



Chatham County, NC

Meeting Minutes Board of Commissioners

Monday, July 20, 2015

6:00 PM

Historic Courthouse Courtroom

Work Session - 1:30 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

Marvin Wall submitted the following comments:

I am a retired school counselor of twenty-five years. Over the past several years I have been attending hearings for DENR and the MEC and everything else that has to do with fracking. I want to commend this Board for taking a stand on this issue. I am hopeful that more cities and counties will not allow our state legislature to ram rules and regulations down city and county throats which have to do with local citizens. The second thing I wanted to mention is on fracking itself. The oil and gas industry would have you believe that fracking is 100% safe. That simply is not true. Upon initial installation the casing can have a 5% failure rate. 5% is one out of twenty people. Do you want to be living next to a fracking operation and take the chance that you are the one out of twenty people when that casing fails and leaks toxic water into your well and into your ground system? I would encourage you to look at some of the counties in Pennsylvania and see what has gone on up there as far as illnesses and livestock deaths. I think it is imperative for you to take care of your Chatham County citizens and pass this moratorium. They are counting on you to do that and I hope you follow through with it. Thank you.

Catherine Deininger submitted the following comments:

Thank for this opportunity to speak to you today. I have been a citizen of Chatham County for over twenty years. I actually did email all of you last Friday an email called "Thoughts on the Draft RFP Chatham County Conservation Comprehensive Plan". This is a continuation of my thoughts on that. What I was emailing you about was I wanted to make sure the Chatham Conservation Plan that both myself and Allison Weakley presented to you back in May was included in the RFP. I wanted to make sure you were aware that this Partners for Green Growth Grant is available right now. I don't know exactly what your thoughts will be on implementation of the Chatham Conservation Plan in your land use planning. It is quite possible that you have that figured out already and a Land Use Planner could implement that in your land use plan. But if there is more work that needs to be done in developing that, whether that is for instance understanding what these natural conservation areas are and identifying them and expanding on it so that they are part of the land use plan or the resource protection areas, there is currently funding through this Partnership for Green Growth that you could apply for to supplement the work that is going in to the land use plan. Mostly I wanted to make sure you are aware of that. The Wildlife Resource Commission is aware of the work that has gone on in Chatham County; they are very pleased about the work. If you are interested in help they would

certainly be willing to help put this proposal together. There is a pre-proposal due at the end of this month so it is something that would have to be acted upon pretty quickly.

BOARD PRIORITIES

15-1329

Update on status of the Solid Waste Advisory Committee (SWAC).

Dan LaMontagne, Public Works and Environmental Quality Director, stated there is no longer a requirement for a 10 year Solid Waste Management Plan and that is what the Solid Waste Advisory Committee (SWAC) typically worked on. Over the last two years there has been a decreased need for the committee. The committee unanimously decided to suspend the committee until a need arises for them to come back together. They would like to suspend the meetings as well as the expiration of terms. This way they would not have to worry about trying to fill vacant seats for a committee that is no longer meeting.

Commissioner Hales stated the SWAC was instrumental in getting the recycling centers going. She asked if they feel they have no role. LaMontagne stated there is nothing on the agenda needing their approval or backing.

Commissioner Howard asked if they would just be suspending the meetings. LaMontagne stated they would be suspending the meeting and also their expiration of terms. If staff decides to bring them back on for special meetings the terms would be in place. Commissioner Howard stated she would be concerned about suspending the terms indefinitely.

Vice Chair Cross stated the members could always be replaced if they no longer wanted to serve.

The County Manager stated another option on suspending the terms is if nothing has happened in a certain number of years would be to look at a sunset committee.

Commissioner Hales questioned how SWAC may relate to Chatham Park. LaMontagne stated Pittsboro would take care of Chatham Park's needs as it relates to solid waste.

Commissioner Hales asked if the SWAC would have purview over sludge fields. LaMontagne stated that is not a solid waste issue and not under their expertise.

A motion was made by Commissioner Petty, seconded by Commissioner Howard, to suspend the Solid Waste Advisory Committee meetings and expiration of member terms until such time as the committee is needed. Otherwise, reexamine the need for the committee after five years. The motion carried by the following vote:

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

15-1293

A vote on a request by Nicolas Robinson, on behalf of NNP-Briar Chapel, LLC, to approve a Compact Community Ordinance ("CCO") Waiver to Ratify Previously Installed Drainage Structures and Minimal Grading encroachments in riparian buffers near the Briar Chapel Waste Water Treatment Plant.

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

Hillary Pace, Planner, reviewed the specifics of the request. Ms. Pace stated NNP-Briar Chapel, LLC is seeking a waiver request approved for two installed storm drain pipes that were done ten years ago.

Patrick Bradshaw, attorney for NNP-Briar Chapel, LLC, restated the specifics of the request.

A motion was made by Commissioner Petty, seconded by Commissioner Howard, 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

[15-1332](#)

Community Child Protection Team (CCPT) Annual Report

Attachments: [2015 CCPT Annual Report](#)
 [2015 Annual Report to BOCfinal.ppt](#)

Jennie Kristiansen, Social Services Director, and Carmen Coley, Coordinator of Child Victim Services, presented a PowerPoint Presentation of the Community Child Protection Team Annual Report. (Presentation Attached)

Chairman Crawford asked if turnover is particularly high in Chatham County. Ms. Kristiansen stated child welfare turnover and social worker turnover is a national problem. She does not believe Chatham County's numbers are any better or worse than any other areas. She believes mental health turnover is an issue especially with the safety net providers. It delays the work that they are doing from a child protective services standpoint.

Commissioner Hales asked if the safety net providers are nonprofit agencies. Ms. Kristiansen stated she believes the current provider is a for profit agency. Ms. Coley stated the model is very confusing. It has changed a number of times with each replacement as they have had five different ones in the past nine years. It is due to the policies and the State Mental Health System and not anything Chatham County has any control over. Ms. Kristiansen stated Chatham County has had high safety net provider turnover. She only knows of one other county with as high of a turnover rate. One of the challenges is the size of the county and that there is Pittsboro and Siler City and the need to operate two clinics and the cost associated with that.

The County Manager stated this is some fallout from the mental health reform over nine years ago. In his view, it has still not worked itself out as the model they intended. A number of providers who assured the County they would be here in ten years have closed up. The size of the county is a problem, transportation is a problem.

Commissioner Hales asked if Public Health is part of this group. The County Manager stated they are.

Commissioner Howard asked if the Mobile Health is available to children. Ms. Kristiansen stated Mobile Crisis is available to children.

Ms. Coley stated providing mental health services to children and families in need cannot be a money making business.

The County Manager stated the whole process of counseling and therapy is a very labor intensive and long drawn out process. It is good if it works like it should but the County has had such stop and go types of activities that it really has hurt more than it has helped in some cases.

Commissioner Hales asked if the County can offer a service through its own Public Health and Social Services. The County Manager stated anything is possible. Ms. Kristiansen stated the goal has been to sustain the current provider because they don't want another fail.

Chairman Crawford stated the Board looks forward to the recommendations the committee may bring back in the fall.

Commissioner Petty asked if they do any work with local family support groups. He believes reaching out to groups like that would be beneficial.

Commissioner Howard asked if parenting classes could be offered before people become parents so that they are reached before they get into the social services system. Ms. Kristiansen stated they are working on that.

Commissioner Hales asked if there were any parenting skills programs offered through the high schools. Ms. Kristiansen stated she did not know of any but there are programs offered through the Health Department. Commissioner Petty stated it is not just parenting skills but parents also need helping knowing how to navigate the system.

[15-1350](#)

Presentation on Hydraulic Fracturing

Attachments: [Ritter Presentation](#)

[Ritter FIG A](#)

[Ritter FIG B](#)

Charles Ritter, retired engineer and Chatham County citizen, gave a presentation on Hydraulic Fracturing. (Presentation attached)

Commissioner Hales thanked Mr. Ritter for putting together the presentation, especially the information about the energy resources. She stated at the Deep River the shale is very shallow, within 1,000 feet or less.

Mr. Ritter stated they are going to have a forum at the Carolina Preserve on Tuesday, August 11, 2015 from 10:30 am until 12:00 pm. He has arranged for the spokesperson for the entire district of the NRC to come convince him how it is safe. He also has two representatives from Duke Energy coming to tell him how it is safe. He knows it is not safe. They think a 1.3 mile control area around the power plant is the answer. That is a Duke Energy number. He could not believe that the NRC does not have any restrictions currently on fracking nor do they have any planned. He checked with the Atlanta, GA regional office and with the Washington, D.C. office.

Commissioner Hales stated the NRC has no rules nationwide for any nuclear plant. Mr. Ritter stated that is correct.

