



# Chatham County, NC

## Meeting Minutes Board of Commissioners

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Monday, May 19, 2014

6:00 PM

Historic Courthouse Courtroom

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### Work Session - 1:00 PM - Historic Courthouse Courtroom

#### Rollcall

**Present:** 5 - Chairman Walter Petty, Vice Chair Brian Bock, Commissioner Mike Cross, Commissioner Pam Stewart and Commissioner Jim Elza

#### PUBLIC INPUT SESSION

*There was no one present who wished to speak.*

#### BOARD PRIORITIES

[14-0768](#)

Receive Transportation Advisory Committee (TAC) annual report presented by the TAC Chair.

**Attachments:** [TAC Annual Report May 2014 Att1](#)  
[TAC Annual Report 2014 handout Att2](#)

*Mr. Alexander gave the TAC Annual report and copies of the new County Recreational Bike Loop Map were distributed to the commissioners.*

*Mission: Identifies and studies issues and makes recommendations to the Board of Commissioners, and serve as a venue for public discourse, on transportation and related issues. Pursues the long-term goal to have a sustainable transportation system that offers access to various modes of transportation for people and goods.*

*Strategic Plan Goal:*

*The TAC (1.) Is a viable means for public participation in transportation decisions; (2.) Provides guidance and recommendations to BOC and county staff on policies and plans related to transportation; (3.) Provides meaningful guidance/recommendations to BOC and county staff on prioritizing transportation projects that impact Chatham residents; (4.) Collaborates with existing agencies to provide convenient and accessible transportation services; (5.) Measures and assess the status and quality of the transportation system; (6.) Provides credible information sharing on transportation issues relevant to Chatham County.*

*Accomplishments and Activities:*

*1. Service as Steering Committee for Comprehensive Transportation Plan (CTP) development.  
- This aligns with TAC Strategic Plan Goal #1. The TAC continues to support the development of the CTP with meaningful public input and participation. The Committee also stays updated on various transportation studies such as the NCDOT 15-501 study, providing regular input and review as needed.*

2. *Creation and completion of Chatham County Recreational Bike Loop Map.*  
- This aligns with TAC Strategic Plan Goal #4. The TAC partnered with Chatham County Public Health to produce the Recreational Bike Loop Map from the Healthy Communities Grant funds.
3. *Inclusion of an Ex Officio Public Health representative on the TAC.*  
- This aligns with TAC Strategic Plan Goal #3. With Public Health as a major topic for community wellness and quality of life, it is intrinsically linked to transportation.
4. *Service as recommending body for SPOT 3.0, the state's transportation prioritization process, for the County, Triangle Area Rural Transportation Organization (TARPO) and the Durham-Chapel Hill- Carrboro Metropolitan Planning Organization (DCHC MPO). The Committee reviewed and recommended projects for the Board of Commissioners endorsement.*  
- This aligns with TAC Strategic Plan Goal #1 and #3. Serving as a venue for public discourse, representing all of Chatham County, the TAC provided meaningful input into the submission of transportation projects into the SPOT 3.0 transportation ranking process.

*Barriers and Challenges:*

*SPOT 3.0- The new transportation prioritization process has been challenging in terms of coordination of projects, stimulation of public input, and the scoring of projects. The new data-driven process appears to favor metropolitan areas and as a result, many County projects were not as competitive across the region. The TAC has worked collaboratively with Chatham's municipalities to submit transportation projects that are balanced across the county and towns.*

*Recommended Changes:*

*The TAC intends to revisit the Committee's Strategic Plan, adopted February 2011, over the next year. Areas of intended focus within the plan include a discussion of ways to improve eligibility for transportation projects within the state transportation ranking system and the inclusion of Public Health as a consideration in County's transportation planning. The TAC wishes to include the goals from the Strategic Plan into the Chatham County Citizen Advisory Committees Policy Addendum A. The TAC may also embark on creating a work plan for annual evaluation and approval by the Board of Commissioners, with the goal being to clearly connect the TAC's goals with Commissioner goals. Additionally, the TAC will continue to form partnerships with existing agencies such as Chatham Transit to promote the agency's transportation services and increase public awareness of these services.*

*Other Information:*

1. *The TAC has moved to a bimonthly meeting schedule, as of February 2014.*
2. *TAC membership recruitment has resulted in potentially 3 new committee members for appointment in May 2014. The TAC has enjoyed regular participation by its voting and non-voting members as well as regular visits from interested citizens within the community. Currently, the Committee has 8 voting members and 5 non-voting members representing local jurisdictions and transportation agencies.*
3. *Commissioner Jim Elza's participation as the Transportation Advisory Committee (TAC) member for Chatham County in both TARPO and DCHC-MPO is beneficial for Chatham County's transportation initiatives.*

*Mr. Alexander asked if the commissioners had any questions.*

*Commissioner Elza asked if the work the county is doing on the comprehensive transportation plan with the DOT staff was close to completion. Mr. Alexander stated it was and that staff will open it up for public comment sometime this summer. He stated some of the plans' issues are with the Pittsboro plan, so they are going ahead with the County's plan and plugging in Pittsboro later.*

Commissioner Elza asked if the Chatham Park transportation plan would change the Pittsboro plan but not the County plan. Mr. Alexander stated that was correct.

Commissioner Cross asked if the DOT's priority list of unpaved roads in Chatham County was available. Ms. Pace stated it was available; however, several of the roads had been bumped and for roads moved to the mountain list. Commissioner Cross asked if the Board could have a list of what roads were going to happen. Ms. Pace stated she would send the list to the commissioners.

Commissioner Elza stated the problem with the State's new point system is it chases less dollars. The County is on the bottom of that pile. Ms. Pace agreed and stated the mountains are receiving a lot of that money.

Mr. Alexander thanked Ms. Pace for her expertise and she thanked the chair and vice chair of the Transportation Advisory Committee for their help as well. Commissioner Elza thanked them for the bike plan and said Orange County wanted a copy of it.

#### 14-0773

#### Receive Presentation on Formation of Chatham Community Food Council

**Attachments:**     [Working Copy of Food Council Charter](#)  
[CFC Fact Sheet for Commissioners May 19 2014](#)  
[Chatham Food Council Commissioners Power Point](#)

Debbie Roos, County Agent with the Cooperative Extension, gave a PowerPoint presentation on the Chatham County Food Council.

Debbie asked Kristi Shi, Council Facilitator, and the other Food Council Members to stand and be recognized.

Ms. Roos stated Chatham County would be one of 40 Counties in the state with a Food Council.

Ms. Roos explained what the Food Council would look like. She stated they had hired a facilitator, Kristi Shi, developed a draft charter, and already had a great council and task force.

Ms. Roos asked for any feedback or questions from the Commissioners.

Commissioner Cross stated instead of approval of department heads he suggested approvals should go through manager. He also had some suggestions for some different visuals for the presentation. Ms. Roos explained why they selected the visuals they used but said they would consider others.

Commissioner Elza stated in many cases the council intersects with county organizations and in many cases it does not, but if the Board can provide the council the facilities and accelerate the process that would be great. Ms. Roos stated the council would love for the Board to get them to the next level.

Commissioner Stewart asked what the staff requirement would be. Ms. Roos stated the work she does for the council already falls within her current job duties.

Mike Zelek from the Health Department stated that healthy foods ties in with what they are already doing. The council only meets quarterly so it is not a big time commitment for staff.

Chairman Petty asked if promoting local the primary purpose. Ms. Roos stated he was correct. Chairman Petty stated it would be great if the council could tie all the organizations together so everyone isn't doing the same thing.

