



# Chatham County, NC

## Meeting Minutes

### Board of Commissioners

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Monday, July 19, 2021

3:00 PM

Historic Courthouse Courtroom

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#### Regular Session - 3:00 PM - Historic Courthouse Courtroom

**Present:** 5 - Chair Mike Dasher, Vice Chair Diana Hales, Commissioner Franklin Gomez Flores, Commissioner Jim Crawford and Commissioner Karen Howard

#### **INVOCATION and PLEDGE OF ALLEGIANCE**

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

#### **CALL TO ORDER**

*Chair Dasher called the meeting to order at 3:02 PM.*

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

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

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, Commissioner Crawford and Commissioner Howard

#### **[21-3862](#)**

Vote on a request to approve a legislative rezoning request by Scott Pearce dba For Garden Sake to add Parcel 62824 being two acres to the existing Parcel 19644 being approximately 19.25 acres to expand existing services and utilize the decommissioned O'Kelly Chapel Church as part of the expansion. Both parcels to be recombined and rezoned from Conditional Use Business 1 and R-1 Residential to Conditional District Regional Business (CD-RB) for lawn and garden shop, landscape business, and event center limited. Williams Township.

**Attachments:** [More information on the Planning website](#)

**A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that this Resolution #2021-26 Adopting a Consistency Statement for the Approval of rezoning for Scott Pearce dba For Garden Sake, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, Commissioner Crawford and Commissioner Howard

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that this Ordinance Amending the Zoning Map of Chatham County for Scott Pearce dba For Garden Sake, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, Commissioner Crawford and Commissioner Howard

[21-3940](#)

Vote on a Request to Approve a Pyrotechnics Display at the Silk Hope Ruritan's Club, 4221 Silk Hope Rd, Siler City NC, 27344 on July 24, 2021.

**Attachments:** [Attachment A-N.C.G.S. Pyrotechnic Displays](#)  
[Attachment B - Pyrotechnic Display Request Silk Hope 2021](#)  
[Attachment C - Hale Pyrotechnic License 2021](#)  
[Attachment D - Hale Artif. Certificate of Insurance 2021](#)  
[Attachment E - Hale Artif. ATF License 2021](#)  
[Attachment F - Silk Hope Ruritan Site Plan 2021](#)

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

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, Commissioner Crawford and Commissioner Howard

[21-3942](#)

Vote on a Request to Approve Order of Collection for 2021 Property Taxes.

**Attachments:** [Chatham County Charge 2021](#)

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

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, Commissioner Crawford and Commissioner Howard

[21-3943](#)

Vote on a Request to Approve Annual Settlement and Resolution, Charging the Tax Collector with Collections of Delinquent Taxes

**Attachments:** [Tax Settlement Resolution 2021](#)  
[Outstanding Property Tax](#)  
[2021 Annual Settlement](#)

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that this Resolution #2021-24 Approving the Tax Collector's Annual Settlement, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, Commissioner Crawford and Commissioner Howard

[21-3945](#)

Vote on a request to approve Tax Releases and Refunds

**Attachments:**     [June 2021 Release and Refund Report](#)  
[June 2021 NCVTS Pending Refund Report](#)

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

[21-3944](#)

Vote on a request to adopt the County's Continuing Disclosure Policy in compliance with continuing disclosure obligations under SEC Rule 15c2-12

**Attachments:**     [Continuing Disclosure Policy - Chatham County](#)

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

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores,  
Commissioner Crawford and Commissioner Howard

[21-3949](#)

Vote on a request to approve reappointments to the Library Advisory Committee

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

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores,  
Commissioner Crawford and Commissioner Howard

[21-3953](#)

Vote on a request to approve the appointment of John Barlow to the Recreation Advisory Committee

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

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores,  
Commissioner Crawford and Commissioner Howard

[21-3954](#)

Vote on a request to approve the appointment of Alex West to the Planning Board

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

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores,  
Commissioner Crawford and Commissioner Howard

[21-3955](#)

Vote on a request to approve the reappointment of Matt Alexander to the Transportation Advisory Committee

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

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, Commissioner Crawford and Commissioner Howard

[21-3947](#)

Vote on request to approve the Interlocal Agreement between the Town of Pittsboro, Chatham County and the City of Sanford to complete a Preliminary Engineering Report that will identify necessary infrastructure to convey treated water from the City of Sanford Water Treatment Plant (WTP) to Chatham County's Triangle Innovation Point (TIP) and the Town of Pittsboro and approve Dan LaMontagne, County Manager, to sign the agreement on behalf of the County.

