



Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, November 16, 2015

6:00 PM

Historic Courthouse Courtroom

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

Vice Chair 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 6:00 PM.

APPROVAL OF AGENDA and CONSENT AGENDA

Chairman Crawford asked to move Item #15-1480 Discussing the Chatham Arts Council item to the top of the Board Priorities.

A motion was made by Commissioner Howard, seconded by Commissioner Hales, that the Agenda and Consent Agenda be approved as amended. The motion carried by the following vote:

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

[15-1476](#)

Vote on a request to approve the October 19, 2015 Work and Regular Session Minutes and the November 2, 2015 Regular Session Minutes.

Attachments: [Draft Minutes 10.19.2015](#)
[Draft Minutes 11.02.2015](#)

A motion was made by Commissioner Howard, seconded by Commissioner Hales, that the Minutes be approved. The motion carried by the following vote:

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

[15-1424](#)

Vote on a request to approve \$496.43 Food & Lodging Funds

Attachments: [\\$496.43 Food and Lodging Funds Check](#)

A motion was made by Commissioner Howard, 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

[15-1425](#)

Vote on a request to approve \$2,000 BCBS Funds

Attachments: [\\$2,000 Communities Joined in Action](#)

A motion was made by Commissioner Howard, 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

[15-1443](#)

Vote on a request to accept \$2,000 of Sexually Transmitted Diseases Funds.

Attachments: [\\$2,000 STD Funds](#)

A motion was made by Commissioner Howard, 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

[15-1461](#)

Vote on a request to approve \$7,118 Focus on Fathers Funds

Attachments: [\\$7,118 Focus on Fathers Smart Start Grant Funds](#)

A motion was made by Commissioner Howard, 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

[15-1447](#)

Vote on a request to appoint Amy W. Moore and Bill Harris and reappoint Margaret Goldston as Review Officers.

Attachments: [Appointing Review Officers](#)

A motion was made by Commissioner Howard, seconded by Commissioner Hales, that Resolution #2015-46 Appointing Review Officers, 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

[15-1466](#)

Vote to Approve Fiscal Year 2015-2016 Budget Amendments

Attachments: [FO Budget Amendments 11-16-15](#)

A motion was made by Commissioner Howard, 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

[15-1467](#)

Vote on a request to approve \$37,239.94 Debt Write-Off

A motion was made by Commissioner Howard, 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

[15-1471](#)

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

Attachments: [NICK CREEK LANE PETITION](#)
 [NICK CREEK LANE](#)

A motion was made by Commissioner Howard, 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

[15-1473](#)

Vote on a request by NNP Briar Chapel, LLC for subdivision Final Plat approval of Briar Chapel, Phase 11 South, consisting of 80 lots on 21.5 acres, located off Andrews Store Road, SR-1528 and US 15-501 N, Baldwin Township, parcel #2714.

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

A motion was made by Commissioner Howard, 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

[15-1474](#)

Vote on a request to approve Lewis Metty Development, Inc. for subdivision final plat approval of Cedar Mountain, Phase III, consisting of 10 lots on 21.03 acres, located off SR-1721, Lystra Road, Williams Township, parcel #1721 and 1611.

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

A motion was made by Commissioner Howard, 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

[15-1479](#)

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

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

A motion was made by Commissioner Howard, 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

End of Consent Agenda

PUBLIC INPUT SESSION

Cindy Dameron submitted the following comments:

Thank you again for allowing me to speak before you once again, this time I hope you hear me. I would like to know why the push for Zoning Now? There are many more pressing issues. Why would you zone before you hear back from your land use plan consultants that you hired and spent \$300,000 of our tax dollars on and why is there no representation from the southwest sector of the county, on your advisory committee too. The land use consultants, again this advisory board is stacked. I know many sales were specifically made in western Chatham because that area was not zoned, these property owners feel you are stripping them of their property rights and are taking away their right through Eminent Domain without a hearing. I encourage you to do nothing until you hear back from your Land Use Consultants. If not that, at least have the integrity to live up to your word and listen to your planning board, follow their recommendation of Zoning east of Hwy 87. In closing these land owners are willing to work with you and if you are not willing to do the same we at the next election will vote in someone who will.

Gary Moon submitted the following comments:

Thank you for the opportunity to speak to you tonight. I live in Northwest Chatham County. I am the fourth generation on our farm. I am the fourth generation to try to make a living on that farm. I want to tell you I am not against zoning where zoning is needed. I am against zoning where it is not needed. I am also against the way it is being forced on us. Originally there were going to be community meetings and that didn't happen. There are a lot of people in western Chatham County that farm but they also have off farm jobs to make a living. They can't always be in Pittsboro once or twice a month. If the community meetings had been held they would have been there and you would have seen a lot more opposition a lot earlier. Western Chatham County is rural, you know that. It is totally different from eastern Chatham County. We have a lot of people there that have been on their land and their family's land for a long time. Agriculture is very labor intensive, it has a low profit margin. We can't afford to continue to have the County of Chatham, the State of North Carolina and the United States federal government putting regulations on us. The return on your investment on a cattle operation like we have is very low. Most accountants would tell you to get out of business as soon as you can. Young people are not coming back to the farms because they can make a lot more money and have a whole lot less risk by working in non-agriculture related town jobs. I trust that you are all men

and women of your word. We were told originally that the Board of Commissioners would abide by the recommendation of the Planning Board. We expect you to be men and women to stand up and do what you told us you would do. Lastly, I would like to remind you that there will be another election and we in western Chatham County have pretty good memories.

Joy Hewett, 3069 Silk Hope Gum Springs Road, submitted the following comments:

Living in Silk Hope, I enjoy gorgeous rolling hills of pastures and woods all around. The beauty, greenness, and fresh air bring me joy. Many of my friends bought land in Chatham 40 years ago, some maybe 25 years or more ago. Some friends who settled west of 87 like living down dirt roads to their homes through wooded areas or open pasture land where they raise horses, sheep, or cattle. But we all know how fast landscapes can change, like Chatham Park's drastic plans, and not everyone considers their neighbors when they say they have a right to do anything they want with their own land. But do we?

A quiet road of residential houses suddenly having some cement factory or manufacturing facility that disturbs the character of a community can be a major life style change for the neighborhood. When there are mixed use zones or areas zoned for industrial sites or businesses, people who want a quiet farm to grow crops or a house for their children know not to buy there. With zoning, areas like a medical center, business park, or the industrial park near Siler City can concentrate the same type of use going there. Then those who raise cattle or goats or llamas don't have to worry about runoff through their creeks or the noise and congestion of traffic with a factory or industry suddenly building upstream from them.

Land owners can sell timber, grow pasture raised beef, or sell off parcels. We may be sad to see a forest we admired suddenly clear cut, but it doesn't create the drastic change an asphalt plant or gun range does disturbing the tranquility we sought in a quiet neighborhood or country road. By an industrial plant or commercial site unexpectedly going up in a pasture or field across the road or next door to us, we can lose the quality of life we value.

As more population moves into our rural county over the next twenty years, we need mechanisms in place to prevent unscrupulous developers or polluting industries changing the landscape with no recourse for the neighbors. Even as an area is zoned residential, farmers can still exist there. From what I understand, agriculture and timber farming would be exempt from zoning regulations. We need zoning mechanisms in place to keep from helter skelter growth or those who would take advantage of our lax land use policies to destroy the rural character of this county we love. Thank you for considering my opinion.

Mike Dasher, 73 Haley Meadows Drive, Moncure, submitted the following comments:

Good evening Commissioners and thank you for the opportunity to speak here tonight. My name is Mike Dasher, and I live at 73 Haley Meadows Dr in Moncure. I'd like to speak tonight about zoning. I'm not from Chatham County originally and having lived here only 11 years. I reckon to a lot of folks I'm still a newcomer. We moved here from Raleigh to what at the time seemed like the Triangle's western frontier. Like a lot of people we found the spaces were wider, the skies were clearer, and everything moved a little slower. We knew it wouldn't stay that way forever and it hasn't, and certainly more dramatic changes are on the way. Now I suppose it's human nature to avoid tough decisions, and as a County we've put this one off for

about as long as we could. But it's well past time to establish some rules of the road, and for Chatham County to decide how we're going to grow and what that growth will look like-who and what we're going to be next, and how we'll keep the character of what we were before. I think these are decisions for the people of Chatham County. I think that together we can chart our own future growth, and ensure it's managed in a way that brings the most benefit. An up-to-date and forward-looking land use plan, together with common-sense zoning, allows the people of Chatham County the opportunity to manage our County's growth in a transparent, deliberative, and collaborative way. Because let's be clear, without zoning we're surrendering our right to determine our own future. We're putting ourselves and our property and its value at the mercy of whatever interest buys the parcel next door. And that may be a gamble some people are willing to make, but I don't believe that they are entitled to make that gamble for all of us. Now some areas may not have the same needs as other areas, or see the same urgency. And I'm certain there are ways to proceed that will allow for the variety of opinions and concerns you're hearing tonight. I would encourage you all to work towards a land-use strategy that would allow for small area plans, so that individual communities would have the ability to decide for themselves what they want their corner of the County to look like. But obviously the final product is very much to-be-determined. And I can appreciate that that might concern some people, particularly those who see government not as something of the people but as something of an imposition. But the worst thing we can do is nothing. Failure to move forward with zoning- burying our heads in the sand and pretending that we can manage the impending growth with the tools we currently have- is simply irresponsible. Should we miss the window of opportunity we have now, I do believe we'll look back with regret on the County we leave our kids and grandkids. Again, I thank you for listening and for bringing this issue forward and beginning the conversation.

