



Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, June 20, 2016

6:00 PM

Historic Courthouse Courtroom

Rollcall

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

Work Session - 3:00 PM - Historic Courthouse Courtroom

PUBLIC INPUT SESSION

No one signed up to speak.

BOARD PRIORITIES

[16-1747](#)

Presentation by Dr. Richard Bonanno, Director of North Carolina's Cooperative Extension Service

Attachments: [ARB CCC Presentation_062016.pptx](#)

Dr. Richard Bonanno, Director of North Carolina's Cooperative Extension Service, presented a PowerPoint and distributed handouts to the Board. (Presentation attached).

Commissioner Petty stated he thinks it is important to see collaboration between the State and the County. He understands a lot of our agricultural commodities are being exported from Virginia and they get the credit for those exports when a lot of product comes through North Carolina. He wants everyone to understand the level of commitment from Chatham County. He is glad we have two area specialists right here in Chatham. He would like to find some way to get agriculture teachers back in the High Schools. He thinks kids need to be able to associate where their food comes from. More kids would show interest in that field if they understood the field.

Dr. Bonanno stated the local food movement has rekindled people's thoughts about agriculture. He is working with his 4-H programs to see how they can connect people back to their food supply. The food supply has to be diverse. People spend 15% of their gross income on food.

Commissioner Petty asked about funding invested in Agriculture from the NC Connect Bond. He also asked about food safety as it pertains to food being imported. Dr. Bonanno stated there was \$85 million dollars in the NC Connect Bond for a new plant sciences building at NC State University. NC State raised half the money for the building. They don't make more land and there is only so much of it out there. They have to be able to produce more food per acre. There are seven rules in the Food Safety Modernization Act, one specifically deals with imported produce. Imported food in general is not as safe as our own food. City people and farmers tend to be able to handle more germs unlike people in suburbia. The public has gotten used to having food all year, not just when it is in season. You don't always know what you are getting and you can't possibly inspect everything.

Vice Chair Hales asked when schools stopped having Agriculture teachers in the high schools. Dr. Bonanno stated there are still a lot of teachers but it varies by county. Sam Groce, Director of Chatham County Cooperative Extension, stated there is one agriculture teacher in each of Chatham County's high schools. Surrounding counties have a lot more. Vice Chair Hales asked how the agriculture teachers are paid. Mr. Groce stated they are paid through the County School Board. She asked about STEM education. Dr. Bonanno stated 4-H is doing things with STEM education.

Commissioner Howard asked if there is some aspect of Cooperative Extension that nurtures beyond the traditional farming communities. She is thinking particularly about Chatham County's Hispanic community. She believes high school is a little late to introduce a child to agriculture. Dr. Bonanno stated there are programs to connect the Hispanic community to agriculture but they can still do much more.

Chairman Crawford stated there will be increased poultry production with the new processing plant in Chatham County. He believes the eating local movement will help sustain and preserve our agricultural sector in the county. He asked if there are there any immerging problems facing the piedmont area. Dr. Bonanno stated the availability of land, people living close to each other, regulatory issues and the soils here not being very good. Also run off issues, cost of production per acre, taxes and labor regulation. Dr. Bonanno stated if farmers get to keep 10% or more of their gross income they are considered to be doing well.

The Board thanked Dr. Bonanno for his presentation.

This Agenda Item was received and filed.

CLOSED SESSION

[16-1740](#)

Closed Session to discuss matters relating to economic development and attorney/client privilege.

A motion was made by Commissioner Petty, seconded by Commissioner Cross, to approve going out of the Regular Session and convening in Closed Session to discuss matters relating to economic development and attorney-client privilege.. The motion carried by the following vote:

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

ADJOURNMENT

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

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

End of Work Session

Regular Session - 6:00 PM - Historic Courthouse Courtroom

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

INVOCATION and PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

Chairman Crawford welcomed those in attendance and called the meeting to order at 6:00 PM.

APPROVAL OF AGENDA and CONSENT AGENDA

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

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

[16-1752](#)

Vote on a request to approve the April 18, 2016 Work and Regular Session Minutes, the May 2, 2016 Regular Session Minutes, the May 16, 2016 Work and Regular Session Minutes, the May 17, 2016 Budget Public Hearing Minutes, the May 19, 2016 Budget Work Session Minutes and the May 20, 2016 Budget Work Session Minutes.

