



Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, March 18, 2024

2:00 PM

Agriculture and Conference Center

Work Session - 2:00 PM - Agriculture and Convention Center

Present: 5 - Vice Chair Karen Howard, Chair Mike Dasher, Commissioner David Delaney, Commissioner Franklin Gomez Flores and Commissioner Katie Kenlan

APPROVAL OF WORK SESSION AGENDA

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner David Delaney, that the work session agenda was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

RECOGNITION OF RETIREES

[24-5159](#)

Recognize Retiree Robin Askins with Chatham County Department of Social Services

Human Resources Director Courtney Jones stated that Robin Askins joined the Chatham County Department of Social Services on January 23, 1995 as a Processing Assistant. She worked in the reception area, where she greeted and logged all guests of the agency, as well as performing other administrative duties.

Jones further stated that Robin was promoted to an Income Maintenance Caseworker in May 1997 where she served in Adult Medicaid and then moved to Food and Nutrition in September of 2004. In 2013, Robin was moved to serve on the Universal Application Team where she took and processed applications for all Economic Services Programs in the new NC FAST (North Carolina Families Accessing Services through Technology) System, a program designed to improve the way that state and county agencies do their business. While others struggled to learn this new system, Robin picked up on it very quickly and became adept at troubleshooting and solving issues in the system. In August of 2016, Robin was promoted to be our On-Site Support Specialist for NC FAST. Workers from all programs came to her with their NC Fast issues and she worked to resolve them. In 2020, that role transitioned into also training new workers in Family and Children's Medicaid. Robin has supported our entire Economic Services team over the years.

The Board of Commissioners thanked Robin Askins for your service to the community and we wish you the very best in this new chapter. Askins thanked the Board of Commissioners and her co-workers.

This Agenda Item was received and filed.

PUBLIC COMMENT SESSION

No one signed up to speak.

BOARD PRIORITIES

24-5150

Receive a Presentation from Commissioner Delaney Concerning Strategic Planning and 2025 Budget

Attachments: [Delaney Agenda Abstract, Strategic Planning and 2025 Budget Slides](#)
[Delaney Strategic Planning Table with 2021 Climate Change Advisory Committee Recommendations](#)

Commissioner Delaney shared the following:

The Chatham County's 2017 Comprehensive Plan includes many implementation steps that are foundational to Chatham County's strategic objectives. The County funds that activity and also allocates significant portions of each annual budget to other strategic interests, including public education, public safety, social services, infrastructure, and public health. The Unified Development Ordinance (UDO) will succeed Plan Chatham and require integrated planning and Board decisions that prioritize and sequence important actions on sustainability, infrastructure, development, and public services. At the same time, emerging economic, legal, policy, and other variable factors must be considered as the 2025 budget takes shape. This item continues conversations that the Board and Manager's Office began in 2023 on the Capital Improvements Plan, then continued during the January 9-11 budget retreat. Similar conversations are expected throughout 2024. Primary focus areas for this discussion include sustainability, fiscal (including tax) policy, public education needs (especially given the new state voucher program), and planning for municipal services in current municipalities and growth areas. This discussion advances: coordinated planning and prioritization of outstanding Comprehensive Plan steps; review of emerging variable factors that drive strategic planning and budget choices on Plan Chatham, the UDO and other County programs through 2030; and an integrated, balanced approach to achieving long-term strategic goals and fulfilling annual budget needs. He's not looking for a decision on the item, but the Board may provide guidance to the Manager or adopt positions to advance County work on the 2025 budget, Comprehensive Plan or UDO.

Commissioner Delaney shared the following documents Strategic Planning and 2025 Budget Slides and a Strategic Planning Table.

Commissioner Delaney stated that this began as a topic late last year at the CIP Work Session. The goal of today is not to present any specific resolution but to begin the discussion to continue the topic. Strategic planning for a board is becoming the best practice for elected boards. Delaney asked what others may want to discuss when it comes to thinking strategically. He attended a strategic planning program with the School of Government and National Association of Counties. He shared a graphic and stated that these are just suggestions of ways we may cluster topics together. Delaney reviewed his reasoning for selecting the specific areas of interest.

Commissioner Delaney stated that he spoke with the County Manager about how budget season is not the greatest time to add something into the mix. Delaney stated that he would like to have a concrete goal like the regressive tax situation. He stated

that Wake County is one of the three best in the country with regressive taxes. Chair Dasher stated he would like to talk about regressive taxes as well. Commissioner Delaney asked if the Board of Commissioners could go ahead and direct staff.