Commissioner Petty asked if someone could drill horizontally or vertically up to the plant. Mr. Ritter stated as long as they go 1.3 miles outside the control area they can drill down vertically then drill three miles horizontally. Commissioner Petty clarified

that the 1.3 mile control area doesn't protect the plant at any depth. Mr. Ritter stated that was correct. It only prevents a vertical well from being drilled within 1.3 miles of the plant.

Mr. Ritter stated the same situation applies to Jordan Lake. Someone can drill vertically and then go horizontally underneath Jordan Lake. He spoke with the Army Corp of Engineers who maintains Jordan Lake and they do not have any restrictions on fracking and they do not have any restrictions planned.

Commissioner Petty stated no one can build at the lake so he cannot imagine anyone would be able to drill there. Commissioner Hales stated she is not sure what the current federal laws are about public land. She asked if Jordan Lake is considered public land. They do allow fracking on public land. Mr. Ritter stated he does not know the answer to that question. He does know the federal government protects Indian reservations from fracking so why doesn't it protect the rest of its citizens?

Commissioner Petty stated he believed there have been some test wells drilled. He asked if they have determined the quantity or volume of gas there. Mr. Ritter stated they have had some test wells drilled and the state has a budget of \$550,000 to do exploratory wells. He doesn't believe they have concluded very much. Commissioner Hales stated one of the wells is in Forsyth County. She does not know of one being in the Chatham County area which is the logical area for a well.

Marvin Wall asked to address the Board. Mr. Wall stated he spoke with John Murawski who writes on energy for the News and Observer. He stated the drilling was only for core samples and was not necessarily going to determine how much gas was there. They won't determine how much gas is down there until a company comes in and actually attempts to drill. Mr. Wall stated to his latest knowledge there have been no companies that have applied for permits.

The Board thanked Mr. Ritter for his time and his presentation.

15-1337

Discuss and vote on a request by the Town of Siler City to fund 60% of a local match for the Siler City Airport runway rehabilitation project.

The County Manager stated in 2014 the County agreed to a 10% NCDOT match grant with Siler City to upfit and renovate the airport and extend the runway. The county would provide 60% of the match at \$120,000 and Siler City would provide 40% of the match. Over time changes and delays in the project have now brought the total price of the project to \$2.7 million dollars. The new 10% match is approximately \$207,000. If the Board chooses to continue the match, the \$120,000 that has already been set aside will need to be increased by approximately \$40,000.

Bryan Thompson, Town Manager of Siler City, addressed the Board. He stated the Town of Siler City will increase its contribution from \$20,000 to \$30,000. They are asking the Board of County Commissioners to increase its 60% match from \$120,000 to \$160,000.

A motion was made by Vice Chair Cross, seconded by Commissioner Petty, to adjust the 60% match from \$120,000 to \$160,346.16 with the funds coming from contingency. The motion carried by the following vote:

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

15-1338

Discussion on the Moncure Super Park

Attachments: [Moncure7_15_v3](#)

Diane Reid, President of the Chatham County Economic Development Corporation, stated the site has been assessed by the Duke Site Readiness Program. Ms. Reid introduced former Lt. Governor Dennis Wicker.

Mr. Wicker introduced Steve Stroud with Carolantic Realty, Jason Bertoncino and Jeff Thompson with Withers and Ravenel.

Mr. Wicker gave a PowerPoint Presentation on the Moncure Super Park. (Presentation Attached) Mr. Wicker called the megasite Moncure Holdings. He believes it is one of the top three sites in the southeast. The location is close to great K 12 schools, wonderful Universities and Community Colleges including the Central Carolina Community College tri campus. There is also easy access through transportation with the interstate system and the RDU airport, the exec jet airport in Sanford and the Greensboro Piedmont Triad Airport. There is also rail transportation.

Mr. Wicker pointed out other attractive qualities of the site. He stated there is only one landowner of the megasite. There will be a rail spur on the property in the next four to six weeks. The property has fire and law enforcement protection. The property is six hundred fifty acres of contiguous gradable land.

The property also has access to sewer and water. Chatham County is allocated six million gallons of sewage treatment from the Western Wake Partners line. Their first request today is that the Board allocate 2.5 million of the 6 million gallons for the megasite and its ancillary facilities that surround it. They believe that will allow the site to be certified.

The second request is that the Board consider appropriating funds for engineering costs for the design of a wastewater treatment facility.

Mr. Wicker stated the 244,000 gallon capacity wastewater treatment plant and water treatment plant at Performance Fibers would be part of the acquisition by Moncure Holdings. 244,000 gallons would not be sufficient capacity for a manufacturing plant and the ancillary facilities surrounding that plant under the current permit.

The third request is that they will have to come back to the Board and request the property be rezoned industrial as it is now zoned conditional use.

The fourth request: The property has been given the Watershed IV designation which relates to impervious surface. They will need the Boards' help getting that changed or repealed.

Commissioner Hales asked what they would be doing with the Performance Fibers building and the wastewater treatment plant and water treatment plant. Mr. Wicker stated they are still looking at the possibilities.

Commissioner Howard asked if this site would be competing with the Siler city site for a tenant. Mr. Wicker stated it would be. There are four sites in the region; one in Rocky Mount, one in the Greensboro area and the two in Chatham County.

Vice Chair Cross stated Chatham County has the only two sites that have only one or two owners involved. The other sites have multiple owners.

Commissioner Petty asked if they had a cost for the engineering for the wastewater treatment plant. Mr. Thompson stated it would cost \$10 a gallon or \$25 million

dollars for the entire facility. The preliminary design would be about \$500,000.

Commissioner Petty asked what their timeline is to complete their requests. Mr. Wicker stated the car manufacturer is going to start looking at sites around October or November so they need to be site ready before then.

The Board asked if the rezoning and watershed requests could be ready for the next meeting. Mr. Wicker stated that would not be a problem.

The County Manager stated if the Board chooses the option to give the money for the preliminary design of the wastewater treatment plant, regionally locate it and eliminate spray fields.

Commissioner Petty asked if any Economic Development funds were available to use for the engineering costs.

Staff will look at options for the funding and have them ready at the next meeting.

Commissioner Hales asked if the design work would belong to the county. The County Manager stated he believed it would.

[15-1347](#)

Vote on a request to endorse the SPOT 4.0 Chatham County Triangle Area Rural Transportation Organization (TARPO) transportation project submittal list.

Attachments: [TARPO SPOT 4](#)

Hillary Pace, Planner, gave a PowerPoint Presentation on the SPOT 4.0 TARPO transportation project submittal list. (Presentation attached)

A motion was made by Commissioner Hales, seconded by Commissioner Howard, 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

[15-1348](#)

A request from staff to discuss the Request for Proposals for the Chatham County Comprehensive plan.

Attachments: [Draft RFP Chatham Comp Plan 20Jul15BOC](#)
[Comp Plan RFP 15Jun15BOC](#)

Hillary Pace, Planner, presented a PowerPoint presentation on the Chatham County Draft RFP for the Comprehensive Plan. (Presentation Attached)

Commissioner Hales stated she believes the Comprehensive Conservation Plan for Chatham County should also be part of Phase 1. Ms. Pace stated that document is on the list of documents, it just was not stated in the RFP.

Commissioner Hales stated the RFP is missing natural conservation areas and resource protection areas and asked if these could be added. Ms. Pace stated they would be added.

Dan LaMontagne, Public Works and Environmental Quality Director, explained the qualifications matrix that would be used to rank the consultants.

A motion was made by Commissioner Petty, 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

A motion was made by Commissioner Hales, seconded by Commissioner Howard, to approve releasing the Request for Proposal. The motion carried by the following vote:

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

[15-1236](#)

Discussion on proposed changes to the Noise Ordinance and set date for public hearing.

Attachments: [Noise Level Chart Example](#)
[2015 DRAFT NOISE ORDINANCE Final](#)

County Manager stated the Board needs to set a date for the public hearing. He recommended September 21, 2015.

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, to set a public hearing for September 21, 2015 at 6:00 PM. The motion carried by the following vote:

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

[15-1339](#)

Approval of purchase of timber rights for Jack Bennett property.

The County Manager stated in 2000 when the property for the High School on Jack Bennett Road was acquired, the County put into the deed a reservation for the property owner to timber if the High School was to be built. That totaled about fifty acres. Over the last nine or ten years the High School has not been built and the County is looking at other options. The County thinks clearing that reservation up gives the County a better opportunity to sell the property at some point in the near future. In talking with the prior owner, the County proposed a \$75,000 buyout of that reservation. The owners agreed that would be sufficient. The staff's recommendation is to provide \$75,000 from contingency to take that reservation out of the deed.