Caroline Siverson, 5560 Castle Rock Farm Road, submitted the following comments:

My name is Caroline Siverson and I live at 5560 Castle Rock Farm Rd. Pittsboro, an unzoned area west of highway 87. I am speaking tonight, not as a member of the planning board but as a property owner. I understand some of my neighbor's opposition to zoning. The argument that one should do whatever one wants on their land is compelling. But what about a property owner's right to protection from the detrimental impacts that a neighboring unfettered property right might cause. I value my freedom and my property rights as much as anyone. I am fortunate to live in a community where people are respectful of the land and of each other, where native-born residents have welcomed newcomers like they welcomed me 38 years ago. But can we count on things staying the same? What happens when things change in our communities? When large tracts of land come up for sale, when farmland is no longer farmed and timberlands no longer managed? When trends and patterns in our region intensify growth pressures. I am grateful that the county is moving forward with the drafting of an updated comprehensive land use plan. It's important that citizens from across the county be engaged and included in the process of determining a vision that guides the future of the county. I hope that innovative ideas for farmland and environmental protection as well as economic development will be explored. But a land use plan is only effective when accompanied by policies that provide regulatory teeth to support its concepts. Some form of zoning is inevitable if we are to avoid chaotic, unmanageable growth that would forever change our communities. I am willing to accept certain limits in regards to my land use in exchange for the protection that zoning provides. Times are changing and prudence requires action now. Several have argued that we should wait until the land use plan is complete and it has been said that we should not put the cart before the horse. But an update to the land use plan has been delayed for

several years and we find ourselves in a position where a new plan will take at least two more years, and then the process of adopting zoning will have to begin again. The plan could in fact become obsolete in certain areas by the time it is applicable. In other words, please, let's not wait to close the barn door after that horse has bolted. We need protective interim zoning now. Thank you.

Susan Ripley, submitted the following comments:

I have lived in Chatham County, Hadley Township for 40 years. Like many of you, my property of 24 acres is my largest investment. It is my private park, it is where I find peace and solitude, where I have raised my children, and now entertain my grandchildren who call this safe haven Nana Bunny Camp. It is a special place on the planet. I totally get why some of you don't want zoning in this part of the county, and I used to maintain that position myself. However, given the growth in the rest of Chatham within the last decade and more, I have changed my position. I want some say in what may come to our area and affect the land I love so much. An example of what has happened in my community with no zoning is right across the road from me. The property has become a dumping ground for fish guts and I can tell you, in the summer it is extremely unpleasant. I appreciate that the owner can do what he/she'd like with the property, but with zoning in place, I feel there would have been some regulations on dealing with the fish guts that would allow the community to not be as impacted by the stench in the hot summer months. I know this is a small example, but, if more of this sort of thing happens within this community all of us will see devaluation of our investments. Thank you for your time.

Mary Honeycutt, 7984 Old Graham Road, submitted the following comments:

My name is Mary Honeycutt. My husband and I have lived in Chatham County for 33 years. I am in favor of county-wide zoning now, especially since agriculture and timber farms by state law are exempt. I voted for Commissioners Crawford, Hales and Howard because they ran a campaign on developing an updated land use plan. County-wide zoning will give our citizens some voice and protection from harmful land uses while the county proceeds with the 2 to 3 year process of creating a comprehensive land use plan. Thank you.

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

I am a commercial photographer and I live in a very wooded part of the county and very much appreciate the clean air and water which has at times been impacted by the development that has taken place. Some years back, probably eight years ago, I delivered some photographs to a realty company in the Raleigh area. When I went in to their office there was a long table that had a composite aerial photograph of not just the Raleigh/Cary area but also to the western edge of Chatham County. I was shocked to see that their plans and ideas for us were already laid out on that table and only waited for the kind of money that they typically swing when they are making their decisions as to how to profit. I believe the people who turned out tonight on several sides of this issue want Chatham to prosper. We want the people who are already here, like our farming communities, to have a little more to say on policy and risk taking than some investor from outside of the county, maybe a lot more to say. Those same outside interests are ready to apply the same formulas that they apply all over the country with such success that you could drop down in to any number of cities and not know where you were because it is the same pattern. I know that the current administration in Raleigh is busy weakening water quality protections.

Chatham County has to be ready to defend what we have and not just say whatever to anything that comes our way. I've seen comments that fracking can't be brought up because western Chatham doesn't have natural gas, but just a few years ago nobody was thinking about fracking. We wouldn't have been able to draft something about it. We need to have patterns of use that allow our people to guard our property rights and our peace of mind against whatever the next wave of craziness that somebody else thinks is going to make them money. I have faith in this Board and I voted and worked for this group of commissioners because of your dedication to careful planning for Chatham County and I will support county-wide planning.

Josh Kricker submitted the following comments:

I attended one of the first meetings of the Board of Commissioners, not long after their recent election, and heard person after person speak against county-wide zoning. They explained their families had been involved in farming for generations and somehow county-wide zoning would impact that history and discourage the continuance of the family farm. They explained that they felt they should have an absolute right to do whatever they wanted with their land, including, although they didn't explicitly state it, selling it (or leasing it) for hydraulic fracturing for natural gas, or selling it for commercial development.

There simply are no absolute rights. Even the First Amendment right of free speech has limitations on it to reasonable time, place and manner requirements. You have a right to a firearm under the Second Amendment, but that doesn't give you the right to shoot out your neighbor's windows or fire a weapon randomly in a residential neighborhood. The Fourth Amendment protection against unreasonable search and seizures, that guarantees our right to privacy, has so many exceptions to it at this point that one wonders if it still exists at all. There simply are no absolute, unlimited rights.

According to the American Farmland Trust, 50 acres of farmland is being lost to development every hour in the United States and once it's been bulldozed over it is gone, never to return. We have already witnessed the spectacle of farmland in central North Carolina being threatened by coal ash dumping, natural gas hydraulic fracturing as well as commercial development. Any country, that becomes dependent on imports for food, is a country that is vulnerable to outside forces imposing their will and values on the people of the United States. Therein lies the ability to starve the American people into submission. I consider the loss of farmland in America to be a matter of national security equal to that of global terrorism and climate change, and must be recognized as such. Consequently, it would not be in our national interest to impact or discourage family farmers. It is a completely truthful statement to say "no farmers, no food." Therefore, I support the Commissioners in their goal of enacting comprehensive zoning throughout Chatham County.

Debra Haiduven, 501 Old Country Road, submitted the following comments:

My family and I moved here five years ago. One of the things that brought us here was the pastoral image and the community of Chatham County. We have been lucky enough to get to know our neighbors, many who are farmers. We respect their rights and their position and I understand that their rights will be protected, which is one of the things that makes me stand up here to support zoning because I know they won't be impacted. One of the things when we were looking for property, we specifically did not want to live in a planned community because we do believe in an individual's rights. However, where we are now I feel like there is a big difference between

choosing what color shutters you can have versus having a cement plant next door. We feel very strongly that this zoning is needed to protect our rights to have a peaceful and healthy quality of life in our community. One of the things that has come up recently is the gun range and I feel like that is about the most extreme disruption that could be caused to somebody's living space. There are many other examples but one of the things that strikes me is with the growth that we will be experiencing with Chatham Park. There are many uses we can't even imagine at this point. To just have unfettered development and growth at this time just seems like it could get out of hand and impact the county in a negative way. I support the Board in passing interim zoning and eventually fair policies for the whole county. Thank you for this opportunity.

Sonny Keisler, 3006 River Forks Road, Sanford, submitted the following comments:

I am here to encourage the Board of Commissioners to proceed with efforts to zone all of Chatham County and to develop a first class land use plan and map.

I encourage this action because good zoning and land use planning act as a magnet that pulls in wealth. For example, those areas of Chatham County that are zoned and have good public land use plans and/or good subdivision covenants are the wealthiest parts of Chatham County.. As a former real estate developer who developed high end, large lot subdivisions such as Monterrane, I know from first-hand experience that people with money who want to move to Chatham County from Cary, Chapel Hill, San Francisco and elsewhere demand good zoning and land use planning that protects both their real estate investments and the natural environment that still makes Chatham County an attractive place to live.

In a similar manner, we only have to look at various towns and cities in our part of North Carolina. When you do, you will see that those towns that are the most prosperous ... such as Cary and Chapel Hill, have much better zoning and land use planning than do poorer communities such as Sanford and Siler City. The reason for this is that people with money demand good zoning and land use planning.

On a personal level, I might note that my sisters and I are in the process of selling property on Kildaire Road near the Wake Med. Cary Hospital. I can remember when this section of Kildaire Road was a two lane gravel road. I, also, can remember when the surrounding land was almost wilderness and when there were few land use controls. At this time the land could be purchased for less than fifty dollars an acre. Now, this area is zoned, and is covered by strict land use plans and multiple ordinances - three of which include a champion tree ordinance, building design standards and strict highway traffic controls. Now, however, the combination of zoning and strict land use controls have helped increase our property values to the point where we now can command up to \$400,000.00 an acre.

In short, as I said earlier, good zoning and land use controls usually act as a magnet that pulls in wealth and increases property values. As such, I again, strongly encourage the Board of Commissioners to proceed with zoning all of Chatham County.

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

I am 44 year resident of Pittsboro who previously served 6 years on both the county planning board and the Chatham Economic Development Corporation. I was a

member of the EDC conceptual land use subcommittee that recommended the Rural Preservation with Targeted Employment Growth land use strategy that was unanimously approved by this board in June 2013. For those county residents who feel you are not being heard on this issue, at least you had an opportunity to vote for the majority of seats in the board in 2014. Those of us living in the Pittsboro ETJ not only feel we have not been heard by the town board majority that controls our zoning, we do not even have the right to vote in town elections.

However, I was able to vote for County Commissioners in 2014. I voted for three candidates serving on the board tonight who specifically campaigned on implementing countywide zoning. Thus, I strongly support their living up to that campaign promise tonight by going ahead with countywide zoning. More importantly, it is way past time we zoned the entire county to implement unanimously approved land use policies and plans that go back at least 14 years. The current county land use plan, passed in 2001, calls for protecting the form and function of rural character -landscape, agriculture and home-based business -by limiting new residences to large lot and cluster development and by not extending water and sewer utilities. That is essentially the type of rural agricultural residential zoning that is being considered for the unzoned areas. Such zoning would promote a mixture of agricultural, forestry, conservation, and very low density uses.

