Road will be under construction throughout the summer and into the fall to try to take out some of the tricky curves that have caused so many accidents. The construction has already begun so just be aware there will be delays and equipment.

Commissioner Petty stated he would like to thank the fellow commissioners for extending the Public Input time because the community meetings scheduled to hear from the citizens were canceled by this Board. Tonight they heard some pretty compelling stories about what it is like for landowners and farm owners in the western

part of the county. Most of these rural people are busy, some of them working multiple jobs and they don't have time to keep up with what is going on in the county. They expect their elected bodies to do what is right. Most of these people are gracious, courteous and won't stand up and say anything until they get backed into a corner. That is what happened tonight, they turned out.

Commissioner Petty stated the Board needs to hear from these people. They are the stakeholders and they should have some input. He stated the County is growing and is faced with a lot of challenges. Growth is inevitable. Management to growth is the County's best tool. There is a need for land use planning but not without public input. There must be input from those affected. Most people he heard speak on behalf of zoning already live in zoned areas. He stated they don't know what it is like to feel like someone is taking your land; no one is in fact taking it, but that is what it feels like. People are being limited to what they can and can't do with their property.

Commissioner Petty asked that the commissioners reestablish the community meetings and put them back on the calendar and that they hear from the public. There is no doubt that there are some things that need attention in the county, some industries. There was a plan in place to do that. Commissioner Petty said for those who may not know, it was called Open Use Zoning. What that did was identified the industries of concern and caused them to go through an application process that gets reviewed even though they are going in an unzoned area. There are those that will argue that by doing this the legislative process is taken away and it is replaced by a judicial process and if anything is to be done it is only done with attorneys. That is not right. According to County ordinances there are five items that have to be met or approved with affirmative findings to approve a conditional use permit. That gives people an opportunity to have input. In addition to that, a lot of the input would be decided with community meetings by those affected. They will tell what they want in their area and what they don't want and it will save everybody a whole lot of work.

Commissioner Petty stated people's voices will not be removed with Open Use District Zoning and it is an acceptable form of zoning because it zones out undesirable industries and doesn't restrict an owner's property rights. It needs serious review by this Board. He believes the planning board needs to stop moving forward because as far as they are concerned, and he has been at the meetings, it is a done deal. If they establish interim zoning done it will not go away. It takes a lot to undo it. It takes just as long to undo it as it does to do it. If it is done the way it should be done, it should take about twelve to eighteen months. Interim zoning is not the way to address this problem. Open Use District Zoning is the way to do it because they can identify the industries of concern, the businesses of concern, whatever they may be. The citizens in those areas will agree with them and they can move forward, they would not get this pushback. They would have buy in. These citizens do not want a broad sweeping approach to this problem. They want strategic precision addressing the problems. Commissioner Petty stated that if the Board goes back to the community meetings as was suggested, it is public input, it will have buy in and it can get the issues and the industries of concern addressed. Some citizens see zoning as protection for them but most do not. Commissioner Petty stated that he and most are not willing to give up their rights for a false sense of security promised by a local government, a state government or a federal government. He asked the Board to approach it with some community input and address the industries of concern, and not approach it from such a wide sweeping effort that robs people of their rights. He asked once again if the Board could reestablish the community meetings.

Commissioners Hales stated part of the charge to the subcommittee is to look at the alternatives. At the end of the day she wants to hear what their recommendation is.

She stated the Board knows in its goal setting session it chose to continue forward with the land use plan for the entirety of Chatham County, not a section here or a section there. Chatham County is all in play; it doesn't matter if someone lives north, south, east or west. Commissioner Hales stated there are two sub committees, one looking at the process of moving forward with the land use plan and the other looking at what to do in the interim. She agreed with Commissioner Petty's statement that a land use plan takes several years. A land use plan is not done in Board Chambers, it is done in the community with lots of meetings all over, not just in Pittsboro and Siler City but they will be everywhere. There will be lots of small groups. She heard one estimate of about thirty meetings and that is a lot of meetings for citizens to come in and talk about their area and what is their ideal for their area five and ten years down the road. She stated the committee on the interim plan may come back with a recommendation saying do some open zoning with some particular uses people have to come to the County for. She feels that the committee needs to do that work and she supports leaving the process going forward. She heard very clearly from the citizens participating tonight that there is a grave concern that when someone is zoned they lose their property rights. She stated that is not true. She wants to have the input of this particular board that has been seated and their committees. Let the committee do their study and due diligence and come back with their recommendations. She is not at all in support of stopping a process right now, let the committees do their work and come back.

