



Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, August 20, 2018

6:00 PM

Historic Courthouse Courtroom

Rollcall

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

Work Session - 1:30 PM - Historic Courthouse Courtroom

PUBLIC INPUT SESSION

Sharon Garbutt submitted the following comments:

I wanted to speak about something that I found out about from a friend of mine. He had a Geiger counter. This is John Wagner, most of you know him. He had just gotten it and he was just trying it out. He went to Moncure and there was a coal ash train stopped there. This is the first time he has ever used the Geiger counter. I am not saying this is true and tested scientific information, but he noticed a train car had some sludge falling down the side. He had tested other things around and the Geiger counter didn't do anything. He went up to the sludge and it started beeping and he got a pretty high reading on it. Then he moved away and it stopped beeping. This doesn't give you any real strong conclusions but I thought it was worth mentioning. It seems to me if you have a Geiger counter that is going off near coal ash dripping off the train car then it might be worth some follow up investigation. I found out about this on the same day I saw a letter from a Moncure resident to the Governor. I believe you might have gotten copies of that too. She talked about how she goes out in the morning and wipes the coal ash dust off her car and off her windows. If there is any chance that there is radioactivity associated with this coal ash - I know originally it was thought that there wasn't but I know the coal ash comes from different sources. Some coal has radioactive elements and others don't. I just thought this would be worth following up. There are daycare centers located close to these railroad tracks. I also want to commend you on your legislative goals. Thank you for including looking into safety at coal ash sites. I would feel a lot better if all of those workers wore protective clothing. Thank you.

BOARD PRIORITIES

[18-2746](#)

Introduction of Riley Pankow, Chatham County's Youth Voice representative at the NC Association of County Commissioners Conference.

Riley Pankow introduced himself to the Board. Mr. Pankow will be the County's representative at YouthVoice at the North Carolina Association of County Commissioners Conference. Mr. Pankow will be a sophomore at Northwood High School this year and he is active in 4-H as part of the Field, Firearms and Guns group. The commissioners thanked Mr. Pankow for participating in YouthVoice. Mr. Pankow posed for a picture with the entire Board.

[18-2727](#)

Presentation on Durham City-County Fire Consolidation

Attachments: [Fire Consolidation Presentation Chatham County Board Work Session August 20, 2018](#)

Chief Chris Iannuzzi with the City of Durham Fire Department gave a presentation to the Board. (Presentation attached)

Commissioner Petty asked which dispatch center a 911 call will go to. Chief Iannuzzi explained calls will go to Chatham County dispatch and then that call will be transferred over to Durham.

Chatham Fire Marshal Tom Bender continued the presentation. Mr. Bender thanked everyone involved for their hard work.

Chief Iannuzzi stated the new Station 18 is in the FY 2019-2020 CIP.

[18-2723](#)

Receive annual report from the Library Advisory Committee

Attachments: [LAC Annual Report 2017-2018rev](#)

Dav Robertson, Chair of the Library Advisory Committee, gave the annual report to the Board. (Report attached)

[18-2725](#)

Receive annual report from the Climate Change Advisory Committee

Attachments: [CC Annual Report 2018 v3](#)

Mike Petruska, Chair of the Climate Change Advisory Committee, gave the annual report to the Board. (Report attached)

Commissioner Howard stated she was happy to hear about the education aspect of the committee.

Chair Hales said perhaps the committee could provide some advice as the County goes through the UDO process. She also suggested the committee work with the Health Department.

Commissioner Crawford hopes there will be shorter commutes in the county through the economic development coming to the county.

[18-2731](#)

Receive presentation on the status of Broadband for Chatham County

Attachments: [BroadbandForChatham201808v2](#)

MIS Director Darlene Yudell gave a presentation to the Board. (Presentation attached)

The County Manager stated it is possible this could be a future CIP project.

The Board thanked Ms. Yudell for her work and the Broadband Group's work to get to this point.

Commissioner Petty asked why there was a need for a phase 2 in the western part of the county. Why couldn't it all be done at one time? Ms. Yudell stated Keith Medlin with the school system would need to answer that question.

[18-2736](#)

Update on use of Coal Ash settlement funds and environmental monitoring results.