Chair Dasher asked the County Manager if staff could bring back some examples of the regressive tax examples and see if that is something we can do in Chatham County. County Manager Dan LaMontagne stated they could bring something back to the budget retreat next year. Commissioner Delaney asked for it to be brought back in the fall. LaMontagne stated that he will work with the budget staff and try to bring back information at the CIP budget work session.

This Agenda Item was received and filed.

24-5162

Receive a Presentation and Adopt a Resolution to direct the expenditure of \$364,500 in opioid settlement funds to support the following strategies: 1. Collaborative Strategic Planning 2. Evidence-Based Addiction treatment 3. Recovery Support Services 4. Early Intervention 5. Naloxone Distribution

Attachments: [Opioid Settlement Funds Resolution 3.7.24](#)
 [Opioid Settlement BOC 3-18-2024](#)

Chatham County Health Department Director Mike Zelek introduced Chatham County Sheriff Mike Roberson and Opioid Overdose Prevention Coordinator Morgan Culver.

Sheriff Roberson stated that there are other things contributing to overdoses in Chatham County like mental health issues. Roberson stated that the partnership cannot address some of the other issues because of how the funding is structured. There are no laws regulating synthetic drugs like vape shops. He shared his appreciation for the work the partnership is doing.

Opioid Overdose Prevention Coordinator Morgan Culver reminded the Board of Commissioners of what her role is as the coordinator. She coordinates opioid overdose prevention efforts county wide, facilities with the Sheriff's Prevention Partnership on Controlled Substances, which is a county wide collaborative and serves as the planning body for all substance use abatement work, specifically the opioid settlement funding.

Culver gave an overview of opioid settlement funding. In July 2021, North Carolina announced a \$26 billion agreement with pharmaceutical distributors of opioids to bring resources to communities harmed by the opioid epidemic. The agreement resolves litigation over the role of four companies in creating and fueling the opioid epidemic. Beginning in 2022 and ending in 2038, Chatham County will receive a total of \$2.9 million in funding from this settlement. A second settlement provides an additional \$2.33 million in funding to Chatham County through 2035. Both settlements combined average approximately \$293,000 per year from 2022-2038. The Chatham County Board of Commissioners previously voted in March 2023 and November 2023 to adopt resolutions to direct the expenditure of opioid settlement dollars toward strategies recommended by the Sheriff's Prevention Partnership on Controlled Substances. This funding authorization expires March 31, 2024.

Culver shared the funding for the Collaborative Strategic Planning strategy (\$139,500) will be used to support the Opioid Overdose Prevention Coordinator role at the Chatham County Public Health Department, meeting, and other operational expenses.

This role coordinates county-wide overdose prevention efforts and facilitates the Sheriff's Prevention Partnership on Controlled Substances. The partnership is a county-wide collaborative that focuses on strategic planning to "address opioid misuse, addiction, overdose or related issues..." This aligns guidance in Exhibit A of the MOA for this strategy.

Culver stated that the funding for the Evidence-Based Addiction Treatment strategy (\$55,000) will be used to "support evidence-based addiction treatment consistent with the American Society of Addiction Medicine's national practice guidelines for the treatment of opioid use disorder..." per Exhibit A of the MOA. Directly funding treatment will remove barriers to care for uninsured and underinsured patients. According to the Community Opioid Resources Engine for North Carolina (CORE-NC) "The use of FDA-approved medications for OUD have been shown to have multiple benefits including reducing cravings/withdrawal symptoms, overdose deaths, and the transmission of communicable diseases, while improving an individual's quality of life."

Culver stated that the funding for the Recovery Support Services strategy (\$50,000) will be used to support people in treatment or recovery "in accessing addiction treatment, recovery support, harm reduction services, primary healthcare, or other services or supports they need to improve their health or well-being," per Exhibit A of the MOA. This strategy encompasses a wide range of interventions to empower people who use drugs or are in recovery to improve their health and wellbeing. Specifically, this strategy will support access to transportation for people in recovery which can be used for attending medical appointments, legal appointments, recovery support groups, and more.