Ms. Roos stated that is the whole purpose of our council. Lexi added that the steering committee has tried not to be too specific because the new sitting council wants to see where we can be most useful without duplicating what others are already doing. Neha Sha of the Convention and Visitors Bureau is on our task force and will hopefully sit on the council.

Chairman Petty if they received grant funding. Ms. Roos stated they received the funding through a grant with the health department, which paid for the facilitator over the past few months. Ms. Roos stated the council is not requesting any money from the county. The council members will all be volunteers and the council will require very little money to operate.

Vice Chairman Bock had a question about the makeup of the council and the council's request to have to appointments from the Board of Commissioners. He questioned the value in the commissioners making the two appointments and what their appointments would add to the council.

Ms. Roos stated sometimes people don't know who to appoint and the council just wanted to allow the Board that option.

Vice Chairman Bock stated the Board would probably delegate back to council. Chairman Petty stated it may be better to have a liaison. Commissioner Cross stated perhaps the council could take the Board's our two appointments and pass one to the Cooperative Extension and one to the Health Department.

Commissioner Elza stated he applauded the food council as it's work is a big part of this county. Ms. Roos stated the council appreciated the Board's support and tonight there is will be a resolution for it to approve.

Commissioner Stewart asked if the council would this help farmers who need to get the word out about their product. Ms. Roos stated it would be able to help identify barriers for the farm but not market for them. The council will help educate them on how to do it themselves.

## 14-0772

### Introduction of New Department Heads

Carolyn Miller, Human Resources Director, introduced two new department heads.

Ms. Miller stated Dennis Streets began working with the county as the Council on Aging Director on May 1, 2014. Ms. Miller stated the Council on Aging is one of the primary service providers for the senior population in the county and seniors are the largest growing members of the population in Chatham County. Mr. Streets retired from a career with the State of North Carolina's Division of Aging with the Department of Health and Human Services.

Ms. Miller stated Jennie Kristiansen has worked with the Department of Social Services for seven years as the Deputy Director and began work as the Director on May 1, 2014. Ms. Kristiansen has agreed to head the second largest department in Chatham County and the department with the most complex budget.

Ms. Miller stated the county is very excited to have both Ms. Kristiansen and Mr. Streets on board.

**BUDGET WORK SESSION**[14-0778](#)

Discuss the Recommended Budget for Fiscal Year 2014-2015

*Ms. Paschal, Assistant County Manager, reviewed the Chatham County Schools recommended budget.*

*Dr. Derrick Jordan, Superintendent of Chatham County Schools, presented the schools' budget request.*

*Dr. Jordan asked Tony Messer, Chief Financial Officer for Chatham County Schools, to present the Financial Highlights. Mr. Messer thanked the Board for their support of Chatham County schools.*

*Dr. Jordan presented the Incentive Pay Plan Proposal, which will be the only locally funded incentive pay plan of it's kind in North Carolina. North Carolina will be moving to a grading system using A-F. This plan will be rewarding the schools with an A and should help retain teachers. Instructional individuals that are in schools that meet expected growth will receive a one time bonus of \$500 and instructional individuals that are in schools that exceed expected growth receive an additional \$500 for a possible total of \$1,000.*

*Chairman Petty asked for the dollar difference for the teachers the county has lost to other counties. Dr. Jordan stated the teachers with zero to ten years of experience have a very competitive supplement in Chatham. Teachers beyond ten years of experience are leaving the county and going to Chapel Hill, Durham or Wake school systems because those school systems do a percentage for their supplement. Dr. Jordan stated the county's supplement is a flat rate.*

*Chairman Petty asked if the new incentive pay plan addressed seniority. Dr. Jordan stated it did not for seniority. Chairman Petty stated the new plan is basically a \$1,000 bonus. Dr. Jordan stated that was correct. Chairman Petty asked if there was a \$1,000 difference between Chatham and Orange county. Dr. Jordan stated he believes it is a little more than that depending on the years of experience. Chairman Petty stated they are moving in the right direction. Dr. Jordan agreed.*

*Mr. Messer stated there is a difference is \$420 between Chatham County and Chapel Hill-Carboro for teachers with zero to ten years of experience.*

*Vice Chairman Bock stated they are going in the right direction. He applauded Dr. Jordan on the plan. He stated he liked the idea that Chatham is the first one locally funded with it. He believes others will follow. Dr. Jordan thanked Vice Chairman Bock and said the county will be trailblazers.*

*Commissioner Elza asked what kinds of teachers the County is losing and what it will take to stop it.*

*Dr. Jordan stated the County is losing elementary teachers and third grade teachers because of the accountability tied to it with testing. He stated there hasn't been a change in the supplement structure in a number of years and they hope the new plan will encourage these teachers to stay.*

*Commissioner Elza asked if the third grade teachers are moving to other districts and other grades. Dr. Jordan said both. Dr. Jordan stated a couple of weeks earlier Wake County had breaking news about a percentage of teachers they had lost. Dr.*

*Jordan said when you really compare apples to apples it is really no different to Chatham County's reality, it is just a bigger number.*

*Commissioner Cross asked what Chatham County's number was in comparison to Wake County's loss in teachers. Dr. Jordan stated there is a 2% point difference.*

*Vice Chairman Bock stated it must be more than supplement if we are having similar numbers. Dr. Jordan stated more teachers are leaving teaching all together.*

*Commissioner Elza asked what is being done to help third grade teachers. Dr. Jordan stated that is very complicated to answer. He stated they have tried to give teachers input into decisions and the summer reading camps and given them all year to plan out lessons. They have tried to decrease the amount of their workload.*

*Commissioner Elza stated by the end of third grade the student has to pass the test, go to summer school, or retake third grade. Dr. Jordan stated he was correct and there is going to be another layer of complexity with a transition class.*

*Vice Chairman Bock asked if the healthy mind initiative was in this budget. Dr. Jordan stated it was not a request in this budget.*

*Commissioner Stewart asked about the Community in Schools Program and whether or not it was based on the Durham Performance Learning Program in Durham Schools. Commissioner Stewart stated it was a program for at risk kids who drop out can come back in and finish school. Dr. Jordan stated he was not familiar with that program but the Chatham Community in Schools Program was built upon the notion if strong members of the community are put into our schools early, we will decrease the concern for our students later on.*

*Chairman Petty asked if it is a mentorship program. Dr. Jordan stated it is. Chairman Petty asked what type of participation they have currently from the community. Dr. Jordan stated Chatham Together has identified some resources to tap into and the school board has identified some funds as well. For this first year they would start at North Chatham Middle School.*

*Commissioner Stewart suggested looking at the Durham program. Dr. Jordan said that program sounds a lot like a larger version of the Sage program in Chatham County. Commissioner Stewart stated area businesses are very involved. Dr. Jordan stated they are partnering with Duke for the first time.*

*Vice Chairman Bock stated the Board will probably vote on the budget tomorrow night. He asked how different is the budget being presented today from what was proposed to the school board. Dr. Jordan stated it isn't different.*

*Vice Chairman Bock stated he wanted to make sure that this budget is what was voted on by the school board. Dr. Jordan stated it is what was voted on unanimously by the school board.*

*Dr. Jordan stated the local salary supplement increase is a work in progress. He asked Mr. Messer to present more information on the supplement plan. Dr. Jordan stated the State eliminated pay for advanced degrees but they may right that wrong during the short legislative session.*

*Chairman Petty stated it seems like it is getting pushed down more and more on the local level. He congratulated Mr. Messer on being recognized by the State for his efforts. Chairman Petty also congratulated Dr. Jordan and his staff on the pay plan*

*and thanked them for saying the Board of Commissioners supports the local schools. He stated it is a collaborative effort to help educate these kids and Chatham County is doing it at a much greater risk than these larger and wealthier counties who have a whole lot more industry to draw from.*