A motion was made by Vice Chair Cross, seconded by Commissioner Petty, to approve using \$75,000 from contingency to buyout the timber rights on the Jack Bennett Road property. The motion carried by the following vote:

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

CLOSED SESSION

[15-1335](#)

Closed Session to discuss matters within the attorney/client privilege.

A motion was made by Vice Chair Cross, seconded by Commissioner Howard, 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 Commissioner Howard, seconded by Commissioner Hales, 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

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 6:03 PM.

APPROVAL OF AGENDA and CONSENT AGENDA

Chairman Crawford read the Resolution Honoring the Guardians of Angels into the Record.

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1341](#)

Vote on a request to approve the June 15, 2015 Work Session and Regular Session Minutes.

Attachments: [DRAFT Minutes 06.15.15](#)

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, that the Minutes be approved. The motion carried

[15-1253](#)

Vote on Reappointments to the Transportation Advisory Committee

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, that the Appointments be approved. The motion carried

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

[15-1320](#)

Vote on a request to approve appointments to Recreation Advisory Committee

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1323](#)

Vote on a request to approve Re-appointment of Pharmacist Seat to the Board of Health - John M. Kessler, PharmD

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1342](#)

Vote on a request to approve appointments to the Transportation Advisory Committee

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1355](#)

Vote on Reappointment to Appearance Commission

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1319](#)

Vote on a request to approve a lease between the County and Therapeutic Alternatives, Inc.

Attachments: [Lease Agreement - Therapeutic Alternatives Renewal 2015 PDF](#)

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1352](#)

Vote on a request to approve and accept the SouthData Billing Service Agreement and authorize the County Manager to execute the contract.

Attachments: [SouthData 2015 Tax Printing signed](#)

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1357](#)

Vote on a request to approve the Waste Management Services contract and authorize the County Manager to execute the contract.

Attachments: [Waste Management of Carolinas Inc](#)

[Waste Management of Carolinas, Inc \(1\)](#)

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1358](#)

Vote on a request to approve the Lankford Protective Services, Inc., contract and authorize the County Manager to execute the contract.

Attachments: [lankford-addendum](#)

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1334](#)

Vote on a request to approve the 9/11 First Responder Memorial Site Lease

Attachments: [FIRST RESPONDERS MEMORIAL CLEAN 2015 update](#)

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1324](#)

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

Attachments: [MARSH MCIVER ROAD PETITION](#)

[MARSH MCIVER ROAD MAP](#)

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1325](#)

Vote on a request to approve Annual Settlement and Order of Collection

Attachments: [Order of collectionform](#)
[2014-2015 Annual Settlement](#)

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1327](#)

Vote on a request to approve the Tax Releases and Refunds

Attachments: [June 2015](#)
[June 2015](#)

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1328](#)

Vote to approve Fiscal Year 2014-2015 Budget Amendments

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1331](#)

Vote on a request to approve Community Child Protection Team Appointments

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1333](#)

Vote on a request to approve revisions to Nonprofit Grant Policy

Attachments: [Chatham County Nonprofit Agency Funding Policy Revised June 2015](#)

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1345](#)

Vote on a request by Sears Design Group, P. A. on behalf of Fitch

Creations, Inc. for subdivision preliminary plat approval of Section X, Area B - Millcreek, consisting of 29 lots on 12.71 acres, located off Millcroft, S. R. 1817, Williams Township.

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

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1346](#)

Vote on a request by John Coffey on behalf of Coffey Grounds of Chapel Hill, Inc. for a revision to preliminary plat and final plat approval of "Horizon Subdivision - Phase 3", consisting of 20 lots on 30.9 acres, Baldwin Township.

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

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, 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

[15-1353](#)

Vote on a request to adopt a Resolution Commending Guardians of Angels Humane Society

Attachments: [guardians of angels resolution](#)

A motion was made by Vice Chair Cross, seconded by Commissioner Hales, that Resolution #2015-25 Commending Guardians of Angels Humane Society, attached hereto and by reference made a part hereof, be adopted. 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

PUBLIC INPUT SESSION

Peter Theye, 1065 Boothe Hill Road, Chapel Hill, submitted the following comments:

A few months ago a number of citizens came to this board and expressed concerns about how Chatham Park will affect our county and the town of Pittsboro. Those concerns covered a number of topics including schools, water quality, traffic, affordable housing, and property taxes. All issues this board should be concerned about. It troubles me greatly that I have not heard anything from this board concerning these issues. The clock is ticking. What are you doing to insure that we who already live here will not be paying the financial, environmental, or social costs this megalopolis will be generating? I noticed on the agenda that a Pittsboro Commissioner will be addressing you tonight about a plan for Pittsboro. Since he is sharing plans, why don't you ask him why Pittsboro has not required Chatham Park to produce a detailed plan of environmental impacts that the Army Corps could use to

*produce an Environmental Impact Assessment so that better planning could occur
You know, I am just saying ...
Please do your job and live up to your own vision statement. Thank you.*

Elaine Chiosso, 1076 Rock Rest Road, Pittsboro, submitted the following comments:

Good Evening. I am the Haw River Keeper. I wanted to express some concerns about this whole issue of City of Sanford perhaps probably accepting the leachate from the coal ash dumps into their wastewater treatment plant. I know you know something about this and it is a pretty substantial amount of leachate, the liquid that is collected under the coal ash dumps because they are lined. Think of it like a bathtub for a while until the bathtub starts leaking but that is a different issue. While they pull that leachate up it has to go someplace. We know from across the country that it is difficult to treat coal ash wastewater in a municipal wastewater treatment plant. There are a lot of heavy metals that have to be taken out. What we can see from the consulting firm Hazen and Sawyer in the report to the City of Sanford, because of the amount of heavy metals and because of the amount that Sanford already produces from industry they will probably try and pull out more of the heavy metals into sludge and less into their effluent, the treated wastewater that is going to go into the Deep and Cape Fear Rivers. So where does the sludge go? Well, unfortunately most of the City of Sanford's sludge is applied on Chatham County fields. There are actually, when I looked at the map it looked like there were only two or three application sites in Lee County, it is almost all in Chatham. Almost all are in the Rocky River Watershed. Of course I represent the Haw River watershed but I just wanted to bring this up tonight because I am getting ready to produce a report on behalf of water keepers in North Carolina about sludge and at the essence of this report is how industrial chemicals are getting into the sludge and have been monitored by scientists that we're working with, that it is getting into streams. This is not as the state says a non-discharge application. I will be presenting that to you later this summer, early fall but in the meantime I would just urge you to talk to Sanford about your concerns that the sludge is going to go into Chatham County and there will indeed be heavy metals in it which Hazen and Sawyers report pretty well detailed. Thank you.

PUBLIC HEARINGS

15-1318

Public Hearing to consider a temporary moratorium on oil and gas development activities in Chatham County.

Commissioner Hales stated there is a proposed moratorium for two years on fracking. The purpose of the hearing is to have citizen input. This afternoon the Board decided to go forward with the request for proposal for a consultant to oversee the comprehensive land use plan for Chatham County. The process of creating the land use plan will take about two years and will involve the citizenry. This is the perfect time to proceed with a moratorium. This is not a ban on fracking because a ban is against state law. It is an avenue available to a local government.

Judy Hogan, Moncure, submitted the following comments:

I want to thank you for considering a moratorium against fracking in Chatham and holding this open hearing today. I know you take seriously your role in protecting the health and welfare of Chatham citizens. I am 78, living near Lee county's high

intensity fracking zone. I may have to leave my home and give up farming. Fracking anywhere near our farms is going to force us out of farming. Farmers in a frack zone can't sell their vegetables, and farm animals die. It will also use up precious water that farms need, and agriculture is a major source of income here. Our sustainable farm and local food movement is nationally known and respected, and don't forget tourism. Jordan Lake may be damaged. It, too, has gas under it.

We Moncure people have fought off three landfills, worked to reduce terrible air pollution since 2000. Now we fight being poisoned from coal ash dust and polluted water. Many people here have suffered from asthma and cancer, related to years of air pollution. Now we are threatened with worse air pollution both from fracking's planned and accidental methane releases and from evaporation of fracking waste water disposal pools full of chemicals and radiation dangerous to our health. The Jonesboro Fault Line passes under Shearon Harris and near where fracking is planned. Fracking sets off earthquakes. An accident at the nuclear plant would affect all of Chatham and be especially disastrous to those within the 10-mile evacuation zone, which Moncure is. Fracking brings accidents with toxic chemicals and gas, and the state is making it illegal for firefighters, police, and doctors to reveal the chemicals involved in such an accident. I understand that only the state geologist, apart from the fracking companies, will know what those chemicals are. Since the current state government is acting in disregard of the lives and health of North Carolinians, we appreciate your taking responsibility should Chatham citizens be threatened with fracking.