Culver stated that the funding for the Early Intervention strategy (\$20,000) will be used to "Fund programs, services, or training to encourage early identification and intervention for children or adolescents who may be struggling with problematic use of drugs or mental health conditions..." per Exhibit A of the MOA. According to CORE-NC, "These interventions empower people to understand and address the underlying issues that accelerate drug use."

And the final funding for the Naloxone Distribution strategy (\$100,000) will be used to maintain the Naloxone Education and Distribution Program coordinated by the Chatham County Public Health Department, as recommended by the Sheriff's Prevention Partnership on Controlled Substances. Per Exhibit A of the memorandum of agreement, the program will "support programs or organizations that distribute naloxone to persons at risk of overdose or their social networks." According to CORE-NC, "Expanding access to naloxone through various community settings is a key strategy in reducing overdose deaths. Multiple research studies have found that communities with naloxone distribution programs have reduced opioid overdose deaths and opioid use. Naloxone distribution saves lives."

Vice-Chair Howard asked how many clients at Vaya have access to these resources. Culver stated that Vaya is part of the partnership.

Commissioner Gomez-Flores if they were trying to stay within an average of the funding every year. Culver replied that they did not want to borrow from the future because we do not know how things will work out. Gomez-Flores followed up and asked if overdoses were going down. Culver stated that the data takes about eighteen months to get back to staff, but they are measuring how many kits they distribute and the avenues in which they distribute.

Commissioner Kenlan stated this was a very helpful presentation and she appreciated the background information.

The Board of Commissioners thanked Zelek, Roberson, and Culver for the presentation.

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Franklin Gomez Flores, that the Resolution 24-10 to direct the expenditure of \$364,500 in opioid settlement funds to support the following strategies: collaborative strategic planning, evidence-based addiction treatment, recovery support services, early intervention, and naloxone distribution was adopted. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5131](#)

Receive a Presentation and Adopt the Statements Developed or Revised Through the Value Chatham Initiative

Attachments: [Value Chatham Update BOC 3-18-24](#)

Equity and Community Engagement Officer Brenda Clegg shared a presentation with the Board of Commissioners. Clegg stated that the purpose of Value Chatham was to build a sustaining diversity, equity, inclusion and belonging strategy for Chatham County.

Clegg shared the objective of Value Chatham which is to gain input from Chatham County employees, to collaboratively develop mission, vision, value and equity statements for our organization that align with our purpose, goals, aspirations, and values. The Value Chatham team participants are composed of volunteers requested from all county departments, all department heads participated in survey, two individuals per department participated in Value Chatham two workshops. The team had different ages, races, genders, sexual orientation, religions, and political beliefs.

Clegg shared the final mission statement developed: Chatham County is committed to building a thriving community through services and solutions that are innovative, sustainable, and financially responsible.

Clegg shared the final vision statement developed: Chatham County's vision is to excel in equity and enhance the quality of life for all through collaborative leadership, exceptional service, and transparency.

Clegg shared the value statement developed: At Chatham County, our core values guide our actions and decisions: respect, collaboration, accountability, equity, integrity, service, honesty, community, innovative, transparency, resiliency, diversity, opportunity, empathy, and health. The core values guide our actions and decisions. Clegg shared definitions of each.

Clegg shared the equity statement developed: We know that our greatest strength comes from the people who make up our team and community. We are intentional in our efforts to create an environment that is inclusive, diverse, and thrives on the perspectives, experiences, and backgrounds of our collective team. This allows us to be authentic as we show up to work each day, being more successful and collaborative as we address the concerns and needs of the Chatham County community. Focusing on equity allows us to support and provide services to the community with an equity focused lens.

Clegg shared the anti-discrimination statement developed: Chatham County does not and shall not discriminate based on race, color, religion (creed), gender, including pregnancy, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status in any of its activities or operations. These activities include, but are not limited to, the hiring and termination of employees or contractors, selection of volunteers, selection of vendors, and provision of services to residents, community partners and visitors within the county.

Clegg shared the equal employment opportunity statement developed: Chatham County Government is committed to fostering a diverse workforce that enhances the quality and perspective of the services we deliver to our residents and visitors. Our policy is grounded in the principle of treating all employees and applicants fairly and equitably, while respecting their privacy and constitutional rights. We strive to ensure equal pay for work of equal value and to acknowledge outstanding performance in all personnel transactions. Furthermore, we are dedicated to promoting equal employment opportunities, regardless of race, sex, sexual orientation, gender expression, color, religion, national origin, disability, age, protected veteran status, or any other non-merit factor.