*Commissioner Cross stated that is one of the gambles you take when you initiate the program and take responsibility from the State, they will certainly let you have it.*

*Dr. Jordan stated the schools certainly appreciate the support and they know this is more about how can we get better and not about how you are not going to give us the money. He stated the county staff is phenomenal to work with.*

*Commissioner Elza asked if the confusion on the state level was the reason they were not implementing the new supplement plan immediately. Dr. Jordan stated it was because the Chatham County plan accounts for the fact that State does not pay for advanced degrees and they may reverse that during the short legislative session. He stated there are a few other unknowns that could ultimately impact the final plan.*

*Dr. Jordan recognized Karen Howard, Chair, and David Hamm, Vice Chair, for their work hard work on the Board of Education during this budgeting process.*

*Vice Chairman Bock stated he would like to make a few comments. He stated comments were made recently at public events that he hoped were just campaign gossip and not reality. If they were said, however, he felt they needed to know before the Board approved the budget. Vice Chairman Bock stated he had not heard the recording first hand. He stated if a candidate says something during a campaign that is one thing and he should let that go, but if it is a school board member, or in this case a school board chair, that is another.*

*Vice Chairman Bock stated he needed to know if it was something he needed to address. He stated he was not going to repeat what he heard and if he had heard it from one person it would be one thing but if he heard it from multiple things it was different.*

*He stated you can tell a lot about a board and their priorities by where they spend their money. The biggest part of Chatham County's budget goes to the schools. Vice Chairman Bock stated he wanted to know from the elected individuals in the room if there is anything in this budget that they think the republicans on this board don't care about the children of this county or about minority children specifically.*

*Vice Chairman Bock stated if the comments were made he would like to know. If the comments were true, he thinks they need to be addressed. He addressed the questions first to Karen Howard, Chair of the Board of Education.*

*Vice Chairman Bock said that he could get specific. At a screening of an educational movie at the Roadhouse, it had been reported to him from a couple of sources that Ms. Howard said the republicans don't care about black children. He was not sure whether she meant the local republicans, voting republicans or state republicans, just that she said republicans. He wanted to know if this budget reflects that specifically.*

*Mr. Howard stated she wanted to correct the record. She stated she did not refer to black children but that she referred to her children who happen to be black. She said they do not care about my children, in a context of a conversation that suggested maybe we need to get private industry involved in our public schools as that was a successful model in some places. She stated she does not believe that private industry has her children's best interest at heart. She stated they are not concerned*

with her EC son, they are not concerned with the things she holds near and dear to her heart, or that her neighbors or her Hispanic friends hold near and dear to their hearts.

Ms. Howard stated she spoke nothing about Chatham County schools and she would not have her children there if they were not receiving a fantastic education. Whatever you heard was either misquoted or taken out of context. I never said anything about the Board of Commissioners. Vice Chairman Bock asked if she said republican. Ms. Howard stated she said "they".

Vice Chairman Bock asked if there anything in this budget that would make you think that. Ms. Howard stated absolutely not and the Board of Education was unanimous on this budget.

Ms. Paschal asked the Board to go through the Budget Questions with the Commissioners.

*Megasite:*

"Why are we marketing a megasite with an incomplete site with no infrastructure?" Ms. Paschal stated she talked with Dianne Reid of the EDC and she stated targeted industries like a clean slate. They don't expect utilities or roads to be in place. They want to design those things themselves when they purchase the site. Ms. Reid also pointed out that site configuration can vary widely between different manufacturers within the same industry.

*Land Use Plan:*

"We need to allocate funds for summer help to work on the ED Map. It was composed using tax use categories instead of using land use categories and this needs to be fixed." Ms. Paschal stated this may be a policy issue for the BOC and staff may need further clarification of the question.

Ms. Paschal stated her understanding of the Economic Development Conceptual Land Use Plan was that the only data source county wide was the tax parcel information, zoning information was not available.

Commissioner Elza stated he does not have an issue with the map Economic Development made, but they made it on tax classifications, so a golf course may be four hundred acres of commercial. That is inaccurate based on land use. He thought the county could give a group of students the money to fix the map, but he was not sure how much that would cost.

Ms. Paschal stated she talked with the planning director and he seemed to think it would be a lot of work. Chairman Petty stated he thought the intent was also to combine all the different resources into one so that the map shows things it has never shown before. The end result of the map was to define where there were employment centers.

Commissioner Elza stated if we are going to take the next step we need to define the areas. Agricultural is defined but a lot of commercial and industrial is not defined.

Ms. Paschal stated staff does not have a good cost estimate at this time because they do not have a scope of work. She also stated they did not believe a student could get that amount of work done.

Ms. Paschal stated the next question was "What does site readiness mean?":

Ms. Paschal stated that site readiness is a program by Duke Energy. It serves communities that the Utility serves. It helps localities compete for companies and jobs. They do a six month assessment of the site to see what is needed, what the drawbacks are to the site, what the attractors are to the site, and helps market a megasite.



Commissioner Elza stated the Moncure site is not at the same stage as the Siler City site. Ms. Paschal stated that was correct.

Chairman Petty stated the Chatham Randolph site is within three to four weeks of being certified. Commissioner Cross stated the Moncure site has a problem with the sewer and until that is settled it won't move very quickly.

Ms. Paschal stated the next question was "Do we have energy audits of existing buildings?":

Ms. Paschal stated the community college was in the middle of working with the state to get audits of its buildings. The County does not have audits of existing buildings, however, it does have a performance contract with Johnson Controls. Ms. Paschal stated Johnson Controls came in a number of years ago and implemented several energy saving measures. She stated they come in annually and compare how we are doing now versus how we did before the contract was started. Ms. Paschal stated an audit would compare those buildings to an industry standard.

Ms. Paschal stated the next question was "Could we combine permits and inspections with Pittsboro and Siler City?":

Ms. Paschal stated the county already does building and fire inspections for the Town of Pittsboro. She stated they are currently exploring an interlocal agreement to administer sedimentation and erosion control program in the Town of Pittsboro. Siler City opted to keep its building inspections and fire inspections.

The County Manager stated that the County is trying to partner with Siler City on other things such as their Parks and Recreation program while they search for a Parks and Recreation staff person. He also stated they have discussed with Pittsboro and Siler City about partnering with the water system and they have agreed to keep things as they are currently.

Ms. Paschal stated the next questions was "Cardinal, the mental health provider, says it is hard to hire competent professionals in Siler City. Will their request that we are recommending funding help?"

Ms. Paschal stated they have talked with Cardinal and a chunk of their funding goes to CBH, which is designated as the comprehensive community clinic. They have increased their funding over the last two years to help stabilize CBH in the community and that is important in being able to attract quality professional staff. She stated Cardinal believes indirectly funding their request will assist in hiring competent professionals in Siler City.

Ms. Paschal stated the next comment was "Water operating losses are not acceptable.":

Ms. Paschal stated staff agrees and this is something they have flagged. They have talked with other jurisdictions and they are seeing the same stagnation in revenues despite having increased customers. The speculation is people are just trying to save on their water bill because of the down turn of the economy and they are using less water. Ms. Paschal said it is an issue they are going to address in their department evaluation in the fall.

Vice Chairman Bock stated they are also being told to conserve through water restrictions.