Patti Dukes, Moncure, submitted the following comments:

Thank you commissioners for holding this public session. I am from Moncure. I oppose fracking and I am glad you are looking at a moratorium. I want to also thank the volunteers and protestors who have tirelessly come out and I have felt the need myself to finally come out and speak my peace about this. I would like to share information from Earth Wire. January 15 they reported on earthquakes. Oklahoma had a fivefold surge in earthquakes last year, 2014. They get by far the most seismically active state in the Lower 48. They were shaken by 585 earthquakes with a magnitude of 3 and larger compared with only 120 in 2013 according to the EnergyWire analysts. California, which is twice the size of Oklahoma had fewer than one third of that number. The Geological Survey showed that the rise began in 2009 and in May the Oklahoma Seismology Group said the state of Oklahoma could face a damaging earthquake of a magnitude of 5.5 or larger in most likelihood. The joint announcement said deep injection of wastewater was a likely contributing factor. The Oklahoma Corporate Commission, which oversees the oil and the gas in the state, last year adopted what it calls a traffic light approach so disposal wells have a swarm area of six miles in the center of a quake of a magnitude of 4 and greater. They are put in a yellow light status. They get special scrutiny. Are we going to have that in North Carolina? I live very close to Lee County and also on the back door of 3M and my very real concern is the double whammy of having the blasts from the 3M plant and the mining there in addition to the fracking. What will that impact for those of us in the Moncure area be to have both of those seismic activities occurring simultaneously? Thank you for considering the moratorium.

Martha Girolami, 473 Mount Pisgah Church Road, Apex, Submitted the following comments:

I wholeheartedly support a moratorium on tracking and thank you so much for your

hard work on this. I know you have gotten expert input on the legal basis for this moratorium. That is a sane, measured approach which minimizes the likelihood or possible success of legal attacks from the NC Legislature and all the corporate and landowner friends of tracking. By Fracking I mean natural gas development in all its forms pipelines, gas power plants, gas treatment plants-all must be postponed.

But it is an insane State of NC threatening all of us. Punitive measures may be taken to harm Chatham and to intimidate and to repress the citizens and governments in our County for daring to do this. So this action takes courage as well. The NC Legislature and so the State of NC no longer believes in Democracy and over and over again has been manipulating and forcing its way onto local affairs often using Duke Energy or gas companies and other corporations as its partners in extraction and coercion.

The State will try to take away our rights and our property and our quality of life just like they have already done in Charlotte (airport), Ashville (its water system) , Greensboro (its city council elections), Lee and Chatham (coal ash dumps and tracking), Wake (commissioner elections) and etc. And all over the State, environmental laws have been severely dismantled or weakened which affects our health and prosperity and viability. There are going to be more attacks from the State and we have to be ready. No one should be complacent. No way Fracking should be allowed in Chatham. Fracking is worth fighting against in every way possible by every one of us and this Commission.

Heidi Zehnal, Chatham County, submitted the following comments:

Fracking will affect air and water quality and the problems can extend for miles around the fracking wells. Literature from the gas industry itself shows problems with concrete crumbling over time so eventually the wells can leak methane and other chemicals into the water and air and also 7% of wells have leaked from the beginning, as shown in the documentary "The Sky is Pink" that is on YouTube. Wells put pollution into the air that can travel for miles around. You basically end up with a lot of industrial plants all over the county.

Also, the state legislature is not working to protect us from fracking damage. In fact, the Senate version of House Bill 765 that they are working to pass right now may be the most aggressive regulatory reform legislation to date working to weaken laws to protect us - putting constraints on air quality rules and shutting off air quality monitors across many parts of the state; creating new immunity from environmental enforcement actions; and changing laws on the remediation of contaminated property.

Grady McCally from the NC Conservation Network has said that the risk remediation provisions would weaken the rules for cleanup of contaminated soil and groundwater, including contamination from fracking or other natural gas operations. The exemption of utility lines from state and federal environmental laws would allow incalculable damage from gathering lines as well as larger pipelines. The increase in the exemption for stream destruction- from 300 feet to 150 feet-- would allow drillers to double the destruction of streams without having to obtain a permit or conduct mitigation. The environmental audit provisions would allow companies to escape penalties and regularly hide internal surveys (of accidents and wrongdoing) from injured neighbors and the public.

On another topic, tracking wastewater has been illegally dumped into rivers and streams all over Pennsylvania and other states, polluting water supplies. We also

can't allow tracking wastewater to be run through wastewater treatment plants in Chatham County, which was done in Pennsylvania. Our cousin in Charleroi PA now has cancer and she lives in a town where they definitely ran the tracking wastewater with over 900 undisclosed toxic chemicals like cancer-causing benzene, diesel, etc. through the local wastewater treatment plant. Since they aren't injecting the tracking wastewater in NC, it is unclear what they will be doing with it. They mentioned shipping it out of state or recycling it. There will be millions upon millions of gallons of tracking wastewater. The DENR has said that we don't have wastewater treatment plants that can handle it. I hope that that stays in effect. In Pennsylvania, the wastewater treatment plant managers didn't even know what they were getting when trucks started lining up to give them tracking wastewater. They had not heard anything from state regulators, so they accepted the wastewater in their municipal water treatment plants. I hope that would not happen in Chatham County. Wastewater treatment plants need to be notified not to accept this water. The tracking wastewater in the rivers in PA was studied by Duke University researchers and they found cancer-causing radioactive materials that came up during the tracking process outside the wastewater treatment plants along rivers after tracking wastewater was dumped there. The tracking wastewater even ruined factory equipment at local steel producing plants downstream along the river.

There are so many reasons why tracking would not be good for this beautiful part of the state that supplies water and is close enough to affect the air quality of millions of people in the area.

Theresa Vick, Blue Ridge Environmental Defense League, submitted the following comments:

We have a member chapter here in Chatham County. I wanted to commend you for this very careful step that you are taking to place a moratorium on fracking on development in Chatham County. Like Commissioner Hales, I had the dubious pleasure of being at most of the Mining and Energy Commission meetings and committee meetings and study groups over the past couple of years. I have to tell you that they will not protect you. They had the opportunity to develop rules, I don't think they are rules good enough, but they had an opportunity to develop a rule package that could have better protected public health, better protected land owners and better protected the environment and they did not. An unprecedented amount of comments, over 200,000, and they changed very, very little. DENR is not going to protect our communities. It is up to local governments to take the steps, to take the responsibility to do what is needed for your people, because you cannot depend on these state commissions and regulatory agencies right now. I wanted to also mention and this is something that we have been very concerned about, several have spoken about the fracking waste stream and it is huge. One of the more recent things that they are looking at is taking coal ash and mixing it with fracking wastewater to stabilize the fracking wastewater. That is a real concern. I have actually talked with someone here in North Carolina whose company has done some research on this. I call fracking the gift that keeps on giving because it just gives and gives. We have no air pollution controls or monitoring required. We have no land owner protections. Forced pooling is still allowed in North Carolina and they can come and force you to participate in fracking. So as you work through this moratorium look at these issues and decide if this is really what Chatham County wants. Protect your people. Thank you.

John Wagner, 210 Jessamine Lane, Pittsboro, submitted the following comments:

Thank you for the opportunity to speak. I am not going to talk about fracking today. I think that you all are facing a lot of opposition from multiple levels on this issue and so I want to talk about the issue of a moratorium. I am going to read you some direct quotes from a conservative that I almost always disagree with. But in this case he was very clear and it is directly related to what you are doing. Before he became the Chief Justice of the Supreme Court and before he was nominated to the Supreme Court by George Bush, John Roberts presented a case before the Supreme Court as a lawyer and pushed for a moratorium for Lake Tahoe. You may be familiar with the case. Lawyers will argue all sorts of sides on this but what he said was very clear. He said there is a rush to develop. People are trying to get things in before the plans have been put in place and Lake Tahoe, which is the largest alpine lake in the world, was being destroyed, this pristine crystal blue water. He said let's call a time out and then we can move forward in a rational way rather than some chaotic race to develop. The basic argument is if you have a moratorium you are taking away the rights of the land owner and he said if you want to build a house you've got to get a building permit and that takes time. Sometimes it takes a lot of time. But the builders said this has been three years; that is too long. He said the science was very difficult was under the Interstate compact. The agency had to come up with so called environmental thresholds covering a broad range of areas, not just development, but issues like air quality and the like. Second, you are dealing with a lot of jurisdictions. Third, the stakes are very high. You want to make sure you get it right. A mistake at Lake Tahoe is a ruling for at least seven hundred years. The other side said well it is different because that is just too long. He said the consequences would be devastating because the logical implications of that theory is that it doesn't depend on how long, not whether it is thirty-two months, which is how long that one was, six months or one day. You hold up the development for one day because the permit writer has a dentist appointment under their theory and you owe compensation for that one day of taking. Local government wouldn't be able to function and that certainly wouldn't be able to develop land use plans of high quality if that were the case. So I encourage you, you are working on a land use plan under very difficult situations. We have clay pits that may be for ash, we've got clay pits that may be used for fracking water or a mix, we've got serious issues that are scientific and it is totally justified for you to take time to do it right and plan it out. John Roberts argued this before the Supreme Court and won. Those were his arguments. I think you are totally justified and I encourage you to absolutely vote for a moratorium and stick to it. Thank you.