- Attachments:** [Draft Minutes 04.18.2016.pdf](#)
[Draft Minutes 05.02.2016.pdf](#)
[Draft Minutes 05.16.2016.pdf](#)
[Draft Minutes 05.17.2016.pdf](#)
[Draft Minutes 05.19.2016.pdf](#)
[Draft Minutes 05.20.2016.pdf](#)

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

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

[16-1736](#)

Vote on a request to adopt A Resolution Approving The Addition Of Streets in the Horizon Subdivision to the North Carolina System of Secondary Roads

Attachments: [2016.05.12 Resolution Request Package.pdf](#)
[Horizon Subdivision Resolution.doc](#)

A motion was made by Commissioner Cross, seconded by Commissioner Petty, that Resolution #2016-22 Approving The Addition Of Streets in the Horizon Subdivision to the North Carolina System of Secondary Roads, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[16-1739](#)

Vote to approve FirstHealth Amendment to the EMS Agreement and authorize the County Manager to sign the Amendment.

Attachments: [FH-EMS Chatham County-Short Term extension agreement-06 07 16](#)

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

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

[16-1735](#)

Vote to approve the Lease of county-owned property located at 964 East Street, Pittsboro (also known as the Performance Building) and 320 South Chatham Street, Siler City, to FirstHealth of the Carolinas for EMS Station and authorize the County Manager to execute the lease.

Attachments: [FIRSTHEALTH LEASE PITTSBORO PERFORMANCE BUILDING 2016-FINAL](#)
[FIRSTHEALTH LEASE SILER CITY SITE 2016 with RECITALS FINAL](#)

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

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

[16-1717](#)

Vote on Request to Approve Amendment to Lankford Protective Services Contract and authorize the County Manager to execute

contract.

Attachments: [Lankford Protective Services Contract Amendment Full.pdf](#)

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

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

[16-1720](#)

Vote on a request to approve listed contract for Social Services for the fiscal year 07/01/2016 to 06/30/2017

Attachments: [Contract -FY17-1908 Chatham Transit Network](#)

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

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

[16-1725](#)

Vote on a request to approve contract for Carol Holcomb, Attorney-At-Law (Holcomb & Cabe, LLP) for Social Services legal counsel for the fiscal year 07/01/16 to 06/30/17

Attachments: [Contract -FY17-1902 HolcombCabe Children'sServices](#)

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

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

[16-1737](#)

Vote on request to approve a utility and pipeline easement to the Town of Cary and authorize Renee Paschal, County Manager, to sign the easement on behalf of the County.

Attachments: [2A Chatham County](#)

[Parcel 2A - Chatham County](#)

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

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

[16-1754](#)

Vote on a request to approve Fire Protection Contracts for Chatham County Rural, Volunteer, Town and Partner County Fire Departments

Attachments: [6-13-16 Final MARKED FIRE DEPT CONTRACT DRAFT CLEAN Town and City Final Draft FIRE DEPT CONTRACT AGREEMENT](#)

A motion was made by Commissioner Cross, seconded by Commissioner

Petty, that these Contracts, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

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

[16-1655](#)

Vote on a request to approve Jason & Ashley Rivenbark to rezone Parcels No. 83841 and No. 83271, being 5.63 acres of Parcel No 83841 and 0.26 acres Parcel No. 83271, located approximately 1/3 of a mile south of the intersection of Pea Ridge and New Elam Church Road, from CD-NB (Conditional District - Neighborhood Business) to R-1 (Residential), Cape Fear Township.

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

A motion was made by Commissioner Cross, seconded by Commissioner Petty, that Resolution #2016-23 Adopting a Consistency Statement for the Approval of Rezoning Property to Residential (R-1) for Jason Rivenbark, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

A motion was made by Commissioner Cross, seconded by Commissioner Petty, that the Ordinance Amending the Zoning Ordinance of Chatham County for Jason Rivenbark, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[16-1721](#)

Vote on a request to approve NNP Briar Chapel for subdivision final plat review of Boulder Point Drive Extension on 4.75 acres, Baldwin Township, parcel #'s 87024 and 82828.

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

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

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

[16-1722](#)

Vote on a request to approve NNP Briar Chapel for subdivision preliminary plat review of Briar Chapel, Phase 10, consisting of 99 lots, on 19.40 acres, Baldwin Township, parcel #2714.

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

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

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

[16-1594](#)

Vote on a request from Jim Staples of Opus Financial Advisors for a text amendment to the Chatham County Watershed Protection Ordinance to add the use of Office - Business and Professional no larger than 4,000 sq. ft. gross and Events Center Limited with no more than 4,000 sq. ft. gross to Attachment A of uses permitted.

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

A motion was made by Commissioner Cross, seconded by Commissioner Petty, that this Ordinance Amending the Watershed Protection Ordinance of Chatham County, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[16-1556](#)

Vote on a request by Nina Staples Lloyd of Opus Financial Advisors for a conditional district Neighborhood Business for General and Professional Office and Event Center Limited on property located at 4421 Mann's Chapel Road, Baldwin Township.