Commissioner Howard stated she agrees with Commissioner Hales. She stated that Commissioner Petty's comments mischaracterize the work being done at the committee level. She stated the Board has also not excluded public input or the community meetings. It has always been part of the plan. To suggest that members of the committees have in some way predetermined what is going to happen and that this is some sort of perfunctory task they are going to do discredits the work they are putting into it and the work that the Board is going to have to do once it comes back to it. This is the beginning of a conversation and it is a difficult conversation. Belittling the work that is being done does not get them farther ahead. It is going to be challenging but she doesn't think that is a reason to throw their hands in the air now and go back to something that they are not assured is the best way forward. She can see no reason not to have all of the information on the table when they make their decision.

Vice Chair Cross asked what is the new name of the sub committee on zoning.

Commissioner Petty stated at this point they are talking about "my word against yours". He would invite the public to refer to the minutes of the meeting that was held at the new jail. It was held without cameras and very few people there. It is subject to the minutes that were taken and how accurate they might have been done at that time. It was very clear in that meeting that open use zoning was not an option and that the public community meetings should be cancelled. Commissioner Petty stated Commissioner Hales had put people on the planning board that she thought had a better idea and she would like to hear from them. He stated he made comments that they have a professional staff that they pay to bring them alternatives and the staff brought them five options and they chose an option. He stated he questioned Commissioner Hales directly if she were trying to change the direction and she responded that she thought there was a better way, they wanted to zone the county.

Commissioner Howard stated she recalls the conversation very clearly because she chastised his characterization of what Commissioner Hales said. Commissioner Hales did say she had changed her mind and was no longer convinced that it was the best way forward. Commissioner Howard stated they don't know that they have all the information; they don't know that they have the best information. She stated she

was not sure what Commissioner Petty is asking. Is he asking them to say without finding out the rest, without hearing what is coming, to say that they already had the best information? That would sound more rushed.

Commissioner Petty stated if they move forward with the planning board checking alternatives and making decisions to present to the Board of Commissioners for it to consider, and then they have public hearings or public input it is doing it backwards. Unless they have intentions of going against the public, regardless of what the public says, then why don't they have the public input and the community meetings up front? That way the Board can get an opportunity to find out what the citizens feel is right for their community and their area and it can structure things around that. Otherwise they are doing it backwards, they are deciding for the citizens.

Commissioner Hales stated it is a cart before the horse kind of thing. Commissioner Petty would be taking a list of possible unwanted uses to the community meetings. Commissioner Petty stated that is not true. Commissioner Hales stated that was what was going to happen at the community meetings, finding out what uses were undesirable. Commissioner Petty stated he misunderstood and Commissioner Hales was correct. Commissioner Hales stated what makes sense to her is to have something in mind that you solicit public input on, "this is what we are thinking, what do you think", rather than "give us a list of stuff you don't want to see". She thinks whenever you are soliciting citizen input you usually are soliciting citizen input on something specific, some alternatives, a topic, rather than an open meeting where you say what do you not want. She is convinced you need to have more structure. She stated they don't know what they are going to present at this point.

Commissioner Howard stated what they ask is to suspend judgment and make their determination when they have all the information before them. What she is hearing is a rush to judgment without knowing what is going to be on the table.

Commissioner Petty asked how can they decide to do interim zoning by summertime when they have had no public input and no community meetings. It was stated very clearly at one of the meetings that they must have it by June 1. He stated the direction, the task and description at these committees and planning board meetings has changed a little bit since the original meeting. Open Use Districts was taken off the table originally but now they are saying that is still one of the options.

Chairman Crawford stated it is an option for this Board.

Vice Chair Cross stated that is why he asked the name of the committee because he read the name was Alternatives Against Open Use Zoning. That says to him that they are not going to do Open Use Zoning. He is just trying to verify if it is still an option.

Chairman Crawford stated it is still an option in his point of view and other options are still being pursued through the proper channel of the planning board as an advisory body. They are going to hear what they say and no matter what option they choose it will be built upon public input not just here at these meetings but at community meetings. He would prefer to see people telling the Board things they want to keep, what is good about Chatham's land use, things they want to avoid, or things that are happening now that could be bad that they want to try to deal with. What that takes is a dialogue and a discussion but it has to proceed with a little more trust than they have had here. He is committed to try to build some more of that trust. He is hopeful that they will be able to protect farm uses and keep farmers options alive. He does not feel that open district is out but he would like to have more input and more discussion about other possibilities. He knows the state restricts how much they can

actually interfere with agricultural processes.