*Ms. Paschal stated the next questions was "Who pays the permit fees and who can call for an inspection? Who pays the penalty for re-inspection?"*

*Ms. Paschal stated generally the general contractor pays the permit fee and calls for the inspection and pays the re-inspection fees. It is up to the general contractor to allocate that among their sub-contractors.*

*Ms. Paschal stated if the homeowner access the homeowner builder then they pay for the permit fee, call for the inspection and pay for the re-inspection fees.*

*Commissioner Elza asked if you pull a plumbing permit does the plumbing contractor pay for it. Ms. Paschal stated yes. Whoever obtains the building permit, the general contractor is responsible for the re-inspection fees. Chairman Petty stated if the general contractor isn't ready he isn't going to call for the inspection.*

*Ms. Paschal stated whoever pulls the permit is the one who is responsible. Vice Chairman Bock stated charging fees isn't new it is the increase that is new. Ms. Paschal stated it is the increase to charges fee by trade that is new. If they call for an inspection and staff goes out and there is a problem with the building and mechanical then they will charge \$50 for building and \$50 for mechanical. Ms. Paschal stated they will charge whoever pulled the permit. Commissioner Elza stated he sees a conflict.*

*Ms. Paschal stated the next question was "Understand why we are transferring a repayment but not quite?":*

*Ms. Paschal stated when the Board approves the Capital Improvements Program you approve the concept of repaying the general fund of the water fund for the five million dollar transfer that was made in 2007. We will repay the five million dollars, but we will transfer in the money as we spend it.*

*Ms. Paschal stated the next question/comment was "Not sure things are settled enough at the jail to be throwing more staff in the kettle (new position in Sheriff's Office)."*

*Ms. Paschal stated the Sheriff's Office now has the largest staff. Both DSS and the Health Department have administrative positions that handle their budgets and personnel but the Sheriff's Office does not have that. That is why we are recommending these positions.*

*Ms. Paschal stated there was a question about how staff broke out the utility costs for the new solid waste office. She stated these are marked as expansion costs in the budget. These are operating costs.*

*Ms. Paschal stated the next question was "Will the new bus garage include out at the old solid waste site include a communications tower, washing facilities, and solar panels?"*

*Ms. Paschal stated solar panels are not included in the current scope and there is no need for a communications tower because all communication is handled through cell service.*

*Commissioner Elza asked if it was close enough to a cell tower. Commissioner Cross, Vice Chairman Bock and Chairman Petty all said there is cell coverage out there.*

*Ms. Paschal stated the next questions was "Does new water plant have anything to do with mega site to Siler City?" Ms. Paschal stated it did not.*

*Revenue loss:*

*Ms. Paschal reviewed the revenue loss.*

*Ms. Paschal reviewed the options for employee pay:*

*Vice Chairman Bock stated he liked the idea of going full market. It doesn't affect a ton of employees but it affects enough of them. He believes Option 2 seems the best overall benefit,*

*Commissioner Stewart asked if staff have a recommendation. The County Manager stated staff recommends Option 2.*

**A motion was made by Vice Chair Bock, seconded by Commissioner Cross, to approve Option Two for employee pay. The motion carried by the following vote:**

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

*Ms. Paschal suggested going department by department. Mr. Horne suggested beginning with the School budget due to the fact it is the largest part of the budget.*

*Vice Chairman Bock stated it is a great recommendation. Chairman Petty stated he really liked Dr. Jordan's performance pay plan.*

*By consensus, the Board agreed to approve the school budget.*

*General Services: Ms. Paschal stated this includes removal of septic tanks in Goldston and a \$120,000 match which is part of a two million dollar grant to upgrade the airport in Siler City.*

*Commissioner Elza believes it should be an intergovernmental agreement leading to an airport authority. Ms. Paschal stated we do not have an agreement at this time but we will have an agreement before the funds are released. She also stated the county plans to use the proceeds from the sale of the business park to go toward this. The County Manager stated that currently, there is limited traffic at the airport. An airport authority will come with time.*

*Commissioner Cross stated we can take a look at how that operation runs in the next year but not during this budget cycle. Commissioner Stewart she agreed with the County Manager. Commissioner Cross stated he believed they extended the runway to take a leer jet and it may have eaten up all their money.*

*Culture, education, and recreation:*

*Sustainable Farm program:*

*Commissioner Cross asked if do they teach house building at the college and if they do can they not build a shelter for less than \$30,000? Ms. Paschal stated that was an interesting question. She stated it is an outdoor covered teaching space that includes a vegetable washing station. Vice Chairman Bock asked Ms. Paschal if she could ask that question before the budget work session tomorrow night. She stated she would.*

*Parks and Recreation:*

*Ms. Paschal pointed out staff thought we were going to have to take over maintenance of the American Tobacco Trail in 2015, but Cary has agreed to continue if we contribute \$15,000.*

*Chatham Trades:*

Staff is recommending salary support for the executive director through a three to five year grant rather than an ongoing operating expense. Commissioner Cross recommended funding the executive director salary for five years. They have a waiting list for work and they are still working on the new building and it is going to take time for them to get their finances together. Chairman Petty stated they have shown good management and retired a lot of debt.

**A motion was made by Commissioner Cross, seconded by Vice Chair Bock, to approve funding the executive director salary through a grant for five years. The motion carried by the following vote:**

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

*Council on Aging:*

Ms. Paschal stated there is a restricted match for the frozen foods program. By consensus the Board agreed to continue as an incentive match.

*Economic development:*

Ms. Paschal stated they are requesting a \$50,000 one time allocation to market the megasite.

Commissioner Elza stated he still questions advertising a site that is not ready. Vice Chairman Bock stated it has to be done. Commissioner Stewart stated it is not a big advertising budget. Commissioner Cross stated it also doesn't mean it is going to be spent at this time, it just means it is going to be spent this year.

Commissioner Cross stated this \$50,000 is to develop a strategic action plan and marketing campaign. A marketing campaign will actually cost a lot more than this.

Commissioner Stewart stated it is also for the Moncure Megasite, the Siler City megasite and the Chatham Park.

Commissioner Elza stated he still does not agree.

Chairman Petty called for a motion and a vote.

**A motion was made by Commissioner Cross, seconded by Vice Chair Bock, that a one time allocation of \$50,000 be approved for economic development marketing campaign. The motion carried by the following vote:**

**Aye:** 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

**No:** 1 - Commissioner Elza

## End of Work Session

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

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

**Regular Session - 6:00 PM - Historic Courthouse Courtroom**

**Present:** 5 - Chairman Walter Petty, Vice Chair Brian Bock, Commissioner Mike Cross, Commissioner Pam Stewart and Commissioner Jim Elza

### **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 Petty welcomed those in attendance and called the meeting to order at 6:00 PM.*

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

*A motion was made by Commissioner Cross, seconded by Commissioner Stewart, that the Agenda and Consent Agenda be approved.*

**The motion carried by the following vote:**

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

#### **14-0775**

Vote on a request to approve the May 5, 2014 Regular Session Minutes and the April 21, 2014 Regular Session Minutes.

**Attachments:**     [05.05.2014 Minutes](#)  
                              [04.21.2014 Minutes](#)

**A motion was made by Commissioner Cross, seconded by Commissioner Stewart, that this Minutes be approved. The motion carried by the following vote:**

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

#### **14-0776**

Vote on a request to approve the Tax Releases and Refunds.

**Attachments:**     [TaxReleasesandRefunds05-19-2014](#)  
                              [NCVTS-APRIL-BOC 05-19-2014](#)

**A motion was made by Commissioner Cross, seconded by Commissioner Stewart, 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 Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

#### **14-0710**

Vote on a request by Jason Rivenbark to approve the rezoning of a portion of Parcel No. 83841, located on Pea Ridge Rd., being approximately 6 acres out of 11.49 from R1 Residential to CD-NB for an open boat and RV storage facility.