Attachments: [More Information from Planning Department Website](#)
[Chatham County Opus FA.pdf](#)

A motion was made by Commissioner Cross, seconded by Commissioner Petty, that Resolution #2016-24 Adopting A Consistency Statement for the Approval of a Rezoning Request for Opus Financial Advisors, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

A motion was made by Commissioner Cross, seconded by Commissioner Petty, that this Ordinance Amending the Zoning Ordinance of Chatham County for Rezoning to Conditional District Neighborhood Business on behalf of Opus Financial Advisors, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[16-1733](#)

Vote on a request to approve the JCPC FY 2016-2017 funding plan, certification, and annual plan.

Attachments: [Annual Plan](#)

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

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

[16-1734](#)

Vote on a request to approve the Home and Community Care Block Grant for fiscal year 2016/2017 as recommended by the Advisory

Committee appointed by the County Commissioners.

Attachments: [HCCBG-731 16-17 Committee Recommendation \(1\).xlsx](#)
[HCCBGPlanningDocuments.pdf](#)

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

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

[16-1699](#)

Vote on a request to approve an Appointment to Central Piedmont Community Action Inc.

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

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

[16-1753](#)

Vote on a request to approve an Appointment to the Planning Board

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

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

[16-1708](#)

Vote on a request to approve reappointment to Recreation Advisory Committee

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

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

[16-1709](#)

Vote on a request to approve reappointments to Library Advisory Committee

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

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

[16-1716](#)

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

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

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

[16-1749](#)

Vote on a request to approve reappointments to the Environmental Review Advisory Committee.

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

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

[16-1751](#)

Vote on a request to approve a reappointment to the Agriculture Advisory Committee

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

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

[16-1748](#)

Vote on a request to approve FY 2015-2016 Budget Amendments

Attachments: [Budget Amendments 6-20-16](#)

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

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

[16-1718](#)

Vote on a request to approve the recreation grants to towns policy.

Attachments: [Recreation Grants to Towns Policy](#)

A motion was made by Commissioner Cross, seconded by Commissioner Petty, that this Policies and Procedures be approved. The motion carried by the following vote:

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

[16-1719](#)

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

Attachments: [May 2016 Receipts Report](#)
[May 2016 NCVTS Pending Refund Report](#)

A motion was made by Commissioner Cross, seconded by Commissioner Petty, 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 Hales, Commissioner Cross, Commissioner Howard and Commissioner Petty

[16-1726](#)

Vote on a request to approve a Pyrotechnics Display at the Governor's Club Clubhouse on July 4, 2016

Attachments: [Attachment A-NCG.S. 14-410.pdf](#)
[Attachment B-Pyrotechnic Display Request.pdf](#)
[Attachment C-NC Pyrotechnic Display Operators License.pdf](#)
[Attachment D-Certificate of Insurance.pdf](#)
[Attachment E-ATF License Permit.pdf](#)
[Attachment F-Display Area Drawing.pdf](#)

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

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

[16-1731](#)

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

Attachments: [Riverwood Drive Petition](#)
[RIVERWOOD DRIVE](#)
[Rocky Trace Road Petition](#)
[ROCKY TRACE ROAD](#)

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

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

[16-1730](#)

Vote on a request to approve a request to hold a public hearing at the July 18th Board of Commissioner's meeting and to receive comments on the naming of one (1) state maintained road in Chatham County.

Attachments: [Top Chord Petition](#)
[Top Chord Way](#)

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

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

[16-1738](#)

Vote on a request to approve a request to set a Public Hearing for July 18, 2016 on the draft Stormwater Ordinance Revision

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

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

[16-1750](#)

Vote on a request to accept \$220,500 in Agricultural Development and Farmland Preservation funds.

Attachments: [ADFP Lindley-05262016142342.pdf](#)

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

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

End of Consent Agenda

PUBLIC INPUT SESSION

Beth Kricker submitted the following comments:

County Commissioners, Planning Board Members , people of Chatham County and guests. My name is Beth Kricker and I have lived in Chatham County more than 20 years. Not all of it has been fun.

About 12 years ago I was attending a County Commissioners meeting probably sitting in this same chair. It was then chaired by Bunkey Morgan and Vice Chaired by Tommy Emerson. During the Public Input Session, a man describing himself as a farmer in West Siler City of more than 30 acres spoke painfully of the odors emanating onto his property from the land adjoining. The farmer next door was raising pigs in quite large numbers requiring waste water ponds which this farmer believed to be the major cause of his problem. The farmer also explained that he feared water seepage from the ponds used as waste water by the pigs was seeping onto his land creating serious hazards to drinking water and to his crops.

He requested the Board to intervene. Bunkey threw his hands up. I understand what you are telling us, but the way we are constituted as commissioners our hands are tied. There are no restrictions preventing anyone from doing what they choose with land they own. Perhaps you can discuss this with the owner, peacefully, he cautioned. The farmer, grim faced returned to his seat.