Vice Chair Cross stated that is not the Board's intent.

Chairman Crawford stated only if it were to be protective in some way. They are all working here for the public good.

Commissioner Petty stated he is not trying to belittle the work of the sub committees or the planning board. There is no avenue for them to hear from the public except for some public input time at the beginning of meetings. One of the subcommittee meetings, the first one, was attended by three people that were on or very near the planning board. The second subcommittee is made up of six people, five of which are on the planning board. They will not get input from the people that are affected if it is not staffed with people that would be affected. He believes the subcommittee should be made up of a director from the planning board to manage the meeting and the people that live in those areas that will be affected. It shouldn't be made up of planning board members, then they have planning board members deciding what should be done.

Commissioner Hales stated some of those planning board members including she and Chairman Crawford are in unzoned areas. A number of the members on the planning board are already in unzoned areas. There is perhaps a perception that 100% of the population in unzoned areas is totally opposed to zoning and that is not the case. In trying to get representatives she believes George Lucier asked Commissioner Petty for recommendations from District 5. Their job is to listen and since she lives out in the Western part of the county toward Siler City she will take as a serious activity for her, to start meeting with the Rotary, the Ruritan, and other groups to start that one on one dialogue. She understands his concerns but she thinks it is also a little premature to assume that everything is going to get disorderly and confused in two months' time.

Commissioner Petty stated he again believes if they are concerned with certain industries they will find buy in with certain communities. Citizens see zoning as a negative thing. A lot of agricultural things are exempt from zoning. They can't zone out agricultural but once they zone something as agriculture that prevents someone from being able to do certain things in those areas. It is the unintended consequences he is concerned about. If a farmer has trucks on his farm that he uses for hauling his grain he may decide he needs some extra income and hire his trucks out to transport grain and feed for a feed mill. He could decide to haul something unrelated to agriculture. He then decides he can't afford to have someone work on those trucks for him and he begins to work on the trucks himself. That could all be considered a commercial operation. If they tie anything related to agriculture to agricultural zoning, they have to think of that. In Commissioner Petty's situation, he has a generator business located in a rural area on a farm. If it had been zoned before he put it there, it would never have been approved. That business doesn't need to be in a commercial area. There is no walk in trade, there is no demand on water and sewer, and they run heavy loud equipment that would not be accepted or appreciated next to another business in an industrial park. It will be exempt because it will be grandfathered in. How can they possibly have the vision to see years into the future what may or may not want to locate on a farm. It may or may not tie to agriculture. That is the reason they don't need a broad sweeping approach to this, they need to identify what they are concerned about and address that. That can grow as the need grows.

Commissioner Hales stated there is another alternative way of approaching that and that is looking at what agriculture is which includes a lot of businesses. Like

Commissioner Petty is saying, the trucks, repair shops, the trucking activities, those things all happen and are affiliated with agriculture. Maybe it is not exclusion but is inclusion. That is what the subcommittee is tasked to look at. She thinks that they will have another opportunity for other discussion when they actually have some ideas put before them.

Commissioner Petty stated they can expect a crowd like tonight until this is resolved.

Commissioner Howard stated that is a good thing. She doesn't think people coming here to bring their concerns is negative; both sides should be coming to bring their questions.

Commissioner Petty agrees it is good to have people speak but he believes there were one hundred people in the audience tonight that wouldn't speak but they would if they had community meetings.

Commissioner Hales stated they will have those community meetings.

Ronnie Vaughn asked if he could address the Board. Even though the public input period was over the Board allowed him to speak. Mr. Vaughn submitted the following comments:

He stated he has land in zoned and unzoned areas of the county. During the corridor zoning he was given the opportunity to be a part of that and address the Board and to hear the proposals. For anyone that had a business you were in favor of it because you were grandfathered in. He appreciates the effort of the subcommittees but he has heard the words if and maybe pertaining to decisions after these subcommittees have had their input. These subcommittees are a way of input but the most important input that this board can have is input from individuals. Whether we know tonight what the majority of that input is going to be, in favor of or not in favor of zoning, none of us know. But let's give the citizens the opportunity to have these public meetings and not rush this process. He urged the Board to reinstate the public committees and not limit the input to what subcommittees are advising them of.

ADJOURNMENT

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

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