Attachments: [Duke Energy Agreement](#)
[Presentation for Chatham Board of Commissioners 8-20-18](#)
[Duke Energy Coal Ash Settlement Agreement](#)

Assistant County Manager and Public Works Director Dan LaMontagne gave a presentation to the Board. (Presentation attached)

Mr. LaMontagne stated Duke Energy is ready to move forward with the STAR process of burning the coal ash at the Cape Fear plant. The fly ash created will be used in concrete. Staff will keep the Board updated on the project.

Joan Smyth with Smith Gardner gave a presentation to the Board. (Presentation attached)

Chair Hales asked how long the County will continue to do the monitoring after the Brickhaven site has been closed. Mr. LaMontagne stated Charah has to continue monitoring for thirty years.

Commissioner Howard asked if it would be possible for the County to test the ash county residents are saying they find on their vehicles. Mr. LaMontagne stated staff could look into it, however, it would be very difficult to relate the results back to the coal ash site. Commissioner Dasher asked if there was a way residents could have monitoring done on their property. Mr. LaMontagne said the County hasn't allocated any funds or come up with any sampling plans to allow for that but staff can look into it.

Vice Chair Dasher asked if there was any way staff could get all of the information about coal ash on the County website on a quarterly basis so there is transparency for the residents of the county. Mr. LaMontagne stated the County website is completely up to date with all the information on coal ash and the monitoring.

CLOSED SESSION

[18-2726](#)

Closed Session to discuss items relating to personnel, attorney-client privilege and economic development.

A motion was made by Commissioner Howard, seconded by Vice Chair Dasher, to approve going out of the Work Session and convening in Closed Session to discuss matters relating to attorney-client privilege, economic development and personnel. The motion carried by the following vote:

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

ADJOURNMENT

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

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

End of Work Session

Regular Session - 6:00 PM - Historic Courthouse Courtroom

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

INVOCATION and PLEDGE OF ALLEGIANCE

Chair Hales asked everyone present to pause for a moment of silence after which she invited everyone to stand and recite the Pledge of Allegiance.

CALL TO ORDER

Chair Hales welcomed those in attendance and called the meeting to order at 6:03 PM.

APPROVAL OF AGENDA and CONSENT AGENDA

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

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

[18-2753](#)

Vote on a request to approve the July 16, 2018 Work and Regular Session Minutes.

Attachments: [Draft Minutes 07.16.2018](#)

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

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

[18-2747](#)

Vote on a request to approve Sheriff upfit purchase 2018-2019.

Attachments: [GS 143-129-\(e\)\(3\)-Cooperative Exemption](#)
[SQ - 252331 - Chatham County Sheriff's Office - 2019 Marked Ford PI Utility with Cage - Quote](#)
[SQ - 252357 - Chatham County Sheriff's Office - 2019 Marked Dodge RAM 1500 Truck - Quote](#)
[SQ - 252370 - Chatham County Sheriff's Office - 2019 Marked Dodge Durango - Quote](#)
[SQ - 252615 - Chatham County Sheriff's Office - 2019 Marked Ford PI Utility with no Cage - Quote](#)
[SQ - 252651 - Chatham County Sheriff's Office - 2019 Marked Ford PI Utility with Cage and WatchGuard - Quote](#)
[SQ - 252655 - Chatham County Sheriff's Office - 2019 Un-Marked Ford PI Utility with no Cage - Quote](#)

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

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

[18-2737](#)

Vote on a request to approve Solid Waste & Recycling Vehicle Purchase 2018-2019.

Attachments: [GS 143-129-\(e\)\(3\)-Cooperative Exemption](#)
[Advantage Truck](#)

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

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

[18-2732](#)

Vote on a request to approve recommendations for grants to recreation agencies.

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

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

[18-2696](#)

Vote on a request to accept an \$11,250 Community Reinvestment Grant from Cardinal Innovations

Attachments: [Scanned check from Cardinal Innovations](#)
[MOU Cardinal Grant for Daymark Renovations](#)

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

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

[18-2710](#)

Vote on a request to approve the FY 2020 budget calendar

Attachments: [FY 20 BudgetCalendar](#)

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

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

[18-2741](#)

Vote on a request to award the uniform bid to Unifirst Corporation

Attachments: [Uniform Bid Criteria FY19](#)
[Uniform RFP-VENDOR PRICING RESPONSE](#)

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

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

[18-2721](#)

Consideration of request to approve competitive bid exemption for "sole source" in the procurement of GUARDIAN RFID from Codex Corporation in the amount of \$38,482.50.