In this era our Board of Commissioners goal is to develop a thriving, sustainable, viable, environmentally consistent county and anxious to work and cooperate with all those wishing to achieve these goals. Local business will be encouraged to add to the sustainability and independence of our county. Rational planning to avoid a hodge podge or could threaten our water or crops will be protected. Thank you.

John Alderman submitted the following comments:

Good evening. I'm John Alderman and I live just off Mt. Gilead Church Road. I've been a Chatham County citizen since the mid-1970s (when I was a very young man). Most of my adult life I have served as an environmental scientist, and my current work area extends from Washington, DC to Florida and westward to Oklahoma. So, I've seen much and have been involved with many major controversial development

projects. Today, I want to focus on Chatham County growth and especially North Chatham County in the general area from Pittsboro toward Chapel Hill, Durham, and Cary. In many ways, this area reminds me most of Fredericksburg, Virginia and counties around Washington, DC - areas once considered naturally beautiful but now have significantly degraded environments, and citizens' quality of life has become a nightmare. This is especially true when it comes to surviving poorly planned transportation systems where traffic regularly comes to a standstill. Given current planning and growth patterns, this is definitely North Chatham County's near future. For the vast majority of our citizens, we have very little time to change development practices in this area. There are models around the country which emphasize maintaining significant green space within developing landscapes where developers create green space within their developments and purchase green space conservation easements from other landowners within the general area. Given what I've seen to date, we need to conserve at least 50-75% of our remaining undeveloped lands to prevent the coming nightmare from consuming us. Briar Chapel and Chatham Park are poor examples of what we desperately need. Time is not on our side.

Esta Cohen submitted the following comments:

I live in the Silk Hope area. I live on Van Thomas Road. Most of you know me as the Chair of the Agriculture Advisory Committee. I am not here in that capacity, I am speaking for myself. But because of that capacity I have attended an awful lot of Board of Commissioner meetings and Planning Board meetings over the last few years. I am a farmer's wife, I farm with him and my neighbors farm. We do cattle, grain, and poultry houses and there are dairies in my area. Lately as I am attending these meetings with the jeering and cat calling from the audience I am beginning to become afraid that you are going to hear the word farmer and you are going to cringe. I am here to speak for myself and a number of my neighbors that say that is not all of us. We want to hear what you have to say. We have issues with subdivisions coming in and the consequences of that. We are not in line with the jeers and the cat calls and all the rest of the grief that you have been given. We want to hear the conversation. We want to hear the argument and we do want to hear what can be done to protect us so that we can farm. Myself, my neighbors, a lot of us that have put parts of our farm or all of our farms into easements so that all we can do is farm. Please don't lump all of us with whomever is sitting in the audience and jeering, not allowing you to speak. The rest of us want to hear it. It is not a one brush for everybody. When somebody comes up and says they farm maybe it isn't one of those people that is ugly. Maybe it is somebody who just wants some help to continue on. We appreciate what you do. We appreciate you working with us. We may not agree with you but not everybody feels the way the audience has been expressing themselves over the last number of months. Thank you.

Larry Ballas submitted the following comments:

I don't have anything really important to say but I would like to express a couple of ideas. One is I understand we have a Climate Change Committee which makes recommendations to you. We really don't do any experiments to figure out what the climate in Chatham County is. We depend on other people from somewhere else to tell us how our climate is changing or getting hotter or cooler. I would like to either have the Climate Change Committee write a grant in collaboration with one of the universities that could allow us to buy drones and maybe hire somebody to evaluate how climate is changing in Chatham County. If you are going to be determining that there is climate change in Chatham County, you are depending on things outside of Chatham County. Chatham County people just don't do that. I've stood up here and other people have stood up here for years talking about how important and bright

people are in Chatham County. But certain issues we are going to depend on other people to tell us how climate is changing in Chatham County. I would like to have some kind of financial commitment for the Climate Change Committee so that they can do their work and relate it back to Chatham County. Drones can go over farmland and tell them how hot it is or how cool it is or whether it is polluted. I think it would be an excellent idea for us to be independent and understand what our climate conditions are, not what the world's climate conditions are. One other thing I want to mention and I am sure nothing will ever happen with it, when we build new high schools and we are going to need a number of new high schools, we always build sports facilities which are very expensive. What I would hope is that the County Commissioners would look into the feasibility of building common facilities throughout the county. Not to take land away from the high schools, because that is not the intent here, but it is to create something that the county can afford, only building maybe three or four of them for all the high schools that will be coming into Chatham County. The upkeep would be shared and would probably be less expensive compared to the eight or ten high schools we are going to end up with. I am sure the people are smart enough to work out schedules so that there are not conflicts. To me that would open up a little more space in the High Schools for learning and I know sports are important, but sports will still occur even though you have a common facility. I would like to request that you do some kind of feasibility study, not to commit to it but see if it is possible to do something. Thank you.