In 2009 the County's Agriculture Extension Service led a local effort to develop Phillip Gottwals, if it was possible to preserve an agriculture community without zoning. He said no. In 2010 the newly elected county board majority scuttled a proposed two-year process to update the county's land use plan. In 2013 the EDC Conceptual Use subcommittee presented at community meetings four possible future land use scenarios - decentralized growth, essentially a free market approach; conservation/farmland preservation, compact centers and growth corridors and targeted employment primarily within existing towns. At the urging of citizens and community leaders we ended up recommending a combination of two of those scenarios: conservation/farmland preservation combined with targeted employment. Specifically, as it relates to the unzoned areas, this scenario calls for preserving existing agriculture, natural, historic resources and existing communities in order to both preserve and enhance rural quality of life.

We recommended the county immediately begin a land use revision process. That recommendation was ignored. Moreover, everyone on the subcommittee agreed that countywide zoning was necessary to achieve our recommended scenario. So here we are again. Waiting for another couple of years to complete a revised land use plan will only extend this unfortunate and misleading ideological and political debate. It is time we moved beyond agreed upon planning goals and objectives and actually implemented countywide zoning and other land use tools to both preserve and enhance Chatham's environmental and economic assets, as well as its rural character and quality of life.

Bruce Davis, 793 Elmer Keck Road, submitted the following comments:

Kathryn, my wife, and I live on 16 acres of land in Western Chatham County. Our physical address is 793 Elmer Keck Rd. As landowners we are very much in favor of the positive and protective benefits of Zoning and Land Use Planning and encourage the Board of Commissioners to productively continue this work for Chatham County. We appreciate the care with which you are proceeding. Thoughtful land use planning can support rich, vibrant, healthy, and thriving agriculture, industry, commerce, residential living, public spaces, and wild acreage. It is a cooperative adventure in living together in this county. Let us support and sustain its richness for all of us.

Gail Crider, 5334 Castle Rock Farm Road, submitted the following comments:

There are many sound reasons to implement zoning now. I address the ones with which I have personal experience: I have a farm in northwest Chatham, an unzoned section of Chatham County. A number of years ago my next door neighbor informed me he was planning to build a meat processing plant on his property. He indicated this would involve bright lights during the night, exhaust smells, tractor trailer trucks coming day and night, and other activities that would greatly impact the neighborhood in terms of both our quality of life and the value of our property. Fortunately, as it later turned out, this neighbor could not get the waste water permits that would support such a facility.

At the same time one immediate neighbor was planning to build a meat processing plant next door to me, another neighbor had to move due to a job transfer. When they put their house and 10 acres on the market, they completed a Residential Property Disclosure required by law to be filled out by all residential sellers. This disclosure includes a question about any known upcoming changes in the neighborhood. Accordingly, all potential buyers were informed of the plans underway for a meat processing plant to be built next door, within sight, sound and smell of the seller's house. Needless to say this had a great impact on their ability to sell their property. Not only was the house on the market for a very long time, when it did sell the selling price was greatly reduced.

Zoning protects property values. When potential buyers know what is and is not allowed in the surrounding neighborhood, it gives them confidence to purchase at top prices. Zoning can also provide areas for concentrated commercial and industrial uses where an infrastructure (including water, sewer, roads, etc) not only would support existing enterprises but would also be a plus in attracting new endeavors to the area. Zoning is a form of economic development. As a long-time resident and owner of farmland in unzoned northwestern Chatham County, I join with the many other residents of western Chatham who urge you to do the right thing for all areas of Chatham County - move forward with zoning now.

Ronnie Vaughn, 8847 NC Highway 87 North, Pittsboro, submitted the following comments:

I am a resident of western Chatham County, owning land in western and eastern Chatham County. I am going to go back to the March Board of Commissioners meeting in which a majority of this Board indicated that they would not support and would not have public input pertaining to zoning issues in Chatham County. At that time and shortly there after this Board turned over to the Planning Board the issue of zoning. It was understood at that time that this Board would take the advice and recommendation of the findings of this Board. I have attended those meetings. I can say from being there that these proposals at best received a tie vote with one proposal being defeated six to four. In those meetings the people who were there at the time to express their feelings about the zoning that was proposed, overwhelmingly the people at those meetings opposed the type of zoning that was proposed. These are people that will be affected by it. These are people from western Chatham County. The findings of the Planning Board were that there is not a recommendation for zoning. I appreciate the expression of people tonight but here we are before the Board and now we have flipped flopped back to public input and I still support that. I wish it had happened earlier. For those that think zoning is going to protect you from the gun range we found that the noise ordinance did put an end to

that. There are ways to address issues without the blanket zoning that has been proposed up until now. For those that think that you are going to have zoning to prevent fracking our State legislators have already passed legislation that supersedes any local ordinances or zoning. You are not going to be protected from that. The noise ordinance and other things can address a lot of the issues. It would seem to me spending over \$300,000 for a comprehensive plan, which has been voted on and we are going to do, it would be reasonable to receive the input from that and hopefully that some people from western Chatham County will be allowed to serve on that advisory board. Prior to tonight there are very few people with little or no support for zoning. But whenever the findings of the Planning Board did not fit the agenda of those few people now we have others. I appreciate those people appearing tonight. I urge you to at least put off this zoning issue until we have the results of the long range planning and also take into consideration what up until tonight has been overwhelming support of the zoning that has been up until this time.

Wesley Seawell, 5210 Goldston Carbonton Road, Goldston, submitted the following comments:

I have lived here my whole life. It is the opinion of many in this room that most of the commissioners of this Board have decided to zone all of Chatham regardless of the Planning Board's recommendation. I hope that is not the case. It is also the opinion of many in this room that the Board thinks many people in western Chatham oppose zoning because zoning is a government intrusion and the people in western Chatham fear government mishandling. Let me try to articulate our concerns. While I agree with those in the west that hold this feeling, let me take a middle road approach. A study done by Michigan State University and posted on their extension website shows bad zoning is worse than no zoning. Interim zoning in western Chatham will not have the protection or even beneficial effects the commissioners promise, but the opposite. There are many who ask that the consultants Chatham County tax payers paid for with \$319,000, make a zoning recommendation and be allowed to do what they were paid to do before the Board votes to zone the county. Another point is that an article from the Journal of Economics is one of many scholarly works which show zoning has harmed a growing economy and actually created urban sprawl, something the Board says it wishes to protect against. There are hundreds of studies done by reputable universities and scientific think tanks that show a correlation between zoning, urban sprawl and a higher dependency on fossil fuels and pollution since businesses and homes are placed far apart to protect property values. I ask the Board to let the consultants do their job. Please do not arbitrarily zone west Chatham. Men and women smarter than you and I see zoning must be done thoughtfully and with great care. Before you ask us in the west to give up our property rights, and if that is too strong a word, share our rights, show us you have a plan in place before voting on zoning. Zoning that will not cause urban sprawl, hurt our environment and give us the protections you claim it will give us. Thank you for your time.

Sharon Day, 1312 Woody Store Road, Siler City, submitted the following comments:

I make my living with agriculture and have for twenty years. The land value does factor in to my retirement sense of well-being. I fully support the idea of good zoning and careful well thought out planning for all the reasons mentioned. I grew up in an area that was not well zoned and agriculture took a big dive and I would hate to see that happen here. I think we all want to stay and keep doing as much as we can. Chatham has become a bulls eye for development. We are right in the crosshairs nationally for development. I would love to say it was not so and that it was one

hundred years ago when we didn't need zoning but I am afraid that time is gone. Thank you.

Elizabeth Cox, 603 Flint Ridge Road, Siler City, submitted the following comments:

I am Elizabeth Cox. I reside at 603 Flint Ridge Road, Siler City NC. I am very much in the West of Chatham County as I am one mile from Alamance County and five from Randolph County. I am here to address the Board about zoning and beyond. I am disappointed in all the no zoning signs in the west that sit on properties that are already "zoned" so to speak in that they are agriculture lands and thusly protected as such. It would be good for all of us to be "informed" regarding what is currently designated. It is the governments right to use zoning solutions to ensure the health, safety, morals, and general welfare of their communities. Most especially when we are in such a mess with very dangerous decisions people have made with their lands without looking at consequences.

I am referring to the Dumping of sludge in Chatham County. The recent influx of coal ash which we were helpless to keep out, I have now learned, produces coal ash sludge that will be piped to the waste water treatment facility. A facility that cannot treat this type of toxicity and will release it as sludge, which will then be sprayed onto lands along bear creek. The recent report by the Water Keepers Carolina, "Sludge in Our Waters", says that the sludge contains the organic matter, nutrients, as well as heavy metals and chemical contaminants. These contaminants are then sprayed on lands and can make their way to our water ways and get into our drinking water supplies and our wells. Municipalities with past violations and high toxicity are currently dumping sludge here in Chatham. Alamance dumps three properties away from my house at the rate of 14 plus tractor trailer tanks in one day. That is in a well community and upstream from the Siler City Water Supply. Moncure will continue to dump and Lee County dumps here as well. My concern is for more than just zoning and looking at what buffers and protection we have from this toxic dumping all over Chatham County.

Karen Mallam, 810 Bucker Springs Road, submitted the following comments:

Honorable Commissioners Crawford, Cross, Hales, Howard, and Petty I thank you for the opportunity to speak in favor of the County adopting zoning. As a resident of Chatham County I would like to share with you my experience living in a different county that did not have zoning. In the mid 1980's my husband and I lived in Sussex County, VA, a county that had not adopted zoning. Then Smithfield Foods decided to begin raising their own hogs. Suddenly several property owners found that they had a commercial hog operation for next door neighbors, with at least seven confinement buildings and a football field sized open waste lagoon to collect the waste of some 40,000 hogs. Some of the sites had multiples of the seven buildings/one open waste lagoon/40,000 hog configuration.