**Attachments:**     [Hyperlink](#)

**A motion was made by Commissioner Cross, seconded by Commissioner Stewart, that Resolution #13B Adopting a Consistency Statement for the Approval of Rezoning Property to Conditional District Approval of Rezoning Property to Conditional District Neighborhood Business (CD-NB) for Jason Rivenbark, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

**A motion was made by Commissioner Cross, seconded by Commissioner Stewart, that the rezoning of a portion of Parcel No. 83841, located on Pea Ridge Rd., being approximately 6 acres out of 11.49 from R1 Residential to CD-NB for an open boat and RV storage facility, be approved. The motion carried by the following vote:**

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0745](#)

Vote on a request to approve Smart Start Funds Reduction of \$8,168

**Attachments:** [Smart Start Budget Reduction \\$8,168.pdf](#)

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

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0746](#)

Vote on a request to approve the Juvenile Crime Prevention Council Membership Certification and Budget

**Attachments:** [Copy of Chatham Co Funding Allocation Form FY 2015](#)  
[JCPC OP 002 a JCPC Certification](#)

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

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0747](#)

Vote on a request to approve Environmental Health Funds of \$12,252

**Attachments:** [Agreement Addendum \\$12,252 Environmental Health.pdf](#)

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

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0748](#)

Vote on a request to approve Association of Food and Drug Officials (AFDO) \$1,278 Grant Funds

**Attachments:**     [Retail Program Standard Grant Funds email.pdf](#)

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

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0753](#)

Vote on a request to approve Appointment to Nursing Homes & Adult Care Homes Committee

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

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0754](#)

Vote on a request to approve Appointments to Transportation Advisory Committee

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

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0755](#)

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

**Attachments:**     [COUNTRY CREEK FARM RD PETITION](#)  
                              [COUNTRY CREEK FARM RD](#)

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

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0757](#)

Vote on a request to approve Board of Health Engineering Seat and three Board of Health Public Seats.

**Attachments:**     [C. Frank Abrams.pdf](#)

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

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0761](#)

Vote on a request to approve the Purchase of Emergency Response

## Vehicles-Tax Exempt Borrowing

**Attachments:** [NCVFD- Borrowing Letter-2014.pdf](#)  
[HR 4333.pdf](#)

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

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0766](#)

Vote on a request by Bradshaw and Robinson, LLP on behalf of NNP-Briar Chapel, LLC to Adopt Resolution of Intent to Permanently Close a Portion of Granite Mill Boulevard and Boulder Point Drive and set public hearing for June 16th, 2014.

**Attachments:** [Resolution of Intent BOC 5-19-14\\_ATT1](#)  
[Granite Mill Blvd\\_Boulder Point Dr\\_ Exhibit\\_ATT2](#)

**A motion was made by Commissioner Cross, seconded by Commissioner Stewart, that Resolution #2014-13A of Intent to Permanently Close a Portion of Granite Mill Boulevard and Boulder Point Drive, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0777](#)

Vote on a request to approve the revision to the Board of Education Board Member Compensation and Expenses Policy and authorize staff to include the compensation policy with no change in the budget ordinance for future years.

**Attachments:** [Chatham, Policy 2130, Board Member Compensation Revised \(R1076047\)](#)

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

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0770](#)

Vote on a request to award the installation of fiber optic cable to Performance Cabling at a cost at \$120,000 and authorize the County Manager to sign the contract.

**Attachments:** [fiber map 2](#)  
[fiber map 1](#)

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



**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0771](#)

Vote on a request to approve two appointments to the Siler City Town's ETJ/Board of Adjustment.

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

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0756](#)

Vote on a request to adopt a Resolution Supporting Formation of Chatham Community Food Council

**Attachments:** [food council resolution draft 3](#)

**A motion was made by Commissioner Cross, seconded by Commissioner Stewart, that Resolution #2014-14 Supporting the Formation of the Chatham Community Food Council, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

[14-0780](#)

Vote on a request to approve Older Americans Month Proclamation

**Attachments:** [Older Americans Month](#)

**A motion was made by Commissioner Cross, seconded by Commissioner Stewart, that Resolution #2014-15 Proclaiming May 2014 as Older Americans Month in Chatham County, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza

## **PUBLIC INPUT SESSION**

*There was no one present who wished to speak.*

## **PUBLIC HEARINGS**

[14-0769](#)

A Public Hearing to receive public comments on A Wireless Telecommunication Permit request by American Tower Corporation and AT&T Mobility for a portion of Parcel No. 10519, known as the Gum Springs Site, located off of White Smith Rd., near Henderson Tanyard Rd., for a 300' self-supported telecommunications tower on a lease area of approximately 0.45 acres of the 43.72 acre tract and is within the Hadley Township. The application includes a waiver request to exceed 199' in height pursuant to Section 2-4 of the Wireless Telecommunication Facilities Ordinance.

**Attachments:** [Hyperlink](#)

*Ms. Hillary Pace, Planner, reviewed the specifics of the request. Ms. Pace stated concerns have been raised about the height exceeding 199 feet and the lighting that would be required. Staff has received comments about the light and the ground scatter and has asked the applicant to further clarify if this will be an issue and what affect the ground scatter will be. Staff has also received concerns about the painting of the tower. Ms. Pace stated the tower is currently proposed to be painted a gray color, however, when a tower is within close proximity to an airport the FAA can require the tower be painted a specific color. The applicant is looking into this and can further elaborate.*

*The Chairman administered the oath to those wishing to speak.*

*The Chairman opened the hearing for public comments.*

*Mr. Nick Robinson, attorney with Bradshaw and Robinson of Pittsboro, spoke on behalf on the applicant, American Tower Corporation, LLC. Mr. Robinson stated all of the applications and papers supporting the application have been submitted by Karen Kemerite of the law firm Styers and Kemerite. Mr. Robinson is submitting the application at the public hearing tonight but Ms. Kemerite will return to the Planning Board meetings and meetings with planning staff. Because it is a quasi-judicial hearing, Mr. Robinson stated he wished to incorporate a few matters into the record. Mr. Robinson stated he incorporated by reference the application and all supporting materials submitted in connection with the application. Mr. Robinson stated he was accompanied by Mr. Jerry Jones, the applicant, and Mr. David Smith, the appraiser in the case.*

*Mr. Robinson stated because it is a quasi-judicial hearing he wanted to apply throughout the hearing a generalized objection to any testimony that is incompetent, irrelevant or immaterial to this matter; including any impermissible hearsay testimony, testimony as to the health effects, or lay testimony that would otherwise be required to be tendered as evidence from an expert.*

*Mr. Robinson stated it was his understanding that this was the first hearing under the new Wireless Telecommunication Ordinance approved in Chatham County. He stated he was present on behalf of American Towers, LLC and AT&T Mobility. The tower will be located on property of Harold and Rita Rogers on White Smith Road. American Tower, LLC is the company that will construct and own the tower and AT&T Mobility is the carrier that will provide the coverage in the area. American Tower, LLC will rent the space on the tower to AT&T Mobility and any other carriers.*

*Mr. Robinson stated wireless services include much more than cell phone services. The public depends on wireless services for safety with 911 services and also so that they can work remotely. He stated home buyers want access to wireless and broadband services when they consider purchasing a new home. Mr. Robinson stated American Tower, LLC and AT&T Mobility are providing significant investment in the Chatham County, especially in the western part of the county. This is the first tower application of several applications being submitted by AT&T mobility under the new ordinance in Chatham County.*

*Mr. Robinson stated there is no coverage by AT&T Mobility in this area. When it has been determined there is a significant gap in coverage, AT&T issues a search ring. They will co-locate on an existing tower or structure. Mr. Robinson stated there was not an existing site so they searched for a site to locate a new tower. AT&T searched for a site and found the property of Harold and Rita Rogers. The Rogers' property is*