Ted Koenig submitted the following comments:

I was here predominantly for the consent agenda just to make sure it was going to be adopted and I am assuming it was adopted. I met with you back in March about litter and I just wanted to take a moment. I did receive some feedback that you are moving forward on trying to get some funding for the litter that is happening in Chatham County, educating people. If we are going to have the growth we have to be aggressive. There are certain things I think need to be continually addressed and I appreciate you looking into this. I think Diana was the one who initiated this. So I thank you and if you could just continue the efforts there it is appreciated.

Paul Stam submitted the following comments:

I am the attorney for Cathy Rubens who has the last petition on your agenda. I think this is our fourth time here, final time I hope. She, I think, is with my law partner in Cary, which is having its Planning Board meeting on the same subject tonight. I want to mention two things. One, if we get the results of that meeting before you reach our item on the agenda I will let your staff know what it is. Secondly, I do have the Cary staff report, which I would like to hand out to the members and staff which is very supportive. The only reason I mention this is because I am from Apex and we don't always do what Cary says but in this particular case it takes joint action of Cary and Chatham County so you might want to know what they do.

PUBLIC HEARINGS

[16-1724](#)

Legislative public hearing request by NNP Briar Chapel LLC for a text amendment to the Chatham County Compact Communities Ordinance, Section 6.2, to remove the 2,500 dwelling unit cap and to add additional language to Section 14 to provide that an amendment to an existing compact community to add additional property would be

governed by the development ordinances in effect at the time of approval.

Attachments: [More Information from Planning Department Website](#)
[2016.06.20 CCO AMEND PUBLIC HEARING POWERPOINT.pptx](#)

Jason Sullivan, Planning Director reviewed the specifics of the request.

*Nick Robinson, Attorney for applicant, presented a PowerPoint presentation.
(Presentation Attached)*

Vice Chair Hales asked why this has to be done before the Comprehensive Land Use Plan process concludes. Mr. Robinson stated in the process of a large development like Briar Chapel which has 1,500 lots fully developed, to develop those lots you have to go back at least a year in terms of planning. If there is going to be any property added to this project and you take in to account the timeline, it needs to start happening now. They need to start talking to the landowners now. There is no point in having that conversation if you don't know that if you acquire that property you can add it to your project.

Vice Chair Hales stated other developers are not restricted from building another compact community. Mr. Robinson stated that is correct. Vice Chair Hales stated the recommendations from the applicant would also impact another developer that wants to use the ordinance. Briar Chapel is exclusive now but may not be two years from now. Mr. Robinson stated he believes the current reality is the Compact Communities Ordinance requires a developer to have 100,000 square feet of commercial and that will make it hard for another developer to have a compact community.

Chairman Crawford asked if the ordinance precludes a developer from having three townhouses on one acre. Mr. Robinson stated it is an average density of two units per acre so it does not preclude three townhomes on one acre.

Commissioner Petty stated they are enforcing two different types of restrictions when they say to limit to 2,500 units but also say they are allowing two residences per acre. He believes this is a conflicting issue that needs to be addressed.

Chairman Crawford asked if the 2,500 unit cap is removed, what is to prevent the developer from taking a chunk of it and calling it a different development and having a different developer come buy it.

Vice Chair Hales suggested the Planning Board go back through the ordinance.

Commissioner Howard stated she is still not clear on the timing versus the Comprehensive Plan. She is also not satisfied the answer is removing the cap.

Chairman Crawford opened the hearing.

Peter Theye submitted the following comments:

About a year ago I purchased a drone and I have flown over seventy-five miles over Chatham County. Every time I go back to my computer and look at the pictures, I just think we live in such a beautiful place. It is a gorgeous canopy and rivers and agriculture. First you know I also fly subdivisions. I have flown a lot over the Legacy and have lots of pictures of mud, legal sedimentation flowing into Jordan Lake. It really disturbs me. I did Chatham Park and I have been sending pictures of the

wetlands they have been filling up with their sedimentation, which is also legal. Years ago I used to walk Briar Chapel. I recently went back there to try and fly it and everyone is saying what a great place it is but I am so disturbed by it, living three feet away from someone else's land. Their houses are that close and it is so different from what I value in where I live. The conversation tonight about revisiting the Compact Communities Ordinance, not for just one item but maybe for the entire thing, may be needed. Maybe you guys can take a trip to Briar Chapel and see if you really like how it is looking. One of the things that always gets me is green space. How many hundreds of acres more they have than something else. That is not undisturbed land. Green space is some place where they can spray their treated wastewater and they count that as green space. You need to revisit the ordinance. The only other thing I would say is every neighbor I have is always struck when they drive through Briar Chapel. What sort of place is this? Who wants to live like this? I don't want another Briar Chapel. I certainly don't want another one that is bigger. I keep thinking as a county we got taken to the cleaners. Did you see school sites that they gave us? We got crap land and they made money by upgrading the utilities so the land was worth more but it was really just junk. Revisit the ordinance and hang in there. You guys are doing a great job.