Adjoining property owners complained about the extreme odor from the open waste lagoons. The stench was so bad, they could not open their windows, nor use their yards, nor cook on their outside grills. The odor persisted for a good two miles radius from the waste lagoons. Despite the promises of Smithfield that there would be no negative impact of their operations, there were numerous waste spills, either due to rain, clogged pipes that led to waste build-up in the houses to a depth that it was spewed out into the environment by the ventilation fans, or applying the waste to frozen or saturated fields. The only way the County was able to have any impact on the situation was to adopt zoning. Smithfield decided they would move these

operations elsewhere, in this case to North Carolina. I subsequently read about a hurricane in North Carolina, when over 500 of Smithfield's hogs ended up dead and in the waterways leading to Albemarle Sound and the beaches. I urge the Board of Commissioners to adopt zoning to protect Chatham County's citizens and environment.

Jeannie Ambros, 675 Lichen Trail, Pittsboro, submitted the following comments:

Eighty of a hundred NC counties have zoning ordinances in place. Let's make it 81. Since only 50% of Chatham County land is zoned, parts of our county could be more attractive to undesirable industries that are restricted in other areas. These businesses could lower property value-especially, if they contaminate the drinking water supply. We need a comprehensive land use plan as Chatham County's population increases and the development of Chatham Park and industrial megasites in Siler City and Moncure proceeds. Having the appropriate countywide zoning ordinance would facilitate this study to develop a plan that gives our "community some control over its land use, appearance, and quality of life in the future."

The Planning Board has received the pros and cons of the five zoning options from its subcommittee and their recommendation. After the Chatham County Board of Commissioners completes its zoning discussion, all of these findings could be presented in a table listing the pros and cons for each option. Also, a summary of current State laws that cover all the agricultural activities that allow farms to qualify for zoning exemptions or special use by the county and municipalities as well as a section on frequently asked questions [FAQs] could be provided. These fact sheets should be posted on the Chatham County Zoning website and made available as handouts at the Chatham County Board of Commissioner meetings, the public library, and the public hearings on zoning.

Richard Peter, submitted the following comments:

I didn't go to college, I don't know how to use a computer, but I have been around long enough to have seen a lot of things happen. I moved down here twenty-eight years ago from Long Island. I lived on a farm that was three hundred and twenty-five years old. Around us they decided they were going to have zoning and they zoned the immediate area. It built up within ten years. All of the sudden I had all kinds of complaints about flies, odor from the manure and commercial trucks parked on the farm. I beat them on every corner. Every time there was a complaint I beat them on it. They couldn't hurt me. But it got tiring and I quit. My wife broke her hip, we decided it was time to move. We came down and looked all around Georgia, South Carolina, North Carolina and Virginia and settled on Chatham County because it was the most rural area we could find that was dedicated to farming. We bought a farm down here and we started down here. When we said we were moving the people came to us and wanted to know why we wanted to leave, they loved our old farm. The only thing we could tell them is "you are the reason we are leaving." We are down here. Am I against zoning? Dam right. I don't want somebody telling me that all the property around me is going to be residential zoned but because I am grandfathered in I am a farm. If something happens to me and I want to move out I can only sell that to a farmer. It doesn't take a genius to figure out that if you can only have one market that market is going to beat you down. You aren't going to get a fair price for your land. Thank you for your time.

Sheila Beaudry submitted the following comments:

My name is Sheila Beaudry and I am here to tell you a story of what happens without zoning. In my birth county there is no zoning. My 6 brothers and sisters and I grew up in a house my grandfather built for us when I was 5. It is in a rural neighborhood of houses with a small cattle farm across a gravel (now paved) road and my best friend lived there. When her parents died and since none of the children lived in the county, the house and farm were sold to some folks from Florida who wanted to retire in the mountains. Unfortunately due to economic conditions he went bankrupt and a bank became the owner. The bank didn't care about keeping the neighborhood intact and had the house moved and now my 92 year old mother looks out over a vast paved parking lot of a Dollar General store. My mother had a stroke this year and when I investigated having her move to assisted living, I found her income was slightly over the amount to get any help with her expenses but only a third of what she would need to pay the bill. We had always thought the value of her home would provide that income when she needed it but we have found that no one wants to live in a home with a large business directly in front of their property. Her property has been devalued. If there had been zoning to protect the residential neighborhood there would at least have been a hearing where the neighbors had a chance to dispute the land use change. I am all for farms and hope Chatham continues to have a thriving farm community. I know zoning does not affect the farms, but when farms cease to become farms, they should be turned into something consistent with the neighborhood. Large tracts of farm land can become a quarry, an industrial plant, an airport, a landfill, a shopping center or a shooting range. These are also fine as long as they aren't in an inappropriate place for that activity such as a gun range next to an elementary school. Zoning gives the community a chance to look at the proposed use and protect citizens from inappropriate placement and from devaluing our property.

Martha Giralomi, 473 Mt. Pisgah Church Road, submitted the following comments:

I live in northeast Chatham and I am zoned. I was recently rezoned as Cary and when Chatham worked out the Cary Land Use Plan. I never would have moved to Chatham County, I lived in Cary for twenty years, if I came to an area that didn't have zoning, where I didn't feel like just anything could move in or anything could be done to my neighbor's land. Most of us, and the land that we own big or little, it is our major investment. In moving to Chatham County I was looking for a different quality of life. I didn't want to live in Cary. I wanted to be in a beautiful environment. I wanted to be where unexpectedly I wouldn't have a gas station or a commercial development. I felt like if I am living by certain rules and am benefiting from the rules then others would benefit from those same rules. Maybe I can't do just anything with the land I have but that is not right either. I live in a community and everything I do affects other people and it also affects the environment. We need to work in a unified way and I do support you going ahead with interim, strong zoning rules and your land use plan and doing it now. Thank you.

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

I have three thoughts. First of all, one of the things that always bugs me about stories in Chatham County is the story about the Army Corp of Engineers offering the Board of Commissioners the opportunity to pump water and charge a penny a gallon out of Jordan Lake. Where would we be today if Chatham County would be pumping those millions of gallons of water a day to the communities. So we need some commissioners that are forward thinkers instead of not the way we do things. The other thing that occurred to me was when Westfall was being rezoned, because it

was R-5, Michael Whitehead, President of MacGregor Development, told Alison Weakley that if she wanted rural she should have moved farther out. Here was a land owner, next door neighbor and the developer telling people to get out of where they live. Pretty disgusting. The other thing is twenty years ago I started my business in electrical contracting and I wired a house west of Pittsboro for one of our small green home builders. It was a different type of home builder than you find in Briar Chapel or the Governor's Club or Westfall. These are people that are building custom, really well built homes. That house was for Steve Seikop. A year after we finished that house, his next door neighbor applied for all the permits needed to have a hog farm. Steve living in an unzoned area and feeling that he was being threatened, it pushed him to work on our Planning Board in an attempt to make sure that things like that don't hit homeowners in the face all of the sudden. So it is twenty years ago and finally you guys are having some pretty good thoughts and I strongly support it and I appreciate all the work you are doing.

Phillip Cox, 610 Flint Ridge Road, submitted the following comments:

I saw the signs going up about no zoning so of course being the curious person I was I went to find more information about it. I went to the county website and found out that our zoning was unzoned. There are a lot of other zoning places but I decided to find out why we are unzoned, the benefits both good and bad. I found out from a paper done by Penn State looking into farmer uses that the benefits of zoning to farmers basically protected farmlands and agricultural areas from being over developed out of existence or sued out of existence. It is a good thing for farmers to protect their well-being and their livelihood. I also found out that Houston, a very large city, has no zoning. This really shocked me. It said in the article in Business Week that you can sit in a coffee shop and look across into a porn shop and right down the street is a bar or a church or anything else. It is interesting, they have a lot of other laws that supersede the zoning but still, I am not sure how that works for your property values. Of course I looked up the benefits and the drawbacks, the pros and cons of zoning. The pros outweigh the cons eleven to six. They bring up good points in a lot of cases, both positively. It protects you but also it may cause the cost of building new structures to rise. Enforcement may be a long term monetary concern for the county. There are a variety of pros and cons. Also notice that the disadvantage to zoning is that you can't do whatever you want to with your property. The good news or advantage is your neighbor also can't do whatever they want to with their property. As a result it works to everyone's advantage to have zoning. In my case, I live out in a wonderful agricultural area. I have my farm, I have my horse and chickens, the whole nine yards but the last thing I want is a mine coming in. I don't want sludge placed on a field near me, a stadium with lights on half the night, a dog pound with dogs barking half the night, a group home, landfills, airports, a party barn and fracking. Those things are all concerns pretty close to my house, party barns a few miles away just over the line in Alamance. Of course here in Chatham County we have seen all these things. In fact some areas that are already zoned faced a mine just recently. Why I think zoning is a good thing is because it protects me. It gives me stability to my property values. It protects me from outside interests that value their money over my quality of life. It protects the farmland and it gives me privacy. I support zoning because when it comes down to it we don't want our life, liberty and pursuit of happiness ruined by a neighbor who thinks their life, liberty and pursuit of happiness is better than yours. So we get to come together and talk about it. Thank you.

Judy Andrews, 300 East Perry Road, Pittsboro, submitted the following comments:

I am on the west side of Highway 87 which means I am unzoned. I have lived in Chatham County for almost forty-five years now and I consider this is my home. I am not going anywhere after this many years. I own one hundred and fifteen acres that borders Terrell Creek. I have recently put it under a conservation easement so the property cannot be developed through my lifetime. I want to say that I am speaking in favor of zoning. I hope that all those of you who I voted for and you are all sitting here will do as you said and get Chatham County, especially the western part of the county, zoned. Thank you.

Kate Dunlap, 1322 Mt. Olive Church Road, Pittsboro, submitted the following comments:

My name is Kate Dunlap and I live on Mt. Olive Church Rd., Pittsboro, which runs parallel to the Haw River corridor in the north-central part of Chatham County. When I moved here in 1981, my area was very rural, primarily a farming community that had been owned by some of the same families for generations. Several of those families graciously reached out to mine, and made us feel welcome in their neighborhood. Some of them also taught us, by example, about their traditions and culture. Traditions like not operating heavy, noisy machinery or doing business on Sundays. Traditions like consideration for your neighbors. And because we respected these people, we adopted some of these behaviors ourselves.