**Attachments:** [Interlocal Agreement - Draft Scope of Services -TOP CC Water Conveyance System from SFD 20210628](#)  
[Interlocal Agreement Draft #2](#)  
[Interlocal Agreement Map](#)

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

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, Commissioner Crawford and Commissioner Howard

### **End of Consent Agenda**

### **PUBLIC INPUT SESSION**

*No one signed up to speak.*

### **BOARD PRIORITIES**

[21-3950](#)

Chatham County Family and Consumer Sciences Program Update

**Attachments:** [BOC Presentation July 19 2021\\_Tara Gregory Coop Ext.pdf](#)

*Chatham County Family and Consumer Sciences Program Director Tara Gregory gave a presentation to the Board. (Presentation attached)*

*Vice Chair Hales asked about the Safe Plate program. Ms. Gregory stated the program covers all food safety and food handling directed toward food service staff.*

*Commissioner Howard asked if the program is for food service to the public and not out of a home. Ms. Gregory said it was for food service to the public.*

Commissioner Gomez Flores stated he would like Ms. Gregory to give a presentation to the Board of Health.

Commissioner Howard stated she loves the collaboration with the farmers markets. She encouraged Ms. Gregory to continue to work on getting local food into the school lunch programs. Ms. Gregory said she is building a good relationship with the child nutrition director with the schools.

Ms. Gregory said the summer cooking class for teens was put on hold due to COVID but she would like to look into bringing back the program.

## [21-3948](#)

### Presentation of the 2019-2020 Chatham County Greenhouse Gas Inventory Results

**Attachments:** [2019\\_2020\\_GHGPresentation\(1\).pdf](#)

Environmental Quality Director Kevin Lindley and Environmental Quality Intern Emily Apadula gave a presentation to the Board. (Presentation attached).

Mr. Lindley stated the County has done two previous greenhouse gas studies but this is the most comprehensive inventory to date and it isn't really helpful to compare to the old studies.

The total waste CO2 emissions include all waste from Chatham and not just what Chatham County hauls. It also includes waste from the towns or private neighborhoods.

Vice Chair Hales said she appreciates the deep dive into the data. She asked if construction of the Duke STAR plant has started yet. Ms. Apadula said she believes the application was approved and also believes it is renovation of the old coal plant, not a new build.

Commissioner Howard asked how the Board can use this information to inform its practices and decisions. Mr. Lindley said he couldn't answer that completely today but, for example, the Board and staff can make suggestions to Duke as they develop their ten year plan. He said the Board should also recognize that the county has a pretty robust carbon sink and forested area and should protect that as much as possible. The Board can also advocate for energy efficiency.

Ms. Apadula suggested prioritizing protection of older trees. Chatham County can be a resource for the community.

Commissioner Crawford believes the Board previously wanted to increase bus ridership on Chatham Transit. He will continue to encourage that.

Mr. Lindley said there will be a written report added to the website.

Vice Chair Hales asked about weatherization. CPCA does weatherization. She asked if the County could have its own program. Commissioner Howard thinks CPCA is the county's resource for that. She thinks the Board should look into how to grow CPCA's program.

Chair Dasher stated he would like to see some kind of summit or meeting in the fall of the Board of Commissioners, relevant staff, and advisory committees. Commissioner

Howard said maybe the Board could think about how this information can be incorporated into Plan Chatham. She asked the County Manager if he could approach the CITs. County Manager Dan LaMontagne stated the Climate Change Advisory Committee also came out with a Climate Action Plan a few years ago and many action items in Plan Chatham address that plan as well. It would be good for CITs to look at that again and share updates with the Board. Mr. LaMontagne said the County also funds Rebuilding Together of the Triangle's weatherization program.