John Graybeal submitted the following comments:

Briar Chapel is asking the Board to delete the 2,500 dwelling unit cap and to add language that would apply the old ordinance provisions rather than the current ones.

These requests raise at least two obvious questions:

- (1) If the 2,500 dwelling unit cap were dropped, why not state a new cap rather than leaving it entirely open?
- (2) What requirements would Briar Chapel not have to meet if it complied with the old rather than the new ordinance language?

The Briar Chapel request also triggers a big question of what development and housing efficiency standards should be applied with climate change and global warming concerns in mind. For these comments I will don my Climate Change Committee hat.

Two quick climate-related facts:

- (1) The Risky Business Report (published in 2014) predicted that by the end of the century, the southeastern U.S. could experience 48 to 130 days of 95 degree temperatures, in other words, four months of 95-degree days.
- (2) A greenhouse gas inventory done in 2010 found that transportation accounted for 59% of all emissions in Chatham County. That was by far the most, the next largest being residential with 14%. Expansion at Briar Chapel involves both good and bad news. The good news is that it would reduce transportation emissions by locating new dwelling units near existing ones rather than farther out in the County. The bad news is that it creates more transportation and more houses thereby producing more greenhouse gas emissions.

A team of Climate Change Committee members is now working to develop building standards to recommend to the Board. Those standards should be available soon and could perhaps be used in connection with any approval of Briar Chapel expansion. Could Chatham County require future housing developments to be net carbon neutral, i.e., to generate as much energy as they consume?

There are many potential components of such standards:

- Life-cycle cost, Energy Star or LEED standards
- Efficiency standards for internal appliances
- Water efficiency standards
- Passive solar design with large south-facing windows and small north-facing windows, and heat sinks
- White or otherwise reflective roofs
- Roofs covered with solar panels
- No prohibitions on outside clothes lines

Chairman Crawford closed the hearing.

Commissioner Howard asked the Planning Board to give a response to the commentary on urban sprawl that is in the document.

This Agenda Item was referred to the Planning Board.

This Agenda Item was referred to the Planning Board.

[16-1723](#)

Quasi-Judicial public hearing request by Apex Nurseries, Inc. dba Winter Custom Yachts for a conditional use permit revision to change the care-taker/security living unit and add the use of landscaping and grading business and general and professional offices. Property location is 2271 Holland's Chapel Rd., Parcel No. 64272, located on approximately 11.54 acres.

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

Chairman Crawford administered the oath to those wishing to speak.

Angela Birchett, Zoning Administrator, reviewed the specifics of the request. She stated this is a request by Apex Nurseries doing business as Winter Customer Yachts, a facility we have had on Hollands Chapel Road for several years now. The request is for a revision to the Conditional Use Permit to change the care taker's security living unit and add the use of landscaping and grading business and general and professional offices. The address is at 2271 Holland's Chapel Road, parcel 64272, located on approximately 11.54 acres. Because this is a substantial change the requirement for the conditional use permit revision was needed. The Planning Department was on a site complaint for an adjacent property when they were notified that the care taker facility was not being used as a care taker facility and a business had already been located in that structure. The Planning Department issued a Notice of Violation in February of this year. When they decided they would come forward with a conditional use permit revision to add the use and come into compliance, make sure the site complied with all the zoning standards, they submitted the conditional use permit revision to the Planning office. They met with the Appearance Commission and they had their landscaping plan approved with a couple of minor modifications. Mr. Bradshaw is here to represent the client.

Patrick Bradshaw, attorney for the applicant, addressed the Board. He requested at the outset that the application filed with the Planning Department be included in the record of this public hearing. The current zoning on the subject property is Conditional Use Light Industrial. Any changes in uses on the property do require approval from the County. The only change that they are requesting is to change the permitted use of the existing house on the property. This is a house that has been on