Mary Phyllis Horn, Pittsboro, submitted the following comments:

I am more concerned about the pollution in the air. I recently read an article in Mother Jones Magazine, Issue July/August 2015, Article by Aaron Reuben "This is Your Brain on Smog". They are talking about air pollution – sulfate, nitrate, ammonium ions, hydrocarbons, and heavy metals. The EPA has regulations against a lot of the particles but they do not have any regulations against the ultrafine particles. Ultrafine are 36 times finer than a grain of sand. This kind of particle can get in through the nose and ear and into the brain. When it gets into the brain it can continue to cause asthma, lung cancer, respiratory infections, obesity, heart disease, and Alzheimer's and Parkinson's. . Neurologists say foreign substances in pollution can kill or damage neurons in the brain with toxic chemicals. They also cited any truck like a fire truck or any truck idling for any amount of time, if you can smell any of that diesel, and I'm not talking biodiesel, if you can smell even a little of that you are already getting an overload and it is going to the brain from there. Mexico City they cited it is the worst populated city in the world. Only 8 days a year have no pollution in the air. They tested dogs and their olfactory centers are dying. There are symptoms of Alzheimer's. These dogs do not recognize owners. They cited some

children who have amyloid Beta in their brains which is also associated with Alzheimer's. The problems are worse when there is high traffic. This is why I am addressing Chatham Park. I am already seeing how Duke Energy has been cutting trees along Thompson Street and Salisbury Street and other places as well. Even though they are given permission by owners it is still starting to cut into our natural buffer against air pollution. The tree loss here is pretty bad and it is going to affect the water problems as well as everybody has said here. I am against fracking. I am against coal ash because that is going to bring a lot more fine particles in here. We are going to have a lot of problems air wise as well as water wise. Thank you.

Sharon Garbutt, 595 Pokeberry Lane, Pittsboro, submitted the following comments:

I have attended almost all of the meetings of the NC Mining and Energy Commission, the members of which were appointed by the State to develop the rules to regulate hydraulic fracturing in North Carolina. In addition, for the past 2+ years I have read extensively about hydraulic fracturing-including information available through the mass media and newspapers, but focusing mainly on information presented in professional and scientific journals.

Based on what I have learned, I fully support a moratorium on hydraulic fracturing in Chatham County. I hope the Board of Commissioners will institute the longest moratorium possible. I want the CCBOC to impose a moratorium for the following reasons:

- Fracking poses a serious health threat to all Chatham County residents and especially to those living close to the fracking sites.*
- Fracking can bankrupt Chatham County, while financially benefitting only a few, if any of our citizens.*
- The rules developed by the Mining and Energy Commission are woefully inadequate to protect Chatham County citizens and citizens across the State.*

Chatham County needs time to develop necessary tools and procedures to protect its citizens from the above threats. A moratorium would give Chatham County some time to try to develop adequate protection of its citizens. If at the time the moratorium ends the CCBOC determines it has been unable to establish adequate tools and procedures to protect its citizens, then the moratorium should be extended or a permanent ban on fracking should be put in place.

Note that the oil & gas industry will often point to the lack of conclusive, indisputable proof that the industry causes exceedances of EPA standards of pollutants and/or consequent health problems. Such proof requires long-term studies however, hydraulic fracturing for natural gas is a relatively new industry so there has been insufficient time to develop the long term, well controlled studies the industry demands. In addition, the oil & gas industry is exempt from many air, water and waste regulations, so data is difficult to obtain. However, it should be noted that the oil and gas industry has failed to prove that contamination and increased health problems commonly found near fracking sites are NOT caused by fracking. Given the enormous financial resources of the oil and gas industry, it is odd that they have not done studies that provide conclusive, indisputable proof that these problems arise from other sources. This burden of proof needs to be put on the oil and gas industry. Until the O&G industry provides this proof, the citizens of Chatham County need to be protected from what appear to be serious, often life threatening, consequences of fracking.

Consider the following facts related to the health consequences of fracking to citizens of Chatham County:

- Although drinking water wells within ½ mile of fracking wells will be tested for contaminants, there is no way of knowing what contaminants should be measured because fracking companies do not need to disclose all the chemicals they inject into wells. Furthermore, the chemicals injected may form totally new compounds that are not measured. Therefore, a person's well water may be declared "safe" based on the select chemicals measured, but still be highly contaminated by dangerous untested chemicals.
- A landmark study from the University of Colorado Denver School of Public Health found elevated risks of cancer for those living within ½ mile of fracking sites due to high levels of benzene, a known carcinogen.
- An EPA team needed to leave the site of an urban oil field in Los Angeles because the fumes made them so sick. Residents had been complaining about air quality for 3 years.

Consider the following financial threats fracking will pose to Chatham County:

- Chatham County's traditional employment will be seriously threatened by fracking. The farming industry can be seriously reduced if land and water resources become contaminated by fracking and its waste products. The growing retirement industry will suffer as the county becomes heavily industrialized and loses its air quality, water quality and rural ambience. The tourist industry will likely decrease as the county undergoes rapid heavy industrialization.
- Property values are known to decrease around fracking sites---decreased property values will lead to decreased tax revenues for the county.
- As currently written, legislation does not provide counties with any part of the revenue the State collects from the fracking industry. Fracking brings with it an increased need for county services such as police protection, EMS services, environmental testing, health services, fire protection-to name just a few. The cost of these increased services will need to be paid by the county. This is unfair to the citizens who will not profit financially from the industry but will need to pay higher taxes so that a few can profit.
- Deteriorated roads can become a problem for Chatham County citizens and traditional industry. The State DOT has proposed a "uRoad Use Maintenance Agreement" to assure repair of roads by the oil and gas industry. However, as proposed by NC DOT, the industry will be required to assure only 60% of anticipated road repair costs---this amount was set because it was believed that payment of 100% would be too much to ask of the industry. The state has not designated any means of paying the other 40% of anticipated road repairs. This leaves open the real possibility that many roads and bridges will be left in disrepair in Chatham County. The lack of adequate roads will harm Chatham's traditional industries and impair the County's ability to attract new industry. Furthermore, it will cause increased expense to Chatham residents as they need to pay more for car repairs necessitated by deteriorated roads and as they need to drive longer distances to avoid bad roads. In addition, State law requires municipalities to pay part of the costs for repair of non-state roads within their boundaries. This will put an unfair tax burden on citizens who live in our towns if their roads are significantly deteriorated by fracking related traffic.

Consider the following inadequacies of the rules to insure the safety of citizens as developed by the Mining and Energy Commission:

- The required setback of wells from "occupied buildings" is 650ft. After a well explosion in 2014 in Pa., the heat was too intense for rescue personnel to get closer than 900 ft. The police set up a perimeter of ½ mile from the blowout.
- The fracking companies do not have to disclose what is in the fluids they inject underground. This makes it impossible to test drinking water sources and soil

because we do not know what chemicals to test for.

• At a MEC meeting a speaker, invited to the meeting because of his expertise and experience with fracking, held up a bag of silica--a type of sand used in fracking and known to cause lung cancer and other respiratory problems. He explained that he had collected the dust from a nursery school playground located near a fracking site in Pennsylvania. The control of this dust is inadequate in rules developed by the MEC. I have a 21 page critique of the rules, which I submitted to DENR last September-I would be happy to let you read it!