Attachments: [Sole Source Letter - GUARDIAN-RFID](#)

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

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

[18-2730](#)

Vote on a request to waive the competitive bid process, and award a piggyback bid for the purchase of activated carbon powder, provided in super sacks, for the Chatham County Water Treatment Plant to Cabot Norit.

Attachments: [Cary - Carbon - PAC Bid Award 2018](#)

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

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

[18-2722](#)

Vote on a request to approve the FirstHealth of the Carolinas, Inc. Emergency Medical Services One Year and Ten Month Agreement and

authorize the County Manager to execute the agreement.

Attachments: [FirstHealth EMS Agreement- 2018-2020](#)

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

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

[18-2724](#)

Vote on a request to approve the Southern Health Partners agreement and authorize the County Manager to execute the agreement.

Attachments: [FY19 A 12 Amendment Southern Health Partners FY 19](#)
[12th Amendment Southern Health Partnership July 1 2018-June 30 2019 - SHP corrections tracked \(JR 6-13-18\)](#)

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

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

[18-2733](#)

Vote on a request to approve a Memorandum of Agreement (MOA) Creating and Defining Operations of the Triangle Water Supply Partnership and authorize the County Manager to execute the agreement.

Attachments: [\(JLP\) MOA Triangle Water Supply Partnership v13 FINAL](#)

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

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

[18-2734](#)

Vote on a request to approve a contract with Chatham County Schools for reimbursement of four School Resource Officers and authorize the County Manager and Attorney to negotiate and execute the contract

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

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

[18-2735](#)

Vote on a request to amend the Sheriff's fiscal year 2018-2019 budget by \$250,154.

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

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

[18-2684](#)

Vote on a Quasi-Judicial request for a Conditional Use Permit for a solar farm on Parcel No. 5751, being approximately 46.80 acres, located at 2361 Corinth Rd., Moncure, Cape Fear Township.

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

A motion was made by Commissioner Crawford, seconded by Commissioner Howard, that this Resolution #2018-41 Approving a Conditional Use Permit Request by Flatwood Farm LLC, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[18-2738](#)

Vote on a request by Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision **Preliminary Plat for Briar Chapel, Phase 16 North**, consisting of 56 lots on 23.92 acres located off Middleton Place, parcels #2177, #82828 and #1184.

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

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

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

[18-2740](#)

Vote on a request by F-L Legacy Owner, LLC for subdivision Final Plat approval of **The Legacy at Jordan Phase 5A3** consisting of 15 lots on 9.36 acres, located off SR-1716, Big Woods Road, parcel 92463.

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

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

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

[18-2748](#)

Vote on a request to approve Tax Releases and Refunds

Attachments: [July 2018 Release and Refund Report](#)
[July 2018 NCVTS Pending Refund Report](#)

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

End of Consent Agenda

PUBLIC INPUT SESSION

Phil Bors submitted the following comments:

I have lived in Chatham County for twenty-five years. I decided to say a few words to you today to express my concern about the confederate statue in front of our county courthouse, our most public and iconic place. I raised my children here. We pass by this monument everyday going to school and work. In explaining what the soldier is about and why it still stands here was always a challenge, whether to my kids or people visiting me from out of town. The statue is a relic but not a benign one. As you know, it was not built and dedicated in the immediate aftermath of the Civil War. Our statue was dedicated in 1907, forty years after the war's end. The Chatham Record published the dedication speech, which I found at our library and I encourage you to check it out. They put a spin on the day's events. The paper declared the unveiling as the grandest occasion ever known in Chatham. In fact, they ran out of horse parking. The grandstanding courthouse was decorated with confederate flags and colors. Twenty children all dressed in white unveiled the statue. When Justice Walter Clark spoke about this statue, he thanked the Daughters of the Confederacy for donating it. He railed against the violation of state's rights, he honored the bravery of Chatham soldiers, and he recognized their place after the war. He said, "You picked up the broken statutes of law and order and replaced them in honor upon their pedestal. You cleared your fields of the brambles that had grown up in your government of the bad men who climbed to power". The statue is a monument of that time. The dedication time. It is all part of the lost cause narrative. These memorials were part of a concerted and coordinated campaign to reassert dominance and white order after reconstruction, right in the middle of the cruel period of Jim Crow. The statue came twenty-two years following the mass lynching of four people, just one mile south of where we are now. Fourteen years earlier than the lynching of Eugene Daniel five miles east of here. Racial violence and its inhumanity was and isn't confined to the south but we should create an atmosphere of humanity for all people in Chatham County. Relocating the statue from where it stands now will not end racism but it is still a powerful and painful symbol of a cruel chapter in our history. Let us be distinguished instead as a community that had the courage to remove it. Thank you.