*an ideal parcel for a tower and the tower will be in wooded area away from the road.*

*Mr. Robinson showed two different maps, showing current coverage and future coverage with cell tower. Commissioner Stewart asked if the tower will provide coverage to Van Thomas Road. Mr. Robinson stated it will.*

*Mr. Robinson stated site coverage is important for that area. The Technical requirements of the ordinance have all been met. The property is used for agricultural purposes and is unzoned. The property has a primary tax coding of agricultural and secondary tax coding of residential. He stated the tower will be a 300 foot lattice tower and will exceed the setback requirements. Tower will meet FCC requirements for radio frequency RF remissions. Will have room for AT&T antennas at 295 foot level and have room for three additional carriers to locate. Mr. Robinson stated the lighting for the tower will be for a 300 foot tower as required by the FCC and FAA and nothing more.*

*Commissioner Elza asked what the FAA lighting requirements were. Mr. Robinson read a summary of the requirements from the application. He stated specifically the FAA restricts the beam angle of the lighting at the top of the tower in order to prevent the possibility of ground scatter so that the beacon will not produce ground direct light.*

*Mr. Robinson stated in addition to the request under the new ordinance, the applicant is also requesting a waiver for the 199 foot height. The primary tax coding of the property is agriculture and it is used for agriculture purposes. The secondary tax coding is residential. He stated there is ambiguity in the ordinance about that point. The ordinance states in zoned residential districts and properties coded as residential uses by Chatham County tax record in the unzoned portions of the county, wireless support structures should not exceed the height of 199 feet. Mr. Robinson stated that he believed every parcel coded primarily as agricultural in the county is secondarily coded as residential. He stated the ordinance does not distinguish whether or not having the property must be coded primarily as residential.*

*Chairman Petty asked if it was safe to say taller tower means fewer towers. Mr. Robinson stated it was. He stated the applicant believes the waiver should be granted as one would have to construct two 199 foot towers to cover the area of one 299 foot tower. The County would be asking them to make massive infrastructure investments when they could do it on just one tower.*

*Mr. Robinson summarized the findings needed to grant the Conditional Use Permit. He stated the first is an eligible use on the parcel and the tower is permitted on an unzoned parcel. He stated second the permit is considered essential or desirable for the public convenience or welfare in the county. The tower will provide coverage where there is no AT&T coverage right now. Statistics show that 30% of Americans do not have LAN lines and rely solely on wireless communications. People traveling through the area will be able to rely on 911 services. The RF emissions will comply with federal law and will pose no risk to anyone's health or public safety. The third finding is the permit will not impair the integrity or character of the surrounding or adjoining districts and will not be detrimental to the safety or welfare of the community. It will not create a nuisance to the community as it is an unmanned facility. The applicant will not need more than two to four vehicle trips a month for maintenance. The fourth finding is permit will be consistent with the land use plan. The tower will preserve the form and function of the rural character of the area and will provide infrastructure to support the economic development of the county.*

*Mr. Robinson and the applicant respectfully requested the application and the waiver*

be approved at the appropriate time. He also requested time to rebuttal after any public comments.

William Dixon, 1634 White Smith Road, stated he was in favor of the cell tower. He would like to have cell coverage.

Harold Rogers, 1296 White Smith Road, thanked the commissioners for the opportunity to support the application and stated he was the property owner of the cell site. He and his wife grew up in Chatham County and moved away for 40 years. They returned to Chatham County 15 years ago and retired from education as a farm and got his first cell phone. When his tractor broke down and he needed a way home he couldn't get his cell phone to work. He stated he had this happen at least two times. His phone company said he didn't live on 421 or 64 and it would be a long time before he could get coverage. He is concerned about safety. A year or so ago there was a fatality north of where he lives just before daylight and emergency personnel could not be reached. He stated there have been a number of break ins in the area and he has on occasion followed strange vehicles until I could get in touch with the Sheriff's Office. He stated he is concerned for his community and their ability to contact emergency personnel. He supports the application and appreciates the Board's consideration.

Anita Badrock, 90 Paul Green Road, stated she lives in Baldwin Township in Bynum Ridge, and is a licensed Realtor, the operations manager, and the broker in charge for an organization in Orange County that sells affordable homes to low income people. She is also a member of the Chapel Hill Association of Realtors. They have over 500 realtors, many of whom live in Chatham County or sell homes in Chatham County. She stated she was speaking on behalf of them to support this application. Our members know from experience from showing houses in Chatham County that poor cell phone coverage affects the desirability and value of a home. She stated that people pull out their cell phones to see if they have coverage when they are looking at a home. It is key in the decision making of buying a home because 91% of adults in America have a cell phone. She stated over 50% of adults only use a cell phone. She knows many people may be coming for site studies to determine how cell phone coverage does or does not impact home values. She believes the Board should look to the opinions and data of local realtors and appraisers to understand the market. Every community is different. She wanted to share her own experience working with local home owners who are low income families. She stated better cell coverage can benefit lower income residents. They cannot afford both a cell phone and a LAN line. Study after study shows the lower the family income; the more dependent they are on cell phones. She asked the Board to please support the application.

Val Proffitt, 956 White Smith Road, stated her concern was about a piece of the tower. We has been there for 26 years. Her concern is with the height and the light. She wants the tower, however is just am concerned about the height and the light. She feels the light issue has been dodged twice now. She went to the meeting at Silk Hope and asked about the light and got an email back saying it would probably be a blinking red light. However, probably is not an answer and there was no answer given tonight. She stated her concern is the range of possibilities for lights and this is information available on the internet; a blinking white strobe light, a solid red light or a solid white light. She stated this is personal and she cannot speak for anyone else. She and her husband live a third of a mile off the road. She stated they are home bodies and in the evenings they sit outside or walk at night through their 20 acre fields and it is beautiful. They have probably walked that road and field three or four thousand times. They do not want the beauty of their home and their property to disappear. She stated that a 300 foot tower with a blinking white strobe light, which

she has read is the most possible outcome of the light, will definitely change the beauty of their home. Would like the tower but has not heard an explanation for why the taller tower is needed and she would like the shorter tower. She does not think the people in the neighborhood have been adequately notified. She went to the meeting but her understanding from the attorney is that notices only went out to adjoining land owners of the Rogers which is a very small number. A 300 foot tower would impact a much larger group of people. She encouraged the Board to consider the smaller tower.

John Breckenridge - 954 White Smith Road. He stated he was neighbors with the previous speaker, Val Proffitt. He stated he shared her concerns about quality of the landscape. That parcel is zoned agriculture but where they live is a neighborhood and there are many adjoining houses. The quality of their lives is going to be directly affected by a tower that is 300 feet tall, both visually during the day and at night with a blinking white light. He encouraged the Board to allow a 199 foot tower unless there is an assurance that the quality of the landscape is not going to be affected by a 300 foot tower. He has lived on his land for 21 years now and one reason he lives there is because it is a beautiful place to live. He does not want to be looking at a 300 foot tower for the next several decades. He is not an AT&T customer; he is a Verizon customer and actually gets pretty good cell phone coverage. However, he is not against a cell phone tower and he supports greater coverage in the area. He is only objecting to the height of the tower and the effect it is going to have on the environment of his neighborhood.

Leif Diamant, 183 Box Turtle Road, Pittsboro, stated not everything he had to say was expert testimony. Most of it was personal and some he had ascertained from research. He stated the 300 foot tower is his objection. The previous night he was outside watching the sunset where the 300 foot tower would be and he was very unsatisfied not having an answer about the kind of lighting. He was wondering what the lighting would be and whether it would be blinding him, whether it would be shining in his house when he went to bed at night. He had done a night sky watch at his home about the constellations and he can't imagine doing that if the sky is blotched with light.