Exceptions to this policy are only made where religion or sex constitute bona fide occupational qualifications required by business necessity, and where disability does not unreasonably hinder satisfactory job performance, with or without accommodations. Chatham County is committed to safeguarding employees against discrimination to the fullest extent permitted by law, based on race, color, gender identity, age, disability, genetic information, marital status, political affiliation, whistleblower activity, parental status, and military service (past, present, or future). Furthermore, we prohibit retaliation against individuals for participating in Equal Employment Opportunity (EEO) activities or opposing discriminatory practices.

Clegg shared the timeline and the next steps.

Commissioner Delaney asked if the county had a hotline for employees to identify a concern. Clegg replied that she is currently looking into a new software application.

Vice-Chair Howard stated that excellent work has been done since the one-on-one meetings last year. Howard feels this will be a useful tool but also hopes this will make the workforce more diverse.

Commissioner Delaney asked if there was an opportunity to help nonprofits as well. Clegg replied that this particular initiative does not include nonprofits, but her overall job responsibility is to be a resource to nonprofits. Delaney followed up and asked if this would include homeowner associations. Clegg replied no but we can look into that, but equity should be embedded in everything we do.

The Board of Commissioners thanked Clegg for the presentation.

A motion was made by Vice-Chair Howard, seconded by Commissioner Kenlan, that the statements developed or revised through the Value Chatham Initiative be approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

on Completing Access to Broadband (CAB) Grant funding

Attachments: [Chatham County State of Broadband Mar.2024](#)

County Manager Dan LaMontagne gave an overview on the homes funded through the broadband grants, which have been a great success.

Policy and Legislative Analyst Brenton Hart presented a broadband update. Hart stated that counties are unable to provide high-speed Internet broadband service directly to residents, but counties may provide grants to internet service providers for the purpose of expanding service in unserved areas.

Hart gave an overview of the types of technologies and shared a map of the unserved locations, fiber served locations, and the locations served by cable in Chatham County.

Hart shared the current funding:

1. Growing Rural Economies with Access to Technology (GREAT) Grant is a competitive grant program that provides funding to private sector broadband providers to deploy last-mile broadband infrastructure to unserved areas of North Carolina.

Locations: 2,472 homes, 68 business

- Total Project Cost: \$8.1M*
- Total Grant Amount: \$5.9M*
- Match Amount (State & County): \$2.2M*

2. Rural Digital Opportunity Fund will provide \$20.4 billion in funding over a ten year period to support the construction of broadband networks in rural communities.

Eligible areas included those without current (or already funded) access to adequate broadband service, defined by the FCC as 25 Mbps downstream and 3 Mbps upstream (25/3).

Hart shared the future funding opportunities:

1. The Completing Access to Broadband (CAB) Program provides an opportunity for individual N.C. counties to partner with North Carolina DIT to fund broadband deployment projects in unserved areas of each county.

2. The Broadband Equity, Access, and Deployment (BEAD) Program, provides \$42.45 billion to expand high-speed internet access by funding planning, infrastructure deployment and adoption programs in all 50 states.

3. The Broadband Stop Gap Solutions Program provides funding for areas unserved or underserved with broadband following investment from the GREAT Grant Program and the CAB Program. This program may provide grants to internet service providers, local government entities and nonprofits for the provision and installation of broadband infrastructure to unserved and underserved households.

Budget Analyst Will Curvin discussed the Completing Access to Broadband funding. Curvin stated that the Board of Commissioners originally appropriated \$1,000,000 in ARPA funding for broadband. The county has awarded bids to AT&T and Brightspeed, which has resulted in approximately \$500,000 being used. The remaining approximately \$500,000 was planned to be used for the Completing Access to Broadband grant, at a 35% project match. With the \$500,000 allocated to Completing Access to Broadband grant would amount to total project of \$1,428,571.43. However, a project with a larger budget would be more attractive to potential bidders.

Curvin stated that under the Obligation Interim Final Rule from US Treasury, salary and benefit costs for ARPA funded positions are ineligible expenses after the obligation deadline of December 31, 2024, instead of the expenditure deadline of December 31, 2026. Because of this, there will be a shortfall of approximately \$2 million dollars in ARPA spending of our total award of \$14.4M. As such, there is additional restricted ARPA funding available for additional uses, of which broadband infrastructure is one.