JC Garbut, 595 Pokeberry Lane, Pittsboro, submitted the following comments:

I am a physician, I work up at UNC. I was thinking about what to say this evening and the first thing is I wanted to urge you all to pass the moratorium on fracking. As I was thinking about that one of the things I thought about was Thomas Payne and the writing of Common Sense back in our revolutionary times. Common Sense, how does that pertain to what we are talking about tonight? I think you have heard a lot of speakers already talk about some of the impacts and I think the uncertainty of it and I think it comes to the question of common sense. Things that came to my mind are what we know of fracking are large volumes of water mixed with large numbers of chemicals. Most estimates over five hundred, maybe as many as one thousand. The companies do not need to disclose the nature of these chemicals. That was a federal regulation that allowed them not to disclose hundreds and hundreds of the chemicals being injected down into our ground. What we do know is some of these chemicals are potentially dangerous and toxic. I think it is rather interesting when you go look at National Cancer Institute or evidence based on cancer in America now, the data suggests that two thirds of cancer in the U.S. are caused by environmental effects. Some of these include things like smoking which is a huge one but it also includes many toxins and many chemicals. I have no doubt and I think the scientists that have examined this have found evidence that there are cancerogenic compounds being injected into frack water. Now the other thing you look at in North Carolina is the awareness of our aquifers and our shale gas are much closer than many other states. There is certainly a risk for contamination of our aquifers. That is where we get our drinking water if you have a well. If we contaminate our aquifers with cancer causing chemicals potentially for hundreds maybe even thousands of years, what have we done to our county? We need a moratorium. Thank you.

Dawn Crawly, submitted the following comment:

I live literally with coal ash potentially in my back and fracking right beside it. I have a farm and a pond, and livestock. Besides that there are clean alternatives to this. There is solar and wind power. Fracking just benefits a few greedy people. It doesn't help the community, you don't know if the gas is even going to stay in the community. It could be shipped overseas. You don't know if it is going to benefit but a few greedy corporations and people. We need to go with solar and wind power and keep the area clean and clean up what we have and not pollute the people. They showed the wells. They proved near the wells the kids start having nose bleeds and severe headaches. It affects the kids first and they can put these next to the schools, they don't care. They don't care who they put it next too. We need to take care of the people. Please support a moratorium; we need one longer than two years. You need to block this and go for clean power. We need to clean up this state. The government is not helping us. You all need to do what you can, whatever it takes. Thank you.

Roy Girolami, submitted the following comments:

Thank you for this opportunity to comment on the moratorium. I think it is a good idea because I went up to Montrose, Pennsylvania last year where they did Gasland. When you are up there you see trucks, trucks, trucks. Everywhere is trucks. Then you wonder where they are going. You follow them and there is a well pad here and sometimes they are taking water out of the creeks to put in a big pool so that they will be able to then inject it into the wells after they have added their chemicals. We have had a drought in the past few years down here that I don't think that we have enough water to allow them to do fracking. When you look at the extent of the shale in Pennsylvania, it is much greater than what we have down here with the Triassic Basin. I don't think there is that much natural gas available, there might be some oil, but I don't think there is enough economic reason for them to have fracking. I think right now with natural gas being so low in price you are probably not going to get the major drillers to come down and do the job that might do a reasonably close drilling and concreting and everything so that you don't have the leaks. I think you might have some people that might sort of come in here that aren't the best drillers. I think you have a greater chance of leaks and pollution and this is the only environment we have so we don't want to go ahead and do anything more to pollute and degrade it. We put in solar panels on our house last year because we feel greatly that there is a lot of ways to provide electricity other than just burning natural gas and coal and oil and all of that. I think you need to have the moratorium. I think it would be best for the county. The roads would get torn up if they had all the trucks because we don't have that much reinforced pavement so I think it would be hard on everybody driving getting their pot holes and front end alignments redone. I think it would be best to have the moratorium since we can't have a ban. Thank you.

Lib Hutchbey, Cary, submitted the following comments:

I'm on the Water Committee with the Tirangle Branch of the Women's International League of Peace and Freedom. With that in mind I would like to comment again that not only are we part of an international response committee shall we say, your government, Chatham County's commissioners are taking responsibility to take care of your water. With this personal thought, I live in Cary and I am too well aware that Jordan Lake is threatened. I am also aware that the nuclear power plant, Shearon Harris, takes over 2,000 gallons a minute extracting fresh water to be used for our energy so we can have light. Now what does that have to do with fracking. What do you think, what do you already know? You have heard this many times I am sure from other people who have presented. Three to five million gallons per frack, have you heard that? Or maybe more. That is fresh water that will never ever be drinkable. You have drinking water in front of you I noticed and you are not sure where that water came from. You don't know that it didn't come from some place in Pennsylvania that has been fracked. I have no idea where you purchased your water, but the point is this, we humans have used the planet's fresh water for our pleasure and our profit and created an industrial model of development based on conquering nature. It is time to see water as the essential element of an ecosystem that gives life to us all. So I congratulate you on your effort to protect your county and your water from fracking and I truly hope that as one of your neighbors in Wake County you will decide to pass a moratorium on fracking. .

Shelton Bass, Colon Road, Sanford, submitted the following comments:

She said three million gallons a frack. One thousand gallons for a jar of gas. You know what one thousand gallons is? That is a lot of water. We get water from the air and we get water from the sky. When this water comes back up it is polluted. It is polluted going in and it is polluted going out. It is so polluted going out they can't reuse it. Tell me what they are putting in the water so they can't reuse. You can mix hydraulic fluid and pump it in the ground now. Thank you so much for putting a moratorium on this. Please vote this moratorium in. Show these other counties that we can stand up to the North Carolina Senate and the Governor. That is what we have to do and I am really proud of you for doing this. Please vote this moratorium for two years so these other counties will follow you. I am from Lee County and I don't want this. Thank you.

Jeannie Ambros, submitted the following comments:

I and others have come before the Chatham County Board of Commissioners over the past few years and we have spoken about our concerns regarding fracking. The faces have changed but the situation hasn't. After all this time if you still favor fracking then what can I or anyone say to change your mind. Would it take an industrial disaster to kind of shake you out of that thought process and think about maybe I should have gone back done more to prepare the county, to protect the people? Please consider the moratorium. The longer the better. This is not just a delay tactic. We need all the time we can get to learn more about the environmental and health impacts associated with fracking. That is happening and will occur and we need all that time that we can get to prepare county agencies. I have also attended almost all of the MEC meetings and that is a lot of time out of my life. I can say that I am very concerned about their inadequate and incomplete rules. They don't protect us. DENR has focused on one stop permitting. That is something that makes it really easy for the industry to come in and to just slide through the process. We don't have the protection we need from the state. We must rely on you to do what you can for us. Please support the moratorium and lets study the situation and just protect us. Thank you.

Debbie Hall, 957 Cumnock Road, Lee County, submitted the following comments:

I am from Cumnock in Lee County. I live on a split estate. Almost one hundred percent of my neighborhood also live on split estates. We do not own our mineral rights. I am here in support of the moratorium. I am asking you to please vote for that moratorium. I live in a wonderful neighborhood that the MEC totally ignored. Our rights, our surface owners' rights were not reviewed; they were not acted on at all. We do not feel like those rules will support us or protect us in any way. At our county commissioner meeting last week, I had the opportunity to meet the man that owns all the mineral rights for my neighborhood. He happened to be at the meeting and spoke. He was not happy to meet me, I will tell you that. He assured me that once he fracked my beautiful yard not only would I be rich but the oil and gas companies would take care of every need I ever had. I didn't have to worry about one thing. Regardless of what I heard from that man I am asking you to vote for this moratorium. There are so many unanswered questions. Not only about our property rights, what we own and what we don't own. I had no idea I only owned this much of my land. I didn't know that until just a few years ago when I got involved with Blue Ridge Environmental. There are too many unanswered questions about the environment, about our health. Thank you so much for listening and I am asking you to vote for that moratorium and like Shelton Bass I hope my county follows. Thank you.

Keely Wood, 363 Angel Road, Lee County, submitted the following comments:

I also live in Lee County. I wish our Board of Commissioners in Lee County were as brave as you are and that they heard the public. This is a proactive choice that you are involved in. Many other states have been placing moratoriums like Maryland and New York after doing health assessment tests, our state never did that. I also attended many of the MEC meetings, especially the forced pooling meetings since I will be forced pooled. Due to the land men preying on my neighbor who is eighty years old and she didn't know what she was signing an didn't know anything really about fracking. I will be subject to truck traffic, air pollution, noise pollution and my farm has already lost its value beyond my control. The real estate agents in Lee County won't tell you about this. They won't tell you about the real estate property values going down near the leases that have already been signed or in Cumnock where there are split estates. I want to thank you very much for putting this moratorium in place and voting on it. I urge you to have it more than two years. Thank you again for listening to your residents.