But times have changed. The old one-lane Chicken Bridge over the Haw River was replaced with a wide, two-lane concrete crossing. Making a living at farming has become increasingly difficult. Young people moved away, and old pillars of the community passed away. Many who were left needed to subdivide and sell off land to make ends meet. Development exploded. And, inevitably, so did conflicting interests about how the land could and should be used. New landowners do not always share the old values of taking care of the land and respecting the traditions of the areas they buy into.

In response to development pressure, and out of concern for water quality in the river, which ultimately supplies drinking water to many thousands of people, zoning was implemented in our area in 2007. I've heard concerns that zoning negatively affects farmers, a primary reason to oppose it. But there are still working farms very close to me, in the zoned area, that have continued to grow livestock, crops, and timber, unfettered. In fact, the process of harvesting timber is happening right now on tree farms in my community, apparently uninhibited by zoning regulations. And I believe that's how it should be. When I hear angry protests about how zoning is a particular affront and insult to farmers, I want to know specifically how that is true. North Carolina state law is very clear: All agricultural and forestry activities are exempt from zoning regulations.

In the spring of 2013, I participated in a county-wide survey that was developed by the Chatham County Economic Development Corporation. The results of that survey showed that a strong majority of Chatham citizens wish to see farms, open space, rivers and streams preserved; and, they want to see future residential and commercial development focused around existing towns and commercial areas. The then County Board of Commissioners unanimously endorsed this concept in July of 2013. But they acted on no further policy action to actually support it. These land-use concepts are part of the platform that several of you campaigned on in 2014, and you won your seats decisively. The current Commission is now in a position to give policy structure to the concept recommended by the EDC in 2013. We know that it will take several years to develop an up-to-date comprehensive land-use plan, but in the meantime, if you can use zoning to support these concepts -- unless there are real

examples of how zoning regulations would have a negative impact on them -- it's time to act.

It is my hope that Chatham citizens, landowners, and policy makers can have a rational, informative, and respectful conversation about how to move forward with developing our county. We can-- we must -- rise above the personal attacks and attempts to disparage the reputations of concerned and engaged citizens who may not share our opinions. We must remember that we are setting new examples, in a new culture. We must remember that our children are watching.

Jim Elza, 110 Christow Court, submitted the following comments:

Rumors, and misstatements do not serve us well. I have heard a lot of them over the past five months and I would like to address some of them:

"Only landowners should vote on zoning." When I went to the Army in 1966 they did not ask if I was a landowner. I will bet most of the soldiers at Ft Bragg are not. So, you can fight for your country but you can't vote? That dog won't hunt.

"This is a free country we ought to be able to do whatever we want with our land." Not exactly. The exercise of an individual's property rights is subject to the many laws. Currently in the unzoned area: floodplain, watershed, mobile home, junkyard, lighting, subdivision, health, and building codes are in effect and apply. If the exercise of an individual's rights results in a landfill or quarry, that exercise certainly impacts the rights of others. Zoning is a community function exercised by government for the safety and protection of the community.

"Zoning lowers property values." Property values are a function of multiple factors, that's why appraisers make money. As realtors will tell you "location" has a lot to do with it. As the people adjacent to the gun range, sewage treatment plant or landfill will tell you, property values can end up lower without the protection of zoning. I believe zoning does not lower property values, the reverse is true. Zoning is only one factor amid a great many that compose land value.

"I won't be able to sell my land under zoning." Preposterous. Of course you can sell your land. Subdivision of land into parcels and health rules on waste disposal have more to do with land parcel sales than zoning. Maybe this is what the person was thinking. Subdivision and health rules already apply countywide and have for years. Also, there are several exemptions which allow land sales without subdivision. I totally disagree with this notion that land sales is prohibited under zoning.

"Agriculture is exempt from zoning by state law." I think I heard a farmer say that once in five months of testimony. It's hard to believe but several folks do not acknowledge that such a law exists. At least they choose to ignore it at every turn. I worked for 35 years in planning in several counties in Minnesota, Iowa and North Carolina. All those counties I worked in had zoning countywide, all had farm exempt status, and it worked. In fact, in 1994 in Guilford County a farmer came to the Board and stated "he didn't want zoning." The Board said you have been zoned since 1964. I guess the regulation was not so onerous, he didn't know the county had been zoned for 30 years. He was farm exempt after all.

Farms are exempt. Wake, Orange and Durham all protect themselves with wall-to-wall zoning. They have farms. Yet we choose to accept the leftover land uses they don't want. If you need a land use like a landfill or a quarry; it easier in unzoned Chatham. Farms are exempt, why is Chatham County not protecting itself against

this assault on our property and people.

I sat where you are sitting for a little while, and I heard many citizen complaints about quarries and gun ranges. I also heard board members say, "we just can't do anything about that." What a cop out. Of course this Board can do something about land use. Adopt countywide zoning and put some regulations in place to protect our community. Be fair and recognize farm exemptions, and the farmer's right to pursue a livelihood. You can do this, it will work, it works all over North Carolina and the nation.

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

I would like to encourage the commissioners to stand strong in the face of opposition to county-wide zoning. These critics see this as a government intrusion on their rights as property owners or a threat to their financial well-being. I think some analogies are in order. These same people will complain about a government policy that forces them to buy car insurance, until they are involved in a car accident. I have another restaurant owner who didn't complain about inspections from the health department. Anti-government citizens would let the market decide which restaurants are up to snuff until one of their family members gets sick or dies. I don't think we have to wait for that to happen. And these property rights advocates will surely come back and demand that you do something if their neighbor opens up a mining pit or a loud night club next door. They only care about their rights, not others. We all know that zoning doesn't threaten farming in the county yet farmers continue to make that argument, some farmers. Times have changed and Chatham has changed. There are too many people here for you to do whatever you want to with your land and not impact your neighbor. There already has been an election on this issue. The majority of you ran on a platform on county-wide zoning and you won. If you promised free ice cream I would be standing here asking where is my ice cream. But you said you would zone the county so now I am asking you where is my zoning.

Sharon Garbutt, submitted the following comments:

We bought our home in a zoned area and we were willing to pay higher prices for our home for that reason. Our intention was to raise our family there, it is beautiful land. With the zoning we knew that it would continue to be beautiful land. One point I would like to make is zoning regulates to an extent what I can do with my land but it doesn't regulate a quarry next door, a frack pad next door, contaminated ground water from an industry, and farming would be out of the question if my ground water became contaminated by a large industry next door or even a short ways away. To me zoning is the protection that I need to be guaranteed to be able to do what I want to do. I would also like to point out that having non zoned areas in other parts of the county can affect me. For that reason I strongly support zoning in other parts of the county too. I live right now near where Chatham Park is going to be developed. No one can tell me that is not going to affect me. Having a large industry in any part of this county could send trucks barreling down Mt. Giliad Church Road from the asphalt plant, which would really affect my life. The whole county, we are all in this together. What happens in one part of the county affects other parts of the county just as much as it affects your neighbor. One thing that I would like to ask is that consideration be given to a lot of the small businesses in Chatham County. When I think of Chatham County that is what I think of. When I am in downtown Pittsboro on Saturday morning I think of all of those people that are mobbed down there in our shops and in our restaurants. I don't think they are coming to the Lowe's or the big box store, I think they are coming to our small businesses, our craft stores, our small shops. In this zoning I hope that those small family run businesses are protected. Thank you.

PUBLIC HEARINGS[15-1482](#)

Public Hearing on the Recommended 2017-2023 Capital Improvements Plan

Attachments: [Link to CIP](#)
 [CIP PowerPoint Presentation to BOC- 2017-2023](#)

Lisa West, Budget Analyst, presented a PowerPoint Presentation with an overview of the Capital Improvements Plan. (Presentation attached)

The Chairman opened the public hearing.

Jeffrey Starkweather stated he was speaking about the Northeast High School. There are 1,300 students at Northwood High School. Chatham Central only has 400 students. He does not think it is fair to the people in the northeast to continue to delay the high school. The research shows 1,200 students is as high as you want to go or else the middle students get lost. He stated students are spending a large amount of time traveling to and from school. He believes the county should build the high school now. He also believes the county should be working with the Town of Pittsboro and the School Board on the school sites for Chatham Park. The County required Briar Chapel to give the County two school sites. Chatham Park could have up to twelve school sites. Chatham Park should donate land for schools as well.

Dr. Bud Marchant, President of Central Carolina Community College, stated he would like to advocate the county consider moving up the Health Science Building to something more in line with what they originally requested, which was an opening date of 2018. Jobs will be available long before 2021. They want Chatham County students to be trained for Chatham County jobs in Chatham County. To do that they need to meet the demands of the growing healthcare fields that are going to be so lucrative in the terms of what they are offering to Chatham County students.

George Lucier, member of the CCCC Board of Trustees, stated he was advocating that the county begin construction of the CCCC Health Science Center sooner rather than later. He asked the CIP be revised so the building could be open by 2019 rather than 2021. He stated Chatham County is the second fastest growing county in North Carolina and this creates a demand for trained medical workers. Those jobs are going to happen sooner than 2021 and Chatham County students need to be able to be trained for those jobs. Chatham Park's first priority is building medical facilities and those jobs will be available in the near future. Galloway Ridge, Fearington and Carolina Meadows need trained medical specialists now. The Health Sciences Center will be a big draw for medical businesses considering Chatham County. Harnett County has a health sciences center. Lee County passed a bond referendum to build a health science center in Sanford. He doesn't want Chatham County to fall behind its community college partners in Harnett and Lee County. Building the health science center is a wise investment in the future.