Rachel Winters submitted the following comments:

I have lived in Chatham County about eighteen years. I've had family here since before I've been here so I have had a strong connection to Chatham for a long time. This statue is something that doesn't belong on public land. We are just a bit over a year out of the horrors that happened in Charlottesville. It has been a time for many of us of deep soul searching about the troubled history our country has around race, both past and present. Truths have been laid bare, especially for white people in this country, myself included, about the deep, persistent and destructive nature of racism. We are in a time of reckoning in our society and that is true for us in Chatham County as well. We weren't told the truth in school about how deeply and grand racism is in our country's history and in our society. Everyone got lied to. It doesn't really matter where you grew up or who your people are. We have all been lied to. There is a

particular way lies were told in the south. That statue that stands in the circle represents a very big lie. I understand that history is complicated. I didn't grow up in a family that venerated the Confederacy but I did have ancestors who fought for the Confederacy. I have had to learn how to honor their struggles and their lives without overlooking how my people have been complicit and sometimes downright wrong in our mistreatment of other people. This is work all white people have to do. I understand that to venerate a way of living and a mindset that puts white people above other people and is apologist about the violent realities of slavery and its aftermath is wrong. That is what this statue represents. Integrity and decency demand that we learn a different history of our country, our state and our county. We must insist that this truth be told. We must insist that what we uphold as symbols for justice and honor is inclusive for all people of Chatham. Removing the statue does not replace the hard work that needs to be done to right historical and current injustices and to create a more equitable and just place for all of Chatham. But symbols are important and this statue is a symbol of things that do not have any place in Chatham County. The statue needs to go. Thank you for your time.

Anne Geer submitted the following comments:

I live north of Pittsboro in the ETJ. Tonight you are going to be signing a resolution in support of the trails plan for the Lower Haw River State Natural Area. I have come to thank you for doing that. Your support is essential as this process with the State Parks moves on. I also come to urge you to please do more to support this effort in the river to protect the river corridor. The Haw River is probably our most significant natural resource in Chatham County. I moved to Chatham forty years ago. When I moved here the river was a really polluted place. I've watched it become cleaner over the years. This turn around was accomplished through a partnership of a lot of people working hard in government and volunteer organizations. This partnership is vital for protecting the river corridor. With the development pressures we're facing now, the time for action is now. The trails plan for the Lower Haw River State Natural Area is an important first step. If it receives funding, it will provide great hiking trails, paddle access points, and amenities for the ever increasing number of people who will be using the river. It is only a first step and I want to ask you to consider two things as you plan and budget for the future. One, make it a priority to help expand protected land along the river, either through land acquisition or conservation easements. You know the current parkland is extremely narrow in some places and it would benefit from increased protected acreage. I would hope we could expand the protected area both above and below the river to make sure there is public access to this resource and that we protect it for future generations. I believe the County signed on in 2006 and again in 2011 a multicounty agreement to develop land and paddle trails along the extent of the Haw. Alamance County has made impressive strides in developing their part of the trail. They now have nineteen miles of hiking trails along the river and fourteen safe paddle access points as well as four riverside parks. Some are town and some are county. This is something I would love to see in Chatham County. A key to their success is a funded position, a Haw River Trail Coordinator, who works at getting easement agreements and developing and maintaining land and river trails with both county help and volunteer help. My second request is that you consider funding a position in the Parks and Recreation department to work on this important task. The Comprehensive Plan you adopted last year placed "a high priority on the conservation of natural areas, provision of recreational opportunities, access to open space, regional trail connections, and improved river access." What better way to accomplish these important goals?

PUBLIC HEARINGS

[18-2698](#)

Public hearing #1 to receive comments on an application for the North Carolina Community Development Block Grant 2018 Neighborhood Revitalization Program in the amount of \$750,000.

Attachments: [8.20 CDBG PH1 Presentation](#)

*Policy Analyst Stephanie Watkins-Cruz gave a presentation to the Board.
(Presentation attached)*

Ms. Watkins-Cruz explained this is the first of two public hearings to provide an overview of the County's CDBG NBR application. The state has set aside \$10 million dollars for this program that goes toward non-entitlement municipalities and counties in order to give them an opportunity to pursue efforts most critical to the low and moderate income households in their locality. Non-entitlement means the County does not directly receive funds from HUD through the CDBG program. Applicants can apply for up to \$750,000 and the County hopes to apply for this full amount.