He stated in spite of what we have heard about property values, according to a New York Times article from August 27, 2010 "If your home is near a cell antenna, the value of your property is going down at least 4 percent. Depending on the size of the tower and the proximity, it is going down 10 percent."

He also quoted David LeGrys, from Chatham Planning Board member and ordinance write, "Property owners concerned that large lighted towers were very undesirable and would reduce their business opportunities." He stated this is why the previous commissioners created a maximum height and tried to get more rings of shorter towers.

He quoted the Bible, "When I look at the night sky and see the work of your fingers--the moon and the stars you have set in place" -Psalm 8:3. "Let there be lights in the vault of the sky to separate the day from the night, and let them serve as signs to mark sacred times, and days and years."-Genesis 1:14

He stated he wants to keep the beautiful character of Silk Hope in tact while improving the cell phone service. Three of my children have been born and raised in Chatham County. He's worked with Chatham County Schools and was Volunteer of the Year and I want to do what is good for the community without harming it. He stated he imagined that was the same goal of the commissioners; to do the least harm and do the most good. He sincerely believes that a 300 foot tower will be harm. He stated he was adjacent to an adjacent owner and was not notified of the meetings about the tower. No clear information from AT&T on lighting or tower

visibility impact on neighbors. All neighbors potentially impacted were not notified of hearings. He stated none of his neighbors were notified even though they will all be impacted by it. He believes there should be a notification policy just like with a landfill where everyone who will be impacted is notified, not just those immediately nearby. He stated he was also speaking for many of his neighbors who were not at the meeting who do not want the higher tower. Everyone wants improved cell service.

Michael Teague, 1248 White Smith Road, stated he lives 500 feet from the proposed site. He works as the assistant to the County Ranger with the North Carolina Forestry Service in Chatham County. One of his main duties is to answer and assist 911 calls for brush fires and wood fires. He stated they have a paging system but they also use cell phones to reach out and call in extra resources and cell service has been non-existent out on White Smith Road. The coverage has been a problem. He said more coverage will help him not only in his personal life but also with his job.

Wendy Wensal, 1376 White Smith Road, stated she leases property from Rita and Harold Rogers right across the street from their house. She gives riding lessons on that property as well as other places around the area. She cannot make phone calls from her work sites. They have handicapped children as students and they need to be able to get them help when they need it. She stated horses are inherently dangerous and it is important to have good cell service in the event of an accident. She stated they had an incident where a horse was injured and they could not make get a call out to a veterinarian and the horse died. She knows that some towers along highway 421 do have the blinking lights and they are bright but she thinks there are things they can do to block the light from their homes. The height may upset some people but she believes we need the service more.

The Chairman administered the oath to Justin Sonner.

Justin Sonner, 1261 White Smith Road, stated he was an adjacent property owner to the Rogers. He is in favor of the tower. He trouble shoots computers and he believes from a logical standpoint that a light 300 feet up sounds better than a strobe light 200 feet up. He supports the tower.

Commissioner Elza asked Mr. Sonner if he was told a light was not required at 199 feet. Mr. Sonner stated he did not read into it very much. He stated he knew that if you go up to Epps Clark or Henderson Tanyard Road or White Smith Road, if you go straight, right, or left - your cell phone dies. People get off of their phone at the stop sign or pull over so they can finish their call before they go any other direction.

Vice Chairman Bock asked Mr. Robinson if he was going to address the type of lighting.

Mr. Robinson stated it will be a flashing white light during the day and a red pulse during the evening as required by the FAA. He stated he appreciates the support of various members of the community and their concerns about the height of the tower. There was a lot of hearsay brought in such as the New York Times, a statement by David LeGrys, and the Bible is also hearsay. All of these are inadmissible. He stated any testimony about health effects are also legally inadmissible.

Mr. Robinson stated we have a good process and can continue on with the planning board. Any of the concerns heard here tonight from the community are things we can further address at the planning board meeting.

Vice Chairman Bock asked to go back to the question about the lights. He stated that Mr. Robinson stated the tower would have whatever lighting the FAA requires and then went on to say the lights would be a flashing white light during the day and red pulsing light at night. Vice Chairman Bock asked Mr. Robinson if that statement was

correct. Mr. Robinson stated that was correct and his understanding of what the lighting on this tower would be.

Commissioner Elza stated this application has two components; first to approve the cell tower and the second is for waiver of height. He stated if a tower is approved at the 199 foot height, it does not have to have a light and cell service would still be provided. Mr. Robinson stated he was correct.

Commissioner Elza stated with the extra 100 feet, you are required to have a light by the FAA. Mr. Robinson stated that was correct. Vice Chairman Bock stated if just two more feet are added to the 199 feet, a light is required.

Chairman Petty stated it goes back to the economy of scale. He said with the less densely populated area, you need the higher tower to justify the customer base. You can get by with a shorter tower if it was more densely populated because you can justify the customer base. Mr. Robinson agreed.

Commissioner Elza asked how the agriculture tax code gave the applicant the right to ask for a 300 foot tower. He stated the applicant requested a waiver therefore they must not think they have a right to the 300 foot tower height. Mr. Robinson stated that is not what the applicant is saying, but instead that the ordinance itself said notwithstanding the 199 foot limitation, the County has the authority to vary the foregoing height restriction upon the request of the applicant.

Vice Chairman Bock stated the question was, according to the ordinance, if it was agriculture in the ordinance, then they wouldn't need a waiver.

Mr. Robinson apologized and said he misunderstood the question. He stated that this property and the surrounding properties are first coded as agricultural and secondarily as residential. The ordinance does not speak to that distinction.

Commissioner Elza stated that still does not impute a right for the applicant to have a 300 foot tower. Mr. Robinson stated reasonable minds could disagree about that. The applicant has approached it as there is some discretion there and that is why we have asked for a waiver.

Vice Chairman Bock stated he reviewed the maps in the application but wanted to know what the difference in range was in miles was between a 199 foot tower and 300 foot tower. Vice Chairman Bock stated Mr. Robinson said service would be spottier with the 199 foot tower.

Chairman Petty stated another way to answer it is that it would take two towers to get the same amount of coverage. Vice Chairman Bock agreed that Mr. Robinson did say that earlier. Mr. Robinson stated as a specific response a 300 foot tower had a range of four to five miles in all directions.

Commissioner Stewart asked where the nearest 300 foot tower was in the area. She asked if the tower on Jones Ferry Road was the closest. Mr. Robinson asked if that was a cell tower or a television tower, he was not sure.

Vice Chairman Bock stated it was said the tower will be in a heavily wooded area but you probably can see it from the road. Mr. Robinson stated you could if you were driving down that road and were looking from a certain angle looking up. If you are looking at ground level you would not be able to see it.

Commissioner Elza expressed his concerns with Mr. Robinsons' testimony. He felt it

was hearsay as he was not an expert witness.

Ms. Pace stated staff had asked the applicant's attorney, Ms. Kemerite, if a bottom shield was a solution for the ground scatter from the red light and staff had not received a direct response. Ms. Pace asked if the applicant could elaborate on that question. Mr. Mr. Robinson stated he was not involved in those conversations, Ms. Kemerite was, and he did not believe they had an answer at this time. He did believe they would have an answer by the time they got to the planning board meeting.

#### 14-0779

### Public Hearing to receive public comments on the Fiscal Year 2014-2015 Recommended Budget

Charlie Horne, County Manager, thanked the Commissioners for allowing the staff to review the recommended budget. He gave some brief remarks then turned over the presentation to Renee Paschal, Assistant County Manager.

Ms. Paschal gave a brief presentation on the recommended budget and the budget process.