*Nick Robinson read comments submitted by Kevin McCleod:
Good evening honorable Commissioners, my name is Kevin Mcleod. I am the Chief*

Executive Officer of Carolina Meadows, Inc. a position I have held for 9 years. Carolina Meadows employs many nurses, health care professionals and technicians in our 90-bed skilled health center and our 95-bed assisted living center located on the Carolina Meadows campus in Chatham County. I can say without hesitation that a CCCC Health Sciences building and corresponding health services training program located at the Briar Chapel location would be extremely well-received by Carolina Meadows, its hiring staff and its Board of Directors. The proximity of the Briar Chapel 15-501 site to our campus would doubtless facilitate and create employment opportunities for those attending the CCCC health sciences programs. It would be hard to imagine a better location and coalescence of missions and training than comprehensive health sciences curriculum facility located less than eight miles from our own campus. As a significant tax payer in Chatham County, Carolina Meadows would also welcome a CCCC health sciences campus and public meeting space located in the northeastern section of the County. Please give the 15-501/Briar Chapel site your utmost consideration.

Walter Harris, stated he has spent twenty-eight years as the administrator of the emergency department at the hospital in Chapel Hill. There was a study done in the 1970's on growth over the next thirty years and it showed 50% of the growth would be in the southeast and 50% of that growth would be in the Research Triangle area. There is a need for healthcare because people are going to come here. He has served as the chair of COJEMS, Chatham Orange Joint Emergency Medical Services, which brought the first 911 system into Chatham County. He has a little concern about education and seeing that people are prepared to provide healthcare to the citizens of the county. He encourages the Board to move up the Health Sciences facility as quickly as possible because there is a need.

Kirk Bradley, stated he is requesting the County move the Health Science building forward in terms of construction timing and also that the County look at the Briar Chapel location. He sees this as a continuation of the CC Works program and there is a need in North Chatham. That is where the healthcare jobs are today. The 15-501 corridor will provide a high profile and convenient location for the campus. The location will attract students from Chatham as well as southern Orange and Durham County. The Health Sciences building at that location can stimulate further commercial tax base. There are no public meeting conference facilities in North Chatham and there is also no permanent polling station and the building could provide this need.

Joe Glasson, stated he would like the Board to consider moving the Health Sciences building up in the CIP because the demand is there. He would also like the Board to consider that it is their responsibility to make sure the costs are reasonable. The future of that health/science corridor is attractive. If you put it at Briar Chapel the property tax and sales tax will benefit Chatham County. If you put it at the Pittsboro Campus the County won't get the same commercial growth and it will be within the Pittsboro ETJ. He asked the Board to think about the costs over time because this is about the future.

Barber Holmes, stated he is speaking about the health sciences building and he would like the Board to move it up in the CIP. He agrees with everyone who spoke previously. He not only wants to speak as a representative of the Community College Foundation but also as a citizen who grew up in Pittsboro and still works in Pittsboro. His father recently had a medical situation that caused him to need an IV administered daily for ten days. The doctors said he could receive this care at home and they offered suggestions for resources they could contact. He had a very difficult time finding a home nurse to go to the Cedars where his father resides to take care of

him. If he had to struggle in Chapel Hill at the hospital with people giving him advice on what to do, the demand for these jobs is only going to grow with Chatham Park and all the development in the county. He strongly urges the Board to move the health sciences building up in the CIP.

The Chairman closed the hearing.

Commissioner Petty asked the County Manager if staff could present to the Board at the CIP Work Session the possibility of using money from the Coal Ash Settlement Agreement with Duke Energy to fund the Health Sciences building project and then return the money that would normally fund the debt model back into the coal ash fund. He also would like Briar Chapel to consider donating the site to make the project more feasible.

[15-1483](#)

Hold a public hearing to permanently close a portion of Jack Bennett Road Right of Way as a result of NCDOT Condemnation for Safety Realignment and adopt an ordinance permanently closing said portion of right of way as described within exhibit A of attached Ordinance.

Attachments: [Jack Bennett Road Closure Ordinance 16Nov15](#)
[Resolution of Intent to Close](#)

Hillary Pace, Planner, reviewed the specifics of the request.

Nick Robinson, attorney on behalf of the applicant, was present to answer questions.

The Chairman opened the hearing.

No signed up to speak.

The Chairman closed the hearing.

A motion was made by Commissioner Hales, seconded by Commissioner Howard, that this Ordinance, 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

BOARD PRIORITIES

[15-1480](#)

Discuss Chatham Arts Council leasing space from the County.

The County Manager stated the Chatham Arts Council is in favor of moving to 118 West Street, the old EDC and County Attorney Office. They are willing to pay utilities in full until other tenants are found.

The County will recommend a three year lease with an option to renew.

The Building is not handicap accessible.

The Board agreed to move forward with leasing the space.

[15-1484](#)

Vote on a request to approve the membership structure of the Climate Change Committee.

Attachments: [Climate Change Comm](#)
 [Climate Change Comm2](#)

John Graybeal reviewed two different proposals of membership for the committee. One proposal included nine members which was previously approved by the Board. The second proposal included eleven members with two being representatives from Siler City and Pittsboro.

The Board agreed the County would have to ask the towns if they would be willing to appoint members. The County Manager will talk to the Town Managers.

Chairman Crawford clarified that the Climate Change Committee would fall under the Board of Commissioners' Advisory Committee Policy. This means the terms need to be three years and staggered.

Debra Henzey, Director of Community Relations, stated the document needs to state that the committee is part of the Advisory Committee Policy. Once the membership is decided the Advisory Committee Policy will come back to the Board with the Climate Change Committee's information added.

A motion was made by Commissioner Howard, seconded by Commissioner Hales, to expand the Climate Change Committee to eleven members pursuant to agreement from the towns and municipalities and subject to the advisory committee policy. The motion carried by the following vote:

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

[15-1478](#)

Discussion on Air Quality Monitoring at Brickhaven Coal Ash Site.

Dan LaMontagne, Public Works and Environmental Quality Director, spoke to the Board about the air quality monitoring at the Brickhaven site. He stated a baseline sample was taken on October 21, 2015. Coal ash began being hauled into the site on October 23, 2015. Another sample was taken on Thursday, November 12, 2015. He hopes to have a report back the week of Thanksgiving. Mr. LaMontagne stated there are actually twenty elements being tested for instead of the seven originally stated.

Commissioner Hales stated she would like to see tests done at regular intervals.

Mr. LaMontagne stated they would be increasing the number of trucks at a later date and that would be a good time to test again. Commissioner Hales suggested three week intervals.

Commissioner Howard stated she is worried about regular testing and predicting the weather. Commissioner Petty suggested testing based on the truck traffic.

Commissioner Hales asked how long it takes to get ready for a test. Mr. LaMontagne stated he needs to give three or four days' notice.

The Board agreed to test based on truck volume unless the tests indicated a need for other intervals. The Board also agreed once the coal ash is brought in by rail that testing should begin along the rail line. Mr. LaMontagne stated he would need the Board's permission to get a baseline sample along the rail spur. The Board agreed.

[15-1475](#)

Receive recommendation from the Planning Board in response to the Commissioners request for alternatives to open use zoning in areas of the county that are currently unzoned.

Attachments: [Attachment 1 PB Zoning Options map 36x24-Recommendation](#)
[Attachment 2 Alt to open use sub comm report 6-30-15](#)
[Attachment 3 Curtis Report chatham county land use interim options 08022015 sc minority report 11.16.15](#)

BJ Copeland, Chair of the Planning Board, walked the Board through the process the Planning Board went through to look at zoning. (Reports attached) Mr. Copeland stated the Planning Board began the process in 2014 by discussing options for dealing with the perceived threats of different kinds of uses. They gave the commissioners three or four options, recommending the county establish open use districts with permits for uses of concern. In February of 2015, the commissioners asked the Planning Board to revisit that issue and to consider additional options. That expanded the scope and included many land uses. The Planning Board formed two sub-committees. One focused on the land use planning project. The Planning Board recommended the County needed to get a land use plan done and the commissioners proceeded. The second sub-committee formed to deal with the alternative options. They struggled and in July of 2015 they brought back to the Planning Board a report, which included five options with pros and cons and definitions. The Planning Board accepted the report and began the discussion at the Board level. The Planning Board struggled for some time. There were intense discussions, the Planning Board heard from a lot of constituents and received petitions. After the discussion the Planning Board finally reached a conclusion at the October 2015 meeting. The Planning Board decided by a six to five vote to recommend the commissioners initiate some zoning activities east of Highway 87 and postpone any zoning activities west of Highway 87. In addition the Planning Board recommended the commissioners consider a county-wide ordinance dealing with gun ranges. The Planning Board voted ten to zero with one abstention to forward the commissioners the report from the sub-committee which includes the map attachment, the five options, the pros and cons plus an addendum by Stacy Curtis. This is the recommendation of the Planning Board.

Commissioner Hales stated she appreciates all the work the Planning Board put into this process. It was not an easy task.

Mr. Bill Arthur, Planning Board member, presented a Minority Report to the Board. (Report attached)

Cindy Dameron stated the Minority Report should have been made public prior to the meeting so the public could have commented on it during public input.

Commissioner Hales made a motion to direct staff to prepare a map and ordinance to extend zoning classifications to all unzoned portions of Chatham County, mapping all existing land uses, and consider a Residential-Agricultural zoning or an agricultural exempt classification and bring this back to a Board of Commissioner work session. Commissioner Howard seconded the motion.

Commissioner Hales stated "We have heard passionate speakers on the issue of zoning. Some believe that zoning destroys property rights and that property values will be negatively affected. Those are both false. Zoning is a nationwide land use

planning tool, including in North Carolina where there is long-standing authority granted to local government. Zoning stabilizes property values, which affects everyone in an area.

Some speakers opposed to zoning are already living in zoned areas, especially in the 3-mile Extra Territorial Jurisdiction surrounding Siler City that was zoned by the town 12 years ago.

Protection from neighbors. What you do with your property impacts your neighbors and their rights to enjoy their property. Property rights are reciprocal. Real estate is being sold in Chatham, and most buyers are not from around here. Zoning provides a legal process that allows neighbors to be heard when someone wants to do or build something that changes the area.