Ms. Watkins-Cruz reviewed the objectives of the CDBG NBR program. There are additional requirements for the application in addition to meeting a particular population threshold. One requirement is the submission of a fair housing plan. Chatham County developed a plan back in 2010-2011. Another requirement is an analysis of housing impediments. The County has to conduct an update to that every five years and staff is currently in the process of doing that. The County also has to ensure the project complies with equal opportunity and nondiscrimination laws. There has to be a written procurement policy, which the County has in place. Recipients of the CDBG funds are required to do an environmental review.

Ms. Watkins-Cruz stated the application is due September 28, 2018. If awarded the funds, the grant period is about thirty months. The second public hearing will be September 17, 2018 at 6:00 pm. This public hearing is specifically to receive public input and provide an overview of the process. The second public hearing is to receive comments on the draft application. The Board will be asked to adopt a resolution giving its permission for staff to submit the application. Ms. Watkins-Cruz stated some of the ideas for application are single family rehab, acquisition of land or property, creation of a shelter for domestic violence victims or homeless persons, and also the addition of a greenway in Siler City. There are also several opportunities to submit public input throughout the process.

Commissioner Howard said she felt this was an aggressive timeline. Ms. Watkins-Cruz agreed but staff believes if the County chooses acquisition that the timeline is feasible.

Vice Chair Dasher asked if the specific project will be presented on September 17th. Ms. Watkins-Cruz stated yes.

Commissioner Howard if the application for a shelter would be for homeless persons and domestic violence victims. Ms. Watkins-Cruz stated there are models that serve both populations. Commissioner Howard stated the county is lacking a shelter that

serves males with children.

The Chair opened the hearing.

Fred Gvillo stated he would caution the county against comingling people in transition, homeless person, and families recovering from violence.

The Chair closed the hearing.

BOARD PRIORITIES

[18-2728](#)

Vote on a request to adopt a Resolution Supporting Friends of Lower Haw River

Attachments: [Lower Haw Trail Resolution](#)
 [Lower-Haw-Trails-Plan](#)

Gretchen Smith, President of Friends of Lower Haw River State Natural Area, gave a presentation to the Board. (Presentation attached)

Chair Hales read the resolution into the record.

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that this Resolution #2018-42 Supporting the Lower Haw Trails Plan, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[18-2739](#)

Vote on a request by Peter Bellantoni, P.E. on behalf of Ideal Capital Group, LLC for subdivision **First Plat** review of **Bonterra Subdivision**, consisting of 22 lots on 31.495 acres, located off Mann's Chapel Road, SR-1532, parcel #2532 and 2533.

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

Planning Director Jason Sullivan reviewed the specifics of the request.

A motion was made by Commissioner Crawford, seconded by Commissioner Howard, to approve the road name 'Bonterra Way' and approve the subdivision First Plat for Bonterra Subdivision with the following conditions: Approval of the First Plat shall be valid for a period of twelve (12) months following the date of approval by the Board of Commissioners and the Construction Plan approval shall be valid for a period of twenty-four (24) months from the date of approval by the Technical Review Committee or Board of Commissioners. The motion carried by the following vote:

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

[18-2674](#)

Vote on a request by the Chatham County Board of Commissioners to deny the rezoning of Parcel No. 60279, being 10.12 acres, Oakland Township, located on Mays Chapel Road, from R-1 Residential to

IL-Light Industrial.

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

Planning Director Jason Sullivan reviewed the specifics of the request.

Mr. Sullivan stated if the rezoning request is denied, the nonconforming provisions of the Zoning Ordinance will still apply. The building on the property could be used as a storage warehouse, however, there is a 365 day clause that states if a use that was occurring on a property ceases for greater than 365 days then the nonconforming provision no longer applies. After a fairly lengthy discussion, the Planning Board voted seven to two to recommend a consistency statement that the rezoning was inconsistent with adopted plans. The Planning Board also voted seven to two to deny the rezoning.

Vice Chair Dasher asked if the applicant could request another rezoning if this one is denied. Mr. Sullivan stated the applicant has to wait one year to come back with the same request. The applicant could come back in a month or two and request a conditional use rezoning. Commissioner Crawford pointed out if the Board approves the rezoning request to light industrial, it is a permanent classification.