The Chairman opened the public hearing for public comments.

Beth Budd, Executive Director at CORA Food Pantry, gave the following remarks: "First I would like to thank the commission for their support last year. With the county's help, CORA will distribute close to 20,000 individual rations of one week's worth of food by the end of this fiscal year on June 30, an increase of 15% over the previous year and 40% more than five years ago. We do not expect these numbers to change much for next year. Last summer's SNACK Program served 985 disadvantaged school children with food for 10 meals and healthy snacks for 10 weeks. This year we have already enrolled 1052 children who receive free or low-cost meals at school through the federal school lunch program. The families of these children live at or near poverty level. For a family of four, for example, this is only \$22,550. 89% of children who get school lunches are living at this level of poverty or below, a stark demonstration of how much food support is needed for these kids during the summer.

We continue to revise our menus to make them healthier and tastier, including increasing the amount of local fresh produce purchased through Farmer Food Share and distributed for 6 of SNACK's 10 weeks. I am happy to report that Walmart has renewed their grant for SNACK this year, and we now have more than 110 SNACK Angel sponsors donating all program expenses for one child. But we still need to raise \$50,000 by the end of the summer to fully fund the program. Please know that by supporting SNACK, you are not just feeding hungry children, you are providing these children with nutrition that is critical to optimum mental and physical development, helping them to make the most of their education and a key to success as adults. In this way your contribution to the SNACK Program is an investment in the future of Chatham County. We respectfully ask that you fund this program to the fullest extent that you are able to do so. Thank you for your time and your hard work in making what, I am sure, are difficult choices."

Kathy Hodges, Co-executive director with Family Violence Rape Crisis, gave the following remarks:

"Good evening. My name is Kathy Hodges and I live at 101 Stonestrow, Chapel Hill



*in North Chatham. I am the Co-Executive Director of Family Violence and Rape Crisis Services. First I want to thank the Chatham County Board of Commissioners for your generous and ongoing support. You have helped us a great deal over the past years. I have come here tonight to speak in support of additional funding for Family Violence and Rape Crisis Services. Our request this year is for our shelter where we have two pressing needs.*

*First, we have to maintain the services we are providing to the women and children who come to us in crisis, fleeing their homes for the safe haven of our shelter. There we work with them to help them put their lives back together and help them move forward at one of the most difficult times in their lives. Last year our shelter was busier than ever, providing safe refuge at or above capacity 74% of the time (which means we pulled out rollaway beds). We provided shelter for 76 women and children during the year, with an average length of stay of 50 days—a marked increase in the average stay over 2012-13. Some families come overnight, as they move on to another place. Some stay for three months or more as they work to gain stability. Each year approximately 75% of the families staying at the shelter leave for a safer place upon departing the shelter.*

*At the same time that we have been providing these critical community services, we have begun to work on the replacement of the house we have shared with countless families for nearly 20 years, because it no longer meets our needs. We turn away more than twice as many families as we shelter each year. The facility, built in the 1940's as a single family home, is not as durable a structure as we need and was not built to meet our current demands. Thanks to support of the Chatham County Board of Commissioners, and expected support of the NC Housing Finance agency we will be about 80% of the way to the funding we need to make this a reality. We will be conducting a capital campaign for the rest. For this campaign, we will continue to need the concentrated effort of our PR and development coordinator to help us with this project.*

*Our current recommendation for funding is \$28,000. This is more than 15% less than the \$33,000 we received last year. This cut is devastating for our shelter services and will make the job of securing the remaining funding and support to build the new shelter even more difficult—a new shelter that we must have if we are to continue to provide refuge for the women and children in crisis in Chatham County.*

*Our programs and services have grown strong here, due to the commitment of Chatham County and our other funders. We have been able to develop comprehensive services to help prevent and respond to domestic and sexual violence, recognized with statewide and national awards and chosen for participation in several national pilots and demonstration initiatives. Now we need your help if we are to continue to offer one of our most basic services, safe and supportive shelter.*

*I urge you to consider increasing the funding for our shelter program so that we can continue to provide the crisis services that are so critical to safety and recovery. Thank you for your time and continued support."*

*Donna Kelly, 553 Holly Glenn Road, Pittsboro, gave the following remarks: "Congratulations on producing another excellent budget. It focuses on county needs in a responsible manner. While there are always more things it would be nice to have, we have to face the reality of what we can afford.*

*Thank you to the commissioners for exercising much needed restraint when setting priorities. Thank you to our amazing budget and financial team for making the*

*numbers work. Those nickels and dimes you squeeze out of the budget add up. Thank you to all of our departments for focusing on core services in an efficient manner. I'm glad to see that we'll be able to fully implement your long overdue pay increases.*

*The restraint and focus to core, common sense priorities that have become a hallmark of the county in recent years are beginning to pay dividends. We are now well-positioned to move forward in a responsible manner providing needed services through revenue growth without increasing taxes on taxpayers who have their own budget challenges."*

*Vicki Newell, 119 Ilex Pittsboro, gave the following remarks:*

*"Hello everyone. My name is Vicki Newell and I am the Executive Director for the Chatham County Literacy Council. I am here before you today to request that additional funding for the Chatham County Literacy Council. We submitted a request for \$10,000 to Chatham County and have been recommended to receive \$7,000.*

*The 2012 Census shows that 14.5% of Chatham County adults over age 25 do not have a high school diploma. In the Siler City area that statistic is 45.3%. The census also shows a direct correlation between a lack of education and poverty. In Chatham County, 1 out of every 2 adults who lacks a high school diploma is not in the workforce and 1 out of every 4 lives in poverty.*

*With the strong prospect of developing two commercial sites: Chatham Park and the Siler City Megasite, the workforce of our community must be prepared to fill the many job openings that will come with the opening of the sites. The workforce must be prepared to apply for jobs electronically; they must have the reading, writing and basic math skills that will meet the job qualifications; they must have a strong educational foundation that will prepare them to learn the skills needed by new business and industry.*

*These are challenges faced by Chatham County residents who do not have the literacy skills needed to get a job or to keep a job. The mission of the Chatham County Literacy Council is to help adults living or working in Chatham County, NC and their families, acquire the literacy and educational skills they need to function successfully in society.*

*The Literacy Council is committed to helping the residents of Chatham County overcome the challenges of illiteracy. Improved literacy skills and reaching educational goals lead to new employment, promotion on the job, and can lead our adult learners to improved financial stability. The residents of Chatham MUST be prepared to meet the employment demands of the proposed business and industry that will come with development of Chatham Park and the Siler City Megasite.*

*Last year,  
20 adults earned their high school equivalency,  
26 adults improved their literacy level by 3 grade levels,  
3 adults enrolled in the community college high school equivalency program,  
3 obtained a job,  
25 adults became citizens and 22 voted for the first time in the presidential election.  
We have found that citizenship is really about civic engagement and for our adult learners it's about the ability and confidence to get more involved in their communities.*

*So far this fiscal year, 9 of our adult learners have obtained a job or received a job promotion. Our program for adult literacy is a long term investment to develop an*

*educated work force. Please consider funding the Chatham County Literacy Council, thereby investing in Chatham County residents and the economic development of our County.*

*To quote Kofi Annan,  
'Literacy unlocks the door to learning throughout life, is essential to development and health,  
and opens the way for democratic participation and active citizenship.'*

*Thank You"*

### **MANAGER' S REPORTS**

*The Manager had no reports at this time.*

### **COMMISSIONERS' REPORTS**

*Commissioner Stewart let the Board know she would be having minor surgery later in the week and would be out a few days.*

### **ADJOURNMENT**

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

**Aye:** 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Stewart and Commissioner Elza