Chatham Unzoned. Chatham is surrounded by the zoned counties of Randolph, Lee, Orange, Durham, and Wake. If Chatham remains unzoned, we are vulnerable to every industrial and commercial use they won't allow. Things like a prison, chemical plant, tannery, wastewater treatment, pesticide mixing plant, railroad freight yard, concrete plant, landfill, fracking waste disposal, hazardous waste dump, garbage incinerator, quarry, commercial gun range, asphalt plants, or even an ATV race track. Some of these could operate 24 hours a day in any unzoned neighborhood.

With zoning, neighbor's concerns will be heard and can be acted upon by elected officials. If we stay unzoned, YOU have no legal rights to a public hearing and commissioners can't help you.

For instance, there have been 6 quarry permit applications in the past two years in Chatham County, and two most recent are within one mile of Chatham Central High School, just off Hwy 902. They can proceed with no requirement for any public hearing because they are in the unzoned area. Neighbors in the zoned areas have the opportunity to speak up when a subdivision developer petitions for a rezoning. In the unzoned areas, neighbors don't get to be heard until much later in the process.

Economics. Business wants zoning certainty before they invest. Jobs depend on whether a business feels secure in what could be located next door. Being unzoned is an economic liability, and discourages jobs. We are not living in 1955. The pressures on Chatham County are coming from the north, east and west. When Siler City attracts a major manufacturer to the Megasite, the landscape of the western half of the county will change overnight. Businesses and supporting industry will compete for land. Zoning is the right thing to do, NOW.

Farming. There has been a campaign of fear and misinformation about how zoning will negatively affect every farmer. It does not. The State of North Carolina says local governments CAN NOT apply zoning regulations to agriculture; and agriculture includes animal operations, crops, timber operations, nursery, horse farms, and gardening enterprises. All existing farm enterprises and businesses will be grandfathered so they continue operation and can expand in the future. The County could even consider a Farming Enterprise Zone as an additional tool to protect all farming related businesses, from trucking to roadside stands, to repair services that exist in every farming community. These businesses will be protected within zoning. All current uses on the ground are grandfathered and will be unaffected.

Existing farmland: Chatham has 25,690 acres in voluntary agriculture districts; another 2,050 acres in Agricultural Easements, and even more agriculture land that will be protected with zoning.

Rural way of life. I want to continue to enjoy my property on the Rocky River. But it, too, is dependent on what happens to surrounding large properties when they are sold. I ask Planning Staff to consider a Residential-Agricultural district that would promote a compatible mixture of agriculture, forestry, conservation, and very low density residential uses where few public services will be needed. Or, perhaps this could be an item for consideration in the Comprehensive Land Use Plan. Protection of the environment, preservation of prime farm land, and the continuation of rural lifestyles are important goals to all.

Comprehensive Land Use Plan. This 2-year planning process is about to begin and this document helps us as a community to determine what we value and what Chatham might look like in 25 years. Citizens will be invited to come together in small meetings across the county to determine what we value in our neighborhoods and how we might grow. At the end of it, with lots of citizen input, our zoning will be reviewed and revised, where needed, across the County to reflect community concerns.

This thoughtful, citizen-focused process should be compatible with what the former BOC adopted in their Conceptual Land Use Plan.

Our job. Make policies for whole county. This is in our best interest.”

Vice Chair Cross stated rock quarries are permitted at the state level, the county does not permit them. Usually what happens is the County will request the Division of Environmental Quality to hold a public hearing on the quarries like the County did for the quarry over in Goldston. He believes there were only two commissioners present for that hearing. The County has nothing to do with the public hearings or those permits. They are sited based on the geological aspects of what is in the ground. One of the things Chatham County has that is important to industry along the 421 Corridor is a tiny stone they use on roofing shingles. The zoning would have nothing to do with fracking as the county has a moratorium on fracking. One citizen sent a letter to the Board stating if there was zoning when the coal ash situation started maybe it could have been stopped. He stated that property has been zoned for one hundred years. It has always been the Moncure Industrial Area. He understands there is a lot of emotion on both sides. As Mr. Copeland pointed out these conversations started on open zoning in 2014 and when the current Board of Commissioners started, open zoning was the Planning Board's recommendation. There would be small meetings and the Board agreed to this. The citizens could be part of the process to list what they don't want built beside their house and then the County could put that under open zoning. That would cover all the things being discussed. Then this Board said it was going to pass this to the Planning Board and it help set up two sub-committees. Now the Planning Board has worked hard and come back with a recommendation and all he hears is the Board disregarding all of their work.

Vice Chair Cross made a motion to follow the Planning Board's recommendation. He stated the County has a consultant working on the land use plan and all that will be accomplished by going forward with Commissioner Hales' recommendation is to create more animosity in the County. Commissioner Petty seconded the motion.

The Chairman clarified that the second motion needed to be handled before the first motion. The County Attorney stated the second motion is out of order. Vice Chair Cross must amend the first motion and the amended motion would be considered first.

Vice Chair Cross made a motion to amend the original motion to follow the Planning Board's recommendation. Commissioner Petty seconded the motion.

Commissioner Howard stated she disagrees with the premise that the Minority Report is not valid. There was nothing new added in the report. For the reasons stated in the report she believes just zoning east of Highway 87 is a complete waste of time. It delays the inevitable. She stated she ran on a platform of zoning the County. To do otherwise right now does a disservice to the work the Planning Board did. She is siding with a view that is very well held and one the previous Board agreed with and failed to put in place a map or any ordinances to give it teeth.

Commissioner Hales stated she would like to question Vice Chair Cross' indication that zoning has no impact with the quarry. She believes the people of Siler City have seen otherwise. In the Siler City ETJ a quarry was proposed but because of the zoning the commissioners in Siler City said no. You can say no with zoning. Quarries do have a state permit but when it comes to a zoning issue if a quarry wants to open up in an area that is not zoned for it, the commissioners can have a public hearing and say no. The legislature has said counties cannot zone out fracking but fracking has a lot of components. One of them will be the management of their waste products. Chatham County has nine clay mines; one of those is now holding coal ash. The other nine could serve as waste dumps for any number of things. She believes there is a place for zoning. She will vote against Vice Chair Cross' motion.

Commissioner Petty stated the actions proposed by Commissioner Hales circumvent the process that the commissioners asked the Planning Board to go through by bringing the commissioners a recommendation. The majority of the Planning Board recommended that the County not zone west of Highway 87. That is democracy. He stated Commissioner Hales appointed the majority of the Planning Board that viewed exactly the way she did. He stated she thought the recommendation was a shoo-in. They listened to the public and she is not listening to the public. People in the County chose to live where they do whether it is zoned or unzoned, whether it is next to a grocery store or five miles from the grocery store. He stated it is on the commissioners' shoulders to do what they were appointed to do and that is to represent the majority of the people and follow the process of democracy. The Planning Board has recommended what it thinks the commissioners should do and he believes the commissioners should follow their recommendation. There is a difference in altering someone's service, changing an offering of a service or taking away a service and messing with someone's property rights. If zoning doesn't change anything then why are they pushing for it?

Commissioner Hales stated zoning doesn't change for agriculture. Commissioner Petty stated Agriculture is exempt from having constraints on them for agricultural purposes. The Board is not constraining what they can do for agricultural purposes, it is telling them what they can and cannot do with their property and that is where he has a problem. The Board isn't telling them they can't farm or produce agriculture, the State has taken care of that. But the Board is telling them they can't do what they want with their property. There are people who live in zoned areas that are saying that the unzoned people need to be zoned. What if they don't want to be zoned? They may not want to live in a zoned area and maybe that is why they moved there. The County should honor that.

Commissioner Petty stated the previous Board's intent that started this in 2014 was to address the issues of concern taking place in the county. The Board went to the Planning Staff and the Planning Board and asked what options the County has. The best option that this Board originally agreed with was open use zoning. He stated if

the Board had stayed with the plan the county would be almost there today. They are getting a lot of pushback now because they are telling the people what they are going to do. He stated the Board keeps saying they are going to have public input but the problem with that public input is they are telling the people here are your choices. That is not the type of public input the people want. They want to say what they want their communities to look like and the County should honor that. Those people have made the investment to buy their property and care for their property for many years to come.

Commissioner Petty stated every issue mentioned of concern, whether it be rock quarry or fracking, those concerns can be addressed with open use zoning. He believes the Board could have gotten all citizens to buy in to that. But the Board is taking it upon themselves to do it. If the Board had stayed on track, involved the public and had the community meetings then the Board would have had buy in and people would not be fighting them tonight. He stated the Board would not have a problem getting everyone to admit that there are issues of concern or disagree that there is a need for comprehensive land use study. There isn't anyone in the room that doesn't agree there are industries that need regulating or that agriculture needs protecting. He doesn't believe the Board is protecting agriculture, it is already protected. What the Board is doing is limiting the agriculture. He believes everyone agrees environmental protections need to be in place and that can be done with ordinances. Open use zoning is a good middle ground approach that will fix this problem. This problem is not an either or problem, it is not either zoning or not zoning. It is working together to come to a consensus that makes everybody happy. He stated if the Board would go back to having the community meetings and ask the citizens what they want their communities to look like then they could take that information and make a decision.

Commissioner Petty stated there is a contractor hired to do a comprehensive land use plan for over \$300,000 and now the Board is saying it is not going to wait for the plan. He stated it was said the businesses would be grandfathered in and he does not doubt that but he has two concerns. He has a business located on his farm. The business is not agriculture related. If his property were zoned he would have to come ask the Board's permission to put that business there. Now the Board is deciding what people can and can't do with their property. The biggest problem for new businesses is startup costs. The biggest thing you can do to help them is get out of their way. If he had to start his business in an industrial park it would be questionable as to whether he could survive. People that own property and own a building and want to start a business in it should be allowed to do that. If it is a questionable industry then there is something to talk about. Those can be handled through the open use zoning. There was a plan in place, there could have been citizen input, a plan could have been developed and the issues of concern could have been reviewed to decide whether or not they made sense.