Commissioner Petty stated he understands the concern from the neighbors about the property. He asked if there was a way the Board could allow the applicant to request a different use without having to pay all the fees. He feels the applicant is going to have difficulty selling the property if it is zoned residential. Vice Chair Dasher said he has not heard that the only objections were what the owner was doing on his other property. There were objections to the light industrial use in general.

Chair Hales asked if the applicant chose the light industrial category. Mr. Sullivan stated that category was recommended by staff as a result of the site visit and the applicant agreed that would be the appropriate zoning.

Commissioner Crawford said he would be open to the idea of allowing the applicant to come back with another batch of the business rezonings and work with staff to see if there isn't a designation that would protect the interests and concerns of the community and allow him to make use of those buildings.

Commissioner Petty asked how long the process would be for the applicant if he came back and asked for another use. Mr. Sullivan said it takes four to six months to complete the process. Mr. Sullivan stated one option would be for the Board to allow the applicant to come back with a general use rezoning for another business district at no cost.

Vice Chair Dasher stated he believes the majority of the Board instituted county-wide zoning to give neighbors an opportunity to have some control about what happens in their neighborhoods.

After much discussion the Board agreed to direct staff to reach out to the applicant to see if there is another designation that would work for the property.

Commissioner Petty agreed that the property is not consistent with Plan Chatham, however, he cannot support a motion to adopt a consistency statement stating it is inconsistent.

A motion was made by Commissioner Crawford, seconded by Commissioner

Howard, that Resolution #2018-43 Adopting a Consistency Statement for the Denial of General Use Rezoning from R-1 Residential to IL-Light Industrial, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 4 - Commissioner Crawford, Chair Hales, Vice Chair Dasher and Commissioner Howard

No: 1 - Commissioner Petty

A motion was made by Vice Chair Dasher, seconded by Commissioner Howard, to approve the denial of General Use Rezoning for Parcel No. 60279. The motion carried by the following vote:

Aye: 4 - Commissioner Crawford, Chair Hales, Vice Chair Dasher and Commissioner Howard

No: 1 - Commissioner Petty

18-2729

Vote to Approve Board of Commissioners Legislative Goals for 2019 General Assembly Session

Attachments: [2019 BOC proposed legislative goals FINAL](#)

Debra Henzey reviewed possible legislative goals for the 2019 Long Session in the General Assembly.

The County Manager stated the Board may want to include language in the broadband legislative goal that allows the County to lease its assets to internet service providers.

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

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

18-2744

Vote on a request to award the Atlantic Power Solutions, Inc. Bid to Replace the Pittsboro Fire Tower Radio Site Generator

Attachments: [Atlantic Power Solutions BID.pdf](#)

Commissioner Petty recused himself from the discussion and vote.

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

Aye: 4 - Commissioner Crawford, Chair Hales, Vice Chair Dasher and Commissioner Howard

Recuse: 1 - Commissioner Petty

MANAGER' S REPORTS

The County Manager had nothing to report.

COMMISSIONERS' REPORTS

Commissioner Howard attended the Governor's Crime Commission subcommittee. She and Chair Hales will be going to be going to the NC Association of County Commissioners' Annual Conference later this week.

Commissioner Crawford stated the Health Sciences building is facing a tighter deadline and it may be a spring 2020 opening instead of fall 2019. CCCC now has a new paralegal certification program.

Vice Chair Dasher stated the NCDOT Secretary was in Chatham County a couple of weeks ago. He believed it was a good opportunity to talk about both the needs in Pittsboro and around the county.

Chair Hales reminded the Board of the CCCC Health Sciences building groundbreaking Wednesday morning. She also reminded the Board of the Leadership Academy graduation on Thursday. The Hispanic Liaison would like a commissioner to meet some of the parents at Chatham Middle School, Siler City Elementary and Virginia Cross on Thursday. One Water will meet August 30th at 9am in Chapel Hill. She received a letter from Bonnie Stevenson about the National Memorial to Peace and Justice Monument placement. Vice Chair Dasher has reached out to the Equal Justice Initiative. They want counties to combine forces. Chair Hales asked Commissioner Crawford and Vice Chair Dasher to follow up. Chair Hales said the TJCOG is holding a sandbox and are asking for regional ideas to be submitted by August 31st.

ADJOURNMENT

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

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