the property for a number of years. It was there before the original conditional use permit was approved in 2008. To change the permitted use of that house from living quarters for a care taker and security facility to allow landscaping and grading business and general and professional offices. The other uses on the property are light manufacturing of boats, boating and fishing supplies and associated retail. When the conditional use permit that was originally approved in 2008 to allow those uses, it was anticipated that the boat facility would need security personnel who would be on site much of the time. They were going to use that existing house as a headquarters and perhaps live there for part of the time. That has turned out not to be necessary from the perspective of the folks who operate the boat facility. This change that they are requesting, which will have no negative impact that they can identify on the adjoining properties, will allow this existing structure to be put to a productive use that is consistent with the other uses on the property and nearby properties, including the substantial nearby nursery business. Landscaping and grading businesses and general and professional offices are permitted in a light industrial district. It is consistent with the existing zoning. The area has substantial demand for landscaping services. The office is expected to have three employees on site and they will coordinate activities for several other employees who provide services off site. There will be no impacts to public facilities or services as a result of this change. The site is heavily vegetated. He drove by there today and from the road you can't see the house he is talking about or any of the parking areas. He believes he could maybe see two parking spaces from the road. There is not new lighting or signage proposed. The uses will not produce noise or involve hazardous materials. The request is consistent with land conservation and development plans in that the property is so well screened that it preserves rural character. It is consistent with other nearby uses, especially the nursery operations. It is clustered with other existing business uses. The property is easily accessible from NC 751 and US 64. It is well under the 36% impervious surface cap. There will be some reconfiguration of the parking and drive area that will slightly increase impervious surface but it will still only be up to 11.8%. In response to a question that was raised at the Appearance Commission the applicant is agreeable to a condition in this approval, if the Board sees fit to grant it, that there will be no storage, parking or maintenance of heavy equipment or trucks with more than two axles on the property. This was not planned anyway but it was raised as a concern so they can resolve that but just adding that as a condition. He respectfully submitted the evidence provided in the application and in this hearing is sufficient to make the findings required by the ordinance and he requests that the Board grant the modification as requested.

Vice Chair Hales asked if the structure is going to be changed. Mr. Bradshaw stated it will not. They will be reconfiguring the driveway. The driveway that was in use was actually partially on an adjoining property so now instead of a circular drive it will come straight in toward the house and there will be some additional parking. There are nineteen parking spaces shown.

Chairman Crawford asked if the parking is for customers. Mr. Bradshaw stated it is parking for vehicles that they use with the landscaping business. If the building is later used for some kind of office it could be for employee parking. Chairman Crawford stated this will be the office where crew members get dispatched. Mr. Bradshaw stated that is correct. The employees park their vehicles there in the daytime and the company vehicles there at night. Chairman Crawford stated the boat business doesn't have anything to do with the landscaping business. Mr. Bradshaw stated they do not, they just share a parcel. The house was not being used for what it was approved to be used for so they wanted to put it toward some other use. His client mistakenly thought that because it was a light industrial district, not realizing it was a conditional district, he thought that this was a use allowed in the light industrial district. As Ms. Birchett pointed out they proceeded without seeking prior approval.

They recognized immediately when questioned that it did require approval so that is why they are here now.

Commissioner Howard asked what the visibility from the road is during the winter. Mr. Bradshaw stated he was also out there in the winter time and some of the vegetation is deciduous but they will be adding landscaping consistent with the landscaping plan that was submitted to meet the County's screening standards as a minimum but he guarantees given the amount of vegetation that is there it far exceeds what the standards require.

Chairman Crawford closed the hearing.

This Agenda Item was referred to the Planning Board.

BOARD PRIORITIES

16-1732

Vote on a request to approve the adoption of the FY 2016-2017 budget ordinance.

Attachments: [BudgetOrdinance](#)

County Manager Renee Paschal addressed the Board. She stated tonight they are asking the Board to officially approve the ordinance that adopts the budget. She highlighted a few changes.

During the budget work session the Board decided to allocate funding to the towns for recreation and that increased the general fund by \$3,845. That is offset by an appropriation from fund balance. This was a transitional budget year. Even without the transition things need to be corrected when we get from the recommendation to the ordinance. Funding for the Goldston sewer capacity increases the water utility fund by \$126,000. That is offset by an appropriation of fund balance of an equal amount. Staff left the Library Trust Fund and the Recreation Fee Special Revenue Fund out of the recommendation. They are asking the Board to approve \$10,700 for the Library Trust Fund and \$555,500 for the Recreation Fee Special Revenue Fund. Those are offset by revenue. There is no impact on the General Fund. The emergency vehicle fund did not balance. It was off by \$400 so revenue is reduced by \$400.

A motion was made by Commissioner Petty, seconded by Commissioner Cross, that the Budget Ordinance be adopted. The motion carried by the following vote:

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

16-1622

Vote on a request by Cathleen Rubens to repeal Section 3.4.2 of the Chatham County -Town of Cary Joint Land Use Plan. The section establishes a 400 foot undisturbed buffer adjacent to Corps of Engineers property when public utilities are utilized for a development in the portion of the plan area south of Lewter Shop Road and Marthas Chapel Road.

Attachments: [More Information from Planning Department Website](#)
[Joint Plan Amendment 6-20-16 BOC mtg Rubens.pptx](#)

Jason Sullivan, Planning Director, presented a PowerPoint Presentation.