Charles Ritter, 285 Beckingham Loop, Cary, submitted the following comments:

When I spoke this afternoon I mentioned that it is legal to frack under a nuclear power plant. I know all of you found it hard to fathom that as I did when I first learned that. So I ran home and compiled a list of emails, an email trail. Basically what it says is that DENR told me in November of 2014 that their regulations said there is a current no build zone around the Power Plant. A month later they removed that restriction. So I spoke to them and they said the reason they removed it is it is already covered by federal law. They said check with the public library in the NRC. So I got together with NRC in Atlanta, GA. I called and emailed them and they said unfortunately there is no specific instances with activities that may become subject to NRC review. So then I almost didn't believe that they knew what they were talking about. So I called the Washington NRC department. They said the controls are determined by Harris power plant; excuse me, by Duke Energy for Harris power plant. Duke Energy told me there is a 7,000 foot or 1.3 mile control area around the power plant. But not around Harris Lake, which has the control rods. As I said earlier today you can now drill three miles horizontally so a 1.3 mile control area around the power plant does not do anything and there is no protection at all to Harris Lake. Here is my email trail (submitted documents to the clerk).

Elaine Chiosso, 1076 Rock Rest Road, Pittsboro, submitted the following comments:

I am the Haw River Keeper of the Haw River Assembly. State geologists came to Chatham County about six years ago with a lot of glee to tell us that they were pretty sure there was shale gas under Chatham County. They were pretty excited about it. The state has never really had much in the way of oil and gas. For geologist it was a new and exciting day. Those of us that are concerned environment and water started looking into this and sure enough started hearing bad things from Colorado. In 2009 fracking had just started happening in Pennsylvania but the stories had already started piling up. Pretty early on the Haw River Assembly came out in opposition to fracking, believing there is no safe way to do it. This is just inherently a very bad practice, to be putting chemicals, high pressure, destroying rocks way underground and endangering ground water. I would say that we pretty much do have the proof we need that it is unsafe. We know that people out west have gotten sick around the compressors, the gasses that are released. We know that it does cause earthquakes. We know that ground water has been polluted and people can't drink

out of their wells in Pennsylvania. I don't even understand why we have to talk about these things as was mentioned before. It should be the precautionary principle that they have to prove that it is safe instead of the other way around. Fracking was called the bridge fuel. I don't know if you remember that. It would get us from dependency on oil from the Middle East to home grown, safer, sustainable fuels but in the meantime we could cut down on carbon and not be so worried. Two things about that, one we found out that fracking releases methane which is worse in carbon in terms of climate change and secondly we crossed that bridge. It is solar and wind, they are now right up there in terms of how much they cost to produce. What is North Carolina, are we third or fourth in the nation in actually installing solar panels. That is with the state that would rather we not do it. Not getting encouragement from the state of North Carolina. The biggest wind farm is about to get built. If we would only put money into retrofitting buildings we wouldn't even need a law to power our plants. That is another story. As you know the Haw River Assembly sued the State of North Carolina on constitutional grounds that the MEC should never have been set up the way it was, that the legislature set it up and it should have been the governor. We are waiting to have our case heard. The governor sued the legislature over some of the same issues, about three other commissions. He won in lower court; his case was just heard in the State Supreme Court. We were just asked to wait until his case is, until the decision is made in the Supreme Court, until ours is heard. In the meantime we won an injunction against fracking. So no fracking is happening until our case is heard. Keely is the other plaintiff in this case. We are hoping that is going to happen because if we win we are asking that the rules are null and void. I would be here to be the first one to say those are so weak. We were promised the best rules in the nation and they are very weak rules. This is great that you are doing this moratorium. We have come before Chatham County Board of Commissioners many times before you were seated asking for this and I am really glad you are doing this. It may be that the whole house of fracking is falling down as we speak. We hope so but in the meantime you are protecting us right here in Chatham County. We really appreciate that. Thank you.

Travis Cohn, submitted the following comments:

Thank you for this opportunity to come together about this. I spend a lot of time talking to people. I live in Siler City. The general sense I get when I talk with people about fracking is that they feel as I do left out in the cold by our state legislators. I think the first person I ever felt like had my back in this issue was Roy Cooper when they sent some predatory leases to my hometown of Durham. I talk to people about what their favorite experiences with water are. I talked to people in Colorado and they say my sister hasn't taken a bath in seven years because she is afraid to take a bath. (Showed illustrations people made of their favorite experiences with water) Aside from Roy Cooper you are the only people I feel have our backs. I think you are going to get a lot of push back from our legislators but it is the absolute right thing that you are doing no matter what happens. There is a lot of rhetoric about jobs and there are not going to be that many jobs from fracking and they are going to be temporary. Prostitution rings and drug cartels also provide jobs and at some point you have to draw the line and say this is not good for society. You have to ask yourself if all jobs are good for our community. Thank you.

Sheila Beaudry, 821 Buteo Rdg, Pittsboro, submitted the following comments:

I have a geology degree and I was a blasting inspector for the Virginia Division of Mined Land Reclamation. Ideally, there should be no fracking in North Carolina. Please do a moratorium on Hydrofracturing. It will give time for zoning Chatham so

fracking could be in appropriate areas. It will give time for the state to determine the amount of shale oil gas. There is already much less than previously thought. It will be damaging. Will it be worth the environmental price for very little gain? It will give time for more studies to be finished on effects of fracking. It will give time for the state to determine how far away from nuclear plants and fault areas fracking should be. There is a major fault area near Shearon Harris and we don't want to set off an earthquake. The Triassic Basin geology is very complex and needs much care in drilling. Current fracking methods are not as old as many would like you to believe, but the addition of high water pressure with many unknown chemicals is a more recent technique and it takes time to see what the long term effects will be. Please support the moratorium.

Tommy Duncan, submitted the following comments:

I am in the minority. What I know, I drive a truck and I deliver to Pennsylvania. I have heard about North Dakota. Both of their economies are booming. They are paying \$20/hr. to start at McDonald's because they can't get help. They are paying \$2,500 if you have been there for a year. The economies in Pennsylvania and North Dakota are booming. The majority of people in Pennsylvania and North Dakota are tickled to death. We are talking about the minority that is displeased. I heard a man talking about water a while ago. Something else I've learned, I read a lot, we are drinking the same water today that dinosaurs drank millions of years ago. God gave us an earth that replenishes our water supply. It evaporates into the air, it rains back, it is pure, and it comes down the streams. It is pure until it gets contaminated and then it goes through the cycle again. Thank goodness the Lord set us up with that. I know for a fact that these economies are booming and doing very well. Thank you.

John Graybeal, submitted the following comments

I live on a farm in a unzoned part of the county.

- Although widespread, fracking has shown itself around the country to be an environmental disaster
- The disaster is not limited to huge water consumption it requires and pollution of streams and underground water
- It also represents an unsustainable expansion of fossil fuel use with release of CO2 and methane emissions that are driving global warming and climate change NOAA and NASA have found that 2014 was the hottest year in recorded history
- Climate scientists have predicted that 2015 will be even hotter, and by a substantial margin
- Accordingly, a moratorium on fracking in Chatham County would seem to be the classic "no brainer"
- But Chatham County should go even farther
- I with others expect soon to be bringing a recommendation to you Commissioners that you re-establish the Green Building Task Force
- In addition to recommendations about buildings, that Task Force should be charged to make recommendations about lowering CO2 and other emissions in Chatham County ----- both from governmental and private sources
- You have already passed a resolution praising the Solarize Chatham movement in Chatham
- Many local jurisdictions have acted to have their communities be carbon neutral
- A Task Force could recommend steps Chatham County could take to move in the same direction

Audrey Schwankl, submitted the following comments:

Good evening. I am a resident here in Pittsboro. First of all, I just want to say thank you to all the commissioners here who are sitting and listening to all of us speak. Thanks for your courage, for being commissioners. Thank you for the time that you put in to be commissioners, it takes a real commitment. I am so glad that you folks are doing that job. I am basically a stay at home mom. I am also a Spanish teacher, I substitute right now. I have lived in Chatham for about twenty years. I don't have the time to look up all the details that these folks behind have and I am just so grateful for all the research that they did and all the time they put into it. I don't have any of those points to bring up about fracking though I have heard them a thousand times. All I hear in my house is a lot of flack from my teenagers about other stuff. I haven't had time to do that but I know in my heart that fracking is a bad thing. I have heard enough about it that realize and I think you all do too that fracking is not good for Chatham County. So I say if you can't beat them, and I'm talking about my teenagers, join them. Give them flack, no frack! Here in Chatham County we have a lot of innovation, a lot of innovative people and people willing to take risks. We have people who are making biodiesel out of fryer grease and putting solar on their roofs and taking that financial leap. I have seen this Board of Commissioners and other Board of Commissioners in Chatham County take the lead and take chances and take risks and serve this county very, very well. I know that you will follow in their footsteps. Thank you very much and please vote for this moratorium.