Curvin shared the funding estimates and Hart shared a map of Completing Access to Broadband grant eligible locations.

The Board of Commissioners discussed the broadband grants including the number of homes, ARPA available funds, potential items to fund, bids, and how the funds would impact county residents in a meaningful way.

The Board of Commissioners thanked Hart and Curvin for the presentation.

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Katie Kenlan, to add an additional \$2 million of ARPA funds to the broadband project. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5171](#)

Vote to Proceed with the Subdivision of County-Owned Real Property, Associated with Tax ID Numbers 89649 and 62426, to be Conveyed to the Town of Pittsboro

Attachments: [Convey Property to Town of Pittsboro - Ball Field and Downtown Corners - Presentation](#)

Assistant County Manager Bryan Thompson stated that the county owns two parcels of land in and near downtown Pittsboro, and staff recommends conveying portions of each to the Town of Pittsboro for its public use.

Thompson stated that the first property is the Historic Courthouse square in downtown Pittsboro, with Parcel ID # 89649. This property is physically divided by NC Department of Transportation roads, including the traffic circle around the Historic Courthouse. The proposal is to subdivide the two northern corners of this property and convey the two corners to the Town of Pittsboro. In total, the two corners are roughly one quarter of an acre.

Thompson stated that the downtown Historic Courthouse square property corners being recommended for subdivision and conveyance exist within the Pittsboro Downtown District, where both corners are presently utilized for additional downtown parking. The Town of Pittsboro has been granted an easement by Chatham County on the northwest corner. The easement was granted by the county for the Town to make and maintain improvements to the property. These improvements include a rain garden and the installation of pervious brick pavers. The county has no intended public use of these two corners beyond their current use, which is parking. As a practical matter, these two corners are an extension of downtown Pittsboro and serve to benefit the Downtown District with additional parking.

Thompson stated that the second property proposed is the Old Central Services Building previously owned and occupied by Chatham County Schools, with Parcel ID # 62426. The staff recommendation is to subdivide the existing baseball field and adjacent fenced area at the southern end of this property and convey it to the Town of

Pittsboro. The total proposed area is approximately 2.4 acres.

Thompson stated that the Old Central Services property being recommended for subdivision and conveyance exists adjacent to an existing Town of Pittsboro park, which is comprised of open recreation space, basketball courts, and tennis courts (also utilized for pickle ball). The county has no plans to incorporate the baseball field into its parks inventory. The proximity of the baseball field to the existing town park represents an opportunity for the Town of Pittsboro to expand its park footprint within the town and provides the town an opportunity to begin offering organized athletic programming. The fenced area beside the baseball field enables the town's Parks and Recreation Department to store equipment and supplies needed for the maintenance and upkeep of the baseball field and adjacent park facilities.

Thompson confirmed that the Town of Pittsboro has expressed interest in the subject properties and is willing to accept them if offered by the county.

Thompson identified the budgetary impact of this proposal includes the cost of professional services to subdivide these properties and legal expenses associated with the conveyance of the subdivided parcels to the Town of Pittsboro.

The Board of Commissioners asked the following questions of Thompson:

Does the school system use the ballfield. Thompson replied no.

Is the downtown parcel designated historic with restrictions. Thompson stated that he was not aware of any.

The consensus of the Board of Commissioners was to proceed with the subdivision of county-owned real property, associated with tax ID numbers 89649 and 62426, to be conveyed to the Town of Pittsboro.

This Agenda Item was referred to the County Manager's Office.

[24-5158](#)

Review the Board of Commissioners' Rules of Procedures Potential Updates

Attachments: [BOC Rules of Procedure - Red Line Document](#)
[BOC Rules of Procedure - Red Lines Accepted Draft](#)
[BOC Rules of Procedure - Electronic Meeting Language Included - April 2020](#)
[Chatham County Planning Hearing Rules](#)
[VI.A--Code of Ethics-BOC](#)

County Attorney Bob Hagemann reminded the Board of Commissioners at the Tuesday, January 16, 2024 meeting, Commissioner David Delaney shared that he participated in a UNC School of Government course on Board Rules of Procedures. Delaney suggested having a standing committee of the Board of Commissioners to review the Board Rules of Procedures from time to time. The consensus of the Board of Commissioners was for Commissioner Delaney to meet with the County Attorney and County Clerk to discuss the Board's Rules of Procedures and bring the information to the next meeting, then the Board of Commissioners can review the items and decide. Then at the February 19, 2024 meeting, County Attorney Bob Hagemann reviewed some of the recommended changes with the Board of Commissioners. The Board of Commissioners directed the County Attorney, County Manager, and Clerk to the Board to review the Board's Rules of Procedures and bring back recommendations.