Commissioner Petty stated it has been said the businesses will be grandfathered in. Two months ago he heard Commissioner Hales ask the Board to stop ST Wooten because they were disrupting the community. He stated ST Wooten was there first. He stated six months to a year from now what is to stop her from asking the Board to stop him and Atlantic Power Solutions from operating because she doesn't like what they are doing out there. He was grandfathered in but it doesn't matter. He stated Commissioner Hales tried to stop ST Wooten by telling the Board to find a way to get the State to start buying asphalt somewhere else so that they have to shut down.

Commissioner Hales stated she was presenting a request from a citizen and was not making that request on her own. She was simply forwarding the citizen's idea. Commissioner Petty stated there is a problem anytime the Board can go back to

businesses grandfathered in and find ways to put them out of business. That concerns him saying these businesses will be protected. There are a lot of small businesses in rural areas because the cost of starting the operation was low and it has allowed them to succeed and employ several people. He stated if they don't need water and sewer or law enforcement or big roads for truck traffic then let them locate in rural areas. That is why people buy the property and own it, so they can do with it what they want to. He understands the concerns of a neighbor and that what one does affects their neighbor. He respects that concern but there is another way to get there without blanket zoning the county. The citizens need to be involved.

Commissioner Hales stated she would argue the citizens have been part of the process.

Commissioner Howard stated members of the Board were elected on county wide zoning. She believes the greatest disservice Commissioner Petty has done is the fear mongering and the misinformation that has been spread and the attitude that somehow zoning is some blanket one size fits all idea. If someone were going to suggest that the Board do something like shut down a business, the rest of the Board would presumably speak up. That is not what happened. Mischaracterizing statements, results and how this is going to move forward is not productive. It is the root of creating the discourse and the level of conversation that has happened, the inane advertisements and commentaries that have gone on the past several months. It did a disservice to the Planning Board as they went through their process and it is a disservice now. There is a Board that reflects what the majority of Chatham County thinks. The vote hasn't been heard but assume Commissioner Petty's assumption is right. It is not three people who got on the Board and came to a conclusion on their own. These are things people feel strongly. She stated thirty people spoke tonight and twenty-five spoke in favor of zoning. Every individual who has spoken to her or written to her has spoken in support of zoning. If anyone felt anything negative they did not sit down and have a conversation, it was the fear mongering and the disingenuous advertisements. That is not the way to accomplish something. There was a great effort by everyone on that Planning Board to work together and collaboratively. If there was a western voice lacking it was because Commissioner Petty did not appoint someone from the west when he had the opportunity to do so. They each had an opportunity to appoint someone on the Planning Board.

Commissioner Petty stated he tried to put three people on the committee for the comprehensive plan and the Board voted all three of them down and they were all from the western part of the county.

Commissioner Hales stated Commissioner Petty made his two appointments to the Planning Board and neither was from the west. He appointed Brian Bock who lives on 15-501 and he appointed Gene Galin who lives off of Manns Chapel Road in Pittsboro. Commissioner Petty's appointments on the Planning Board did not reflect the unzoned areas. She stated Chairman Crawford, Vice Chair Cross and herself have four appointments on the Planning Board that are from the unzoned area.

Commissioner Hales stated she called Randolph County to find out why they are zoned because they're culture is very similar to western Chatham. She was told by their County Manager that the farmers came to the county for zoning because of their concerns with growth coming down from the north and growth coming up from the south. She stated all of Chatham's farms are not in the western part of the county. They are in the center and they are in the south of the county as well. The idea that zoning is inherently evil and is going to cost you something as an American citizen she believes is not substantiated by fact. The fact is most of the State of North Carolina is zoned. The pressures are going to be immense, a megasite that

everyone is hoping for. She is inside Siler City all the time and the pressures that a megasite would bring in would be unbelievable and it is not going to stay in Siler City. It is going to go everywhere. She went to every one of the Planning Board meetings and sub-committee meetings but one and she listened to the discussion. She has heard the same people many times. She didn't hear good arguments on why the county should not zone. She asked who is buying up Chatham County. It is not other Chatham County residents. People are coming in from mainly zoned areas across the United States. She asked if they are afraid of zoning or are they afraid of not being zoned.

Commissioner Petty stated if they come from zoned areas and want zoned areas then let them move into a zoned area. He stated Commissioner Howard stated the Board heard from twenty-five of thirty people in favor of zoning tonight. He asked if they were overlooking the hundreds of cards received, the emails, and signed petitions. He stated half the people have gone home because they haven't been heard. He wish they had moved this discussion up on the agenda because a lot of people got tired and went home. There were hundreds of cards mailed, there were emails, there were petitions signed, people spoke at the Planning Board meetings and there may not have been that many to speak tonight but you can tell by the size of the crowd that is why they were here. Just because they didn't speak up doesn't mean they do not care. Some people just aren't as willing to be vocal as others but that doesn't mean they don't have an opinion. If they weren't concerned they wouldn't be here. He stated they said what they wanted to say in smaller crowds. They would say what they wished even more in small community meetings.

Commissioner Petty stated people don't think zoning is evil. The people agree that there are things that need to be addressed but they want to have some input. If the Board would go back to the community meetings or if the Board would have never abandoned the community meetings this would be a done deal now. But the Board didn't do it and a year has been lost. He doesn't know that there is anything else he can say at this time to show that these people have a valid point and change the mind of the other commissioners. He asked the Board to listen to what the people said, not just tonight, but also over the last several months this has been going on. He also asked to put the community meetings back on the schedule to give people an opportunity to have a voice in what they want their community to look like rather than the Board deciding and going to them saying here are your choices.

Chairman Crawford stated he would like to speak not as Chairman but as Commissioner Crawford. He has gotten an education this year in terms of this great animosity that seems to reside in the County and it has kept him awake at night and it hurts. He feels responsible because it is a five member Board and it is often his number three vote that gets them into these predicaments. He feels he owes the citizens an apology. He would like to find the quickest way of moving to a next phase where the County is working jointly on a comprehensive land use plan where everybody knows the outcome will actually come up with zoned maps of the community going forward. The land use plan is a guide but zoning ordinance is what is happening on the ground, it is an effective implementation of the plan. He stated he would be voting against the recommendation of the Planning Board and he would be voting for implementing residential zoning as a starting point. He wants everybody to know that as the County moves forward, it moves forward as one County. From residential you can go into commercial, if you are agriculture you are already exempt. There will be a map that will show everybody who is agriculture. As the Chairman of the Board he anticipates within a matter of months if not weeks there will be people nibbling at the bait for the megasite. He is very much chagrin to show them a map that has unzoned across from this property that they propose to put billions of dollars in. In his mind it says the County hasn't made up its mind what it is going to do out

there and it is because of this stumbling block that people who live in the west or people who have been here a long time don't like people moving in from outside. In some parts of the County Chapel Hill is a bad word. He stated don't sell your property to them and they will stop coming but until that time you will have to deal with the consequences. One of the consequences is people who move in who now constitute a political majority believe in zoning. He stated you can walk away and be mad at him or mad at all the members that are voting tonight but you are going to have to get over that and come back to the table for the long hard work of coming up with a plan that does reflect exactly what you want in your neighborhoods and that the County will implement. The only way to get it done is through the mechanism of zoning. The County Board and the Planning Board actually have this authority. What has been argued is whether or not the County is going to function as a modern County. He proposes to answer that with his endorsement of zoning. It was not his initial position but he has been educated by the meetings he has attended and the tenor of this discussion. He thinks Chatham needs to stop going down this cul-de-sac where people smack each other with brick bats. The County is going to move forward together and under the ages of a plan and that plan will have zoning built in.

The Chairman called the vote.

Commissioner Petty stated he does not apologize for his position but he apologizes for his emotion. It is not a personal attack when he tries to express his position and opinion. He realizes he may get a little loud sometimes. He feels very strongly about and a lot of people do. He apologizes for anything that might have been perceived as rude or out of place but he does not apologize for his position.

A motion was made by Vice Chair Cross, seconded by Commissioner Petty, to amend the original motion to follow the Planning Board's recommendation. The motion failed by the following vote:

Aye: 2 - Vice Chair Cross and Commissioner Petty

No: 3 - Chairman Crawford, Commissioner Hales and Commissioner Howard

A motion was made by Commissioner Hales, seconded by Commissioner Howard, to direct staff to prepare a map and ordinance to extend zoning classifications to all unzoned portions of Chatham County, mapping all existing land uses, and consider a Residential-Agricultural zoning or an agricultural exempt classification and bring this back to a Board of Commissioner work session. The motion carried by the following vote:

Aye: 3 - Chairman Crawford, Commissioner Hales and Commissioner Howard

No: 2 - Vice Chair Cross and Commissioner Petty

[15-1477](#)

Discuss 2016 BOC Meeting Calendar

Attachments: [2016 BOC Meeting Calendar Vs. 1 11.02.2015](#)

The Clerk stated the Board needed to decide on what time to call a meeting the first Monday in February in the event a meeting needed to be called. Due to the Annual Cooperative Extension Luncheon at Noon, the Board agreed to call a meeting at 10:00 AM on February 1, 2016 if a meeting needs to be called.

MANAGER' S REPORTS

The County Manager gave a status report on the work with CORA to alleviate their building situation. Staff is looking at the possibility of expanding the existing building on site if the interior of the existing building can be renovated. The County Manager spoke to CORA's Executive Director and they feel this is a plan that should be examined before moving them somewhere else due to their proximity to Social Services. There should be a report back soon on the feasibility of that.

The County Manager has been asked by the Chair and Vice Chair to mention the Coal Ash funding that the County will be getting. Six million dollars has been received so far and over the next five years as they continue to bring in the ash the County will receive the balance of eighteen million dollars. Staff plans to bring the Board a plan for spending those funds next week at the CIP work session. If the commissioners have any additional ideas for how the funds could be spent they should submit those ideas to the County Manager by the end of day on Thursday, November 19, 2015.

COMMISSIONERS' REPORTS

The Commissioners discussed their participation in the four local Christmas Parades.

CLOSED SESSION

[15-1485](#)

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

A motion was made by Commissioner Hales, seconded by Commissioner Howard, to go out of the Regular Session and convene in Closed Session for the purpose of discussing economic development, land acquisition, and personnel. 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