The Chairman closed the hearing.

BOARD PRIORITIES

[15-1359](#)

Discussion on Fracking Moratorium

Commissioner Howard stated the County's greatest resource is its people. She knows fracking is not right for this county. Commissioner Howard made a motion to move forward with the moratorium.

The County Attorney stated the ordinance needs to be in front of the Board before they can vote.

Commissioner Howard restated her motion to instruct the County Attorney and Staff to draft an ordinance to support the fracking moratorium. Commissioner Hales seconded the motion.

Discussion followed.

Commissioner Hales thanked everyone who spoke. She stated the state has let down the people with the rules set forth by the Mining and Energy Commission.

Chairman Crawford stated he is from Pennsylvania and he has seen the lease guys make an arrangement with one farmer and that pretty much takes the mineral rights of the neighbors. While there may be a general boom in the economy, there are resentments among neighbors. He has noticed when he goes back to visit is the roads are falling into very poor repair. The politicians in Pennsylvania didn't put in adequate revenue from the process to maintain the roads. North Carolina is opting to do even less, asking almost nothing from the companies on the front end to cover some of the costs known to come with fracking.

Commissioner Petty stated he has concerns about the shale being shallow, the

proximity of the lake and the power plant that could be affected. He travels all over the country and has met people who support fracking and he doesn't know all the answers. He wishes there was more time to think about the issue before voting for a moratorium.

Commissioner Howard thinks what a moratorium does is give the County more time.

Vice Chair Cross stated he is not for fracking and he really takes offense from the Legislature because all the authority the County has comes from them. He takes offense to the fracking, coal ash and several other issues where the legislature or other groups says "we are going to let you be in charge of this, but not this." He thinks it is time the County takes a stand.

Commissioner Petty stated he agrees local control belongs with local government.

Commissioner Hales stated the ordinance would take into account that Chatham County is a partially zoned county. The County has also just approved the process of doing a Comprehensive Land Use Plan. A moratorium would help the County put in place regulations.

A motion was made by Commissioner Howard, seconded by Commissioner Hales, to instruct the County Attorney and Staff to draft an ordinance supporting the fracking moratorium. The motion carried by the following vote:

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

[15-1354](#)

Presentation by Pittsboro Commissioner Michael Fiocco -Study of Downtown Area

Attachments: [Dwntwn Vision 20july2015 County](#)

Michael Fiocco, Commissioner with the Town of Pittsboro, introduced Sal Mussara with Kimley Horn and Associates who presented a PowerPoint Presentation of the Downtown Vision Plan. (Presentation Attached)

Commissioner Hales asked about handicap parking by the Historic Courthouse and the difficulty people with handicaps have getting through the traffic circle to the Historic Courthouse. Mr. Mussara stated traffic circles are not good for pedestrians. They are going to reduce the size of the pavement so there will be less pavement to cross. They will be upgrading the cross walks. The important thing is the improvements will slow traffic down, especially truck traffic.

Commissioner Hales asked if they will be starting with the circle. Mr. Mussara stated that is the focus of the first phase which was the funding available through NCDOT.

Commissioners Hales asked if they are going to build the small parks. Mr. Mussara stated they would build only parks associated with the circle in the northeast, northwest, and southwest corners.

Commissioner Howard asked if they are working with the Pittsboro Business Association. Mr. Mussara stated they are.

Commissioner Howard stated this is the time to do it before Chatham Park comes in so that they can preserve the integrity of Pittsboro. Mr. Fiocco agreed this is the time and opportunity to do this. He would like to find a way to get town government

downtown as opposed to a mile down the road.

Commissioner Hales stated she believes in the coal ash agreement with Duke Energy, Duke would provide the study of putting Pittsboro's downtown infrastructure underground. She asked if the work they are going to do now with the traffic circle would allow any of that utility work to be done at courthouse site. Mr. Mussara stated it needs to be coordinated. There are not as many issues in the circle as there are when you get out in the street. He stated you don't want to do a lot of street improvements and then tear up the streets to put infrastructure underground. It would need to be coordinated to be done when they are doing the other improvements.

Chairman Crawford asked when more office space would be needed for town government with Chatham Park on the horizon. Mr. Fiocco stated it is needed now. His vision is that they build a building big enough to hold them for many years to come so that they are not going through this process time and again.

Commissioner Hales asked when the traffic circle project will begin. Mr. Fiocco stated a year from now.

15-1351

Vote on Appointments to the Environmental Review Advisory Committee

Commissioner Hales stated there were four candidates for the three openings on the Environmental Review Advisory Committee. She recommended Mary Beth Koza for District 1, Elaine Chiosso for District 4 and Luke Roth for District 2.

A motion was made by Vice Chair Cross, seconded by Commissioner Howard, 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

15-1336

Vote on a request to approve the Agreement of Counties to Create the Triangle South Workforce Development Consortium, to adopt the Resolution to Join Workforce Development Consortium and Establish Chief Elected Official and to adopt the Resolution Establishing the Administrative Entity for the Triangle South Workforce Development Board.

Attachments: [Agreement of Counties to Create Consortium](#)
[Resolution to Join Workforce Development Consortium and CEO Designation](#)
[Resolution Establishing the Administrative Entity for the Triangle South Workforce Development Board](#)

A motion was made by Vice Chair Cross, seconded by Commissioner Howard, 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

A motion was made by Vice Chair Cross, seconded by Commissioner Howard, to approve Jim Crawford as the Chief Elected Official and to approve Resolution#2015-26 to Join the Triangle South Workforce Development Consortium and Establish Chief Elected Official, attached hereto and by reference made a part hereof. The motion carried by the following vote:

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

A motion was made by Commissioner Howard, seconded by Commissioner Hales, that Resolution #2015-27 Establishing the Administrative Entity for the Triangle South Workforce Development Board, 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

MANAGER' S REPORTS

The County Manager suggested changing the December 21st meeting due to the meeting being the week of Christmas. He recommended December 14th as an alternate date.

The County Manager asked the Board to set aside September 14th for a possible full day retreat on housing. Staff will confirm once they have all the details.

The County Manager stated he would like to give a commendation for the people who made the animal rescue in Silk Hope a success last week. He stated it required an extensive amount of coordination over a long period of time to make it happen as smoothly as it did. It required the help of law enforcement, animal services, and volunteers and his hat is off to all of them. The team effort was seamless and it was not about who was getting the recognition it was about getting those animals in a place where they were better off.

A motion was made by Vice Chair Cross, seconded by Commissioner Howard, that the December Board of Commissioners meeting be moved to December 14, 2015. The motion carried by the following vote:

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

COMMISSIONERS' REPORTS

Commissioner Hales asked where staff was at this time with the mineral rights project. The County Manager stated that it is on the list to discuss with the new tax administrator.

Commissioner Hales stated if the City of Sanford is putting the leachate in the sludge that is going into Chatham County, the NC GS 130A Article 9 clarifies local government responsibilities and she wanted to bring that to the attorney's attention for investigation.

Commissioner Howard stated she went to the School Board meeting earlier today and saw the Chatham Park presentation on schools. They would be interested in giving land to the schools if the schools could build in a certain period of time but the school district does not actually build the schools. She was thinking maybe Chatham Park could bring that conversation to the Board of Commissioners. The County Manager stated that could be a work session item. Commissioner Howard stated she would like the Board to be able to speak to whether or not the County would be able to commit to the building of schools.

Northwoods Drive

Attachments: [RES School Zone 7.20.2015](#)

Chairman Crawford stated the Town Board of Pittsboro would like to pass a resolution identical to the resolution he has before the Board tonight. The resolution is an attempt to get NCDOT to create a School Zone where the road coming out of Northwood High School meets Highway 15/501.

Vice Chair Cross stated the Planning and Transportation staff needs to be given notice that this is coming because there is a process by which things are supposed to be done.

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that Resolution #2015-28 Request a School Zone on US route 15/501 and Northwoods Drive, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

COMMISSIONERS' REPORTS

Commissioner Hales had several questions about ST Wooten on behalf of neighbors of the plant. She asked if there is anything that would allow the county to disallow ST Wooten to operate because of the TCE ground water contamination and the air emissions.

Commissioner Petty believes that problem was there before they took over the property.

Commissioner Hales asked if there are any discussions between ST Wooten and the County regarding a request to reopen their high flow supply well. The County Manager stated he did not know but could get that information.

Commissioner Hales asked if a letter could be sent to NCDOT requesting that the state by asphalt from sources other than ST Wooten. The County Manager stated from the standpoint of staff they have never been asked to interfere with commerce.

ADJOURNMENT

A motion was made by Commissioner Howard, seconded by Commissioner Hales, 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