[21-3952](#)

Vote on a request to designate one voting delegate and one alternate voting delegate to attend the NCACC 114th Annual Conference Business Session in New Hanover County on August 14, 2021.

*The Board agreed to designate Commissioner Karen Howard as the Voting Delegate and Commissioner Jim Crawford as the Alternate Voting Delegate.*

**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 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, Commissioner Crawford and Commissioner Howard

## **CLERK'S REPORT**

*Clerk to the Board Lindsay Ray thanked the commissioners and managers for welcoming the Clerks Association Executive Committee on Friday.*

## **MANAGER'S REPORT**

*Mr. LaMontagne met with School Superintendent Dr. Jackson last week and they will be setting up the standing meeting with the chairs and vice chairs.*

*The County had a meeting last week with the rating agencies Standard and Poor and Moody's. He stated substantial changes have been made since the last time the County met with them in 2018.*

*The LGC approved the County's borrowing so staff is moving forward with that.*

*The STAR plant is a new Duke Energy coal ash facility. Mr. LaMontagne stated he believes construction is complete and they are shipping fly ash now.*

*Environmental Health Director Anne Lowry has been hearing from residents around Brickhaven coal ash repository about ground water sampling. Mr. LaMontagne has instructed her to reach out to the seven residences who had tests back in 2018 and staff will conduct testing again.*

*Mr. LaMontagne stated he met with James Perry and Jim Flood to discuss the Wastewater Study Commission. Mr. LaMontagne is still working on what the scope of that would look like and what the deliverables would be. He would like to bring suggestions back to the Board.*

*Chatham County is assisting the Town on Pittsboro with some of their water needs.*

## COMMISSIONERS' REPORTS

*Commissioner Gomez Flores stated that Cardinal Innovations is no longer going to be serving Chatham County and the Board and staff will be looking into other options. He also attended the first Hunt Institute Fellows session today. The topic was early childhood development. Child caretakers should be considered educators, not just employees.*

*Commissioner Howard asked for the Board's consensus on having staff do some work on a non-discrimination ordinance. The Board agreed to direct staff to bring something back in the next month or so.*

*Vice Chair Hales asked if the Board can get an update from the Sheriff and Animal Shelter Director on the animal shelter at the August or September meeting.*

*Vice Chair Hales stated a number of requests are coming through Planning for Compact Communities. She believes the CCO may have outlived its use and is no longer needed. She would like to recommend that staff take a look at repealing it. The UDO is still two years out and the Board may need to look at this now. County Attorney Bob Hagemann stated that legally the Board can repeal the ordinance but under the law any applicant that applies under the current ordinance would be able to continue.*

*Commissioner Crawford stated he has had a lot of support for renaming 15-501 to George Moses Horton Blvd and will submit a resolution for the next agenda. He will be attending a veterans ceremony on August 12th at 10am at New Salem Church. This Wednesday there will be a fundraising breakfast for the Boys and Girls Club of Pittsboro. This Saturday the Silk Hope Ruritan Club will have a Summer Spectacular event at 4pm. He enjoyed his tour of the new schools. Commissioner Crawford recommended residents buy and plant some apple trees for the Chatham 250th anniversary.*

## CLOSED SESSION

**21-3951**

Vote on a request to go into Closed Session pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses, including agreement on a tentative list of economic development incentives that may be offered by the public body

**A motion was made by Commissioner Crawford, seconded by Commissioner Howard, to go into Closed Session pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses, including agreement on a tentative list of economic development incentives that may be offered by the public body. The motion carried by the following vote:**

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, Commissioner Crawford and Commissioner Howard

## ADJOURNMENT

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

**Aye:** 5 - Chair Dasher, Vice Chair Hales, Commissioner Gomez Flores, Commissioner Crawford and Commissioner Howard