(Presentation attached)

Dr. George Lucier, Chair of the Planning Board, addressed the Board. He stated the Planning Board discussed repealing the 400 foot buffer at its April and May meetings. At the May meeting the board voted 5-3 to recommend removal of the 400 foot buffer from the Cary-Chatham Joint Land Use Plan. Members who voted in favor of removing the buffer stated the 400 foot buffer is excessive and without precedent in Chatham County. They also stated it is not necessary to protect water quality in Jordan Lake and the Army Corps of Engineers already has a buffer. It also places unnecessary limitations on the development of land in the affected areas and the 400 foot buffer is an unintended consequence of the Cary-Chatham Joint Land Use Plan. The members who voted against removing the buffer stated Jordan Lake can flood to 241 feet and the area between 216 and 241 is a flood plain and not a buffer. The area in question was in the R-5 area in 2011 but was changed to R-1 prior to approval in 2012. The R-5 was for the purpose of protecting water quality in Jordan Lake and 200 feet is required to do this. They also stated development options exist even with the 400 foot buffer. The water intake for Chatham County and Cary is close to this area and it is important this area be protected from soil erosion and sedimentation. Finally they felt the Cary-Chatham Joint Plan is scheduled to be reviewed and possibly revised by both boards in 2017.

Vice Chair Hales asked Mr. Sullivan to pull up the area on the County GIS website.

Chairman Crawford asked if someone wanted to put in their own well could they go as close as fifty feet from the property line. Mr. Sullivan stated the building setbacks for the County are forty feet from the front of the property and twenty-five feet from the side and rear of the property. Chairman Crawford stated this buffer would only affect those developers connecting to public utilities. Mr. Sullivan stated he was correct.

Vice Chair Hales stated she is uncomfortable with what the outcome down the road would be if they repeal the 400 foot buffer.

Commissioner Cross stated by keeping the 400 foot buffer a lot of property will not be usable. He has not heard a good reason why the 400 foot buffer was added. Commissioner Petty stated he believes it was an oversight.

Commissioner Howard asked if there should still be a buffer, just not a 400 foot buffer. Mr. Sullivan stated the County has stream buffer and riparian buffer requirements. The Town of Cary has its own buffer requirements.

Vice Chair Hales stated she could not vote today in favor of repealing the buffer. She believes there needs to be more discussion about the entire Cary-Chatham Joint Land Use Plan. Commissioner Howard agreed and stated it could be discussed when the Cary-Chatham Joint Land Use Plan is revisited in 2017.

Commissioner Cross stated to hold people's use of their property hostage for a start of a plan review in 2017, which could take as long as it did the first time, does not make sense.

Chairman Crawford stated they need to provide some relief for Ms. Rubens.

A motion was made by Commissioner Cross, seconded by Commissioner Petty, to repeal Section 3.4.2 of the Chatham County-Town of Cary Joint Land Use Plan. The motion carried by the following vote:

Aye: 3 - Chairman Crawford, Commissioner Cross and Commissioner Petty

No: 2 - Vice Chair Hales and Commissioner Howard

MANAGER' S REPORTS

The County Manager reminded the Board that the County will start the community meetings for the Comprehensive Land Use Plan this week.

The County Manager stated she and the Clerk have a hectic summer schedule therefore the weekly update may be missed or come on a different day.

COMMISSIONERS' REPORTS

Commissioner Cross stated there will be a Parole Officers meeting of Orange/Durham/Chatham Counties in Moncure next Friday at 9:30 AM.

Vice Chair Hales stated Chatham Park is holding three meetings about their elements. This Wednesday at 6:00 PM the meeting is on their development phasing, open space, tree protection, and landscaping. She stated the Climate Change Committee has made a request for the County to spend \$1,200 for a membership in a software called ICLEI. Chatham County was previously a member in 2009. She asked if this should be referred to staff. Dan LaMontagne, Assistant County Manager, stated the committee will bring that request to the Board in July.

Chairman Crawford stated he and Commissioner Howard attended the dedication of the Margaret Pollard Tiny House at the Farm on Penny Lane. Hopefully the house will have a tenant in the fall. He and Commissioner Hales had a tour of the Agriculture and Conference Center and he encouraged the other board members to get a tour also. He and Commissioner Howard met with school officials to work on planning for new students and accommodating the county's growth.

Commissioner Howard stated the Arts Council had its office opening and they are extremely grateful to the County for giving them that space.

16-1757

Vote on a request to adopt a Resolution Opposing North Carolina House Bill 483

Attachments: RES - Opposing North Carolina House Bill 483.pdf

The County Manager stated last week's weekly update had an alert about HB 483 which limits the local government's ability to regulate. The Clerk distributed a copy of a proposed resolution opposing HB 483.

A motion was made by Vice Chair Hales, seconded by Commissioner Howard, that Resolution #2016-25 Opposing North Carolina House Bill 483, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

ADJOURNMENT

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

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