Hagemann then reviewed the following identified potential changes with the Board of Commissioners

1. Changes in name of the Board of Commissioners throughout the document for consistency.
2. Changes for inclusivity.
3. Changes to align with practice.
4. Removal of electronic policy.
5. Addition of:
 - a. Planning Public Hearing Rules
 - b. Public Comment language
 - c. Code of Ethics

The Board of Commissioners reviewed and discussed the potential changes to the Rules of Procedures.

The Board of Commissioners made some additional changes and asked the county attorney to bring back the Rules of Procedures to a future meeting.

This Agenda Item was referred to the County Attorney.

End of Work Session

RECESS

The Board of Commissioners recessed at 4:56pm.

Regular Session - 6:00 PM - Agriculture and Convention Center

INVOCATION and PLEDGE OF ALLEGIANCE

Chair Dasher asked everyone to pause for a moment of silence, then lead the Pledge of Allegiance.

CALL TO ORDER

Chair Dasher called the meeting to order at 6:00pm.

APPROVAL OF REGULAR SESSION AGENDA

Commissioner Gomez-Flores asked for item 24-5153 Vote to accept \$15,000 from UNC Health Chatham (Chatham Hospital) to support the 2024 Chatham County Community Assessment to be removed from the consent agenda since he is on the Chatham Hospital Board.

The item was removed from the consent agenda and placed after the consent agenda.

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Franklin Gomez Flores, to approve the Regular Session agenda as amended. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

APPROVAL OF CONSENT AGENDA

24-5183

Vote to Approve the December 4, 2023 Board of Commissioners' Meeting Minutes

Attachments: [12-4-2023 Draft Minutes](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the December 4, 2023 Board of Commissioners' Meeting Minutes were approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

23-5067

Vote to approve a quasi-judicial request by The Towers LLC dba Vertical Bridge for a Special Use Permit on approximately 3.25 acres of parcel 83021, located off NC 42, Moncure, for a wireless telecommunications tower, Cape Fear Township

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

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the quasi-judicial request by The Towers LLC dba Vertical Bridge for a Special Use Permit on approximately 3.25 acres of parcel 83021, located off NC 42, Moncure, for a wireless telecommunications tower, Cape Fear Township was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

23-5065

Vote to approve a legislative request by the City of Durham on behalf of Western Intake Partners (City of Durham, Chatham County, Town of Pittsboro, and OWASA) for a rezoning from R-1 Residential to Conditional District Light Industrial, on parcels 17538 and 17546, being approximately 121.583 acres), located on Seaforth Road, for a regional drinking water treatment facility, New Hope Township

Attachments: [More information from the Planning department website](#)
[Western Intake Partners RWTF Chatham County Public Hearing Presentation 1-16-2024](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the legislative request by the City of Durham on behalf of Western Intake Partners (City of Durham, Chatham County, Town of Pittsboro, and OWASA) for a rezoning from R-1 Residential to Conditional District Light Industrial, on parcels 17538 and 17546, being approximately 121.583 acres), located on Seaforth Road, for a regional drinking water treatment facility, New Hope Township was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5154](#)

Vote to approve a request by Brian O’Kane, P.E. on behalf of Garden Street Communities Southeast, LLC for subdivision **First Plat** review and approval of **Savannah Ridge**, consisting of 78 lots on 152.08 acres, located off Moncure School Road (SR1931), parcel 11229 in Haw River Township

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

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the request by Brian O’Kane, P.E. on behalf of Garden Street Communities Southeast, LLC for subdivision First Plat review and approval of Savannah Ridge, consisting of 78 lots on 152.08 acres, located off Moncure School Road (SR1931), parcel 11229 in Haw River Township was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5196](#)

Vote to adopt a Resolution approving electronic advertisements for bid opportunities instead of the newspaper depending on the types of vendors required for the goods and/or services solicited

Attachments: [Blanket Resolution for Electronic Bid Advertising](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that this Resolution 24-07 approving electronic advertisements for bid opportunities instead of the newspaper depending on the types of vendors required for the goods and/or services solicited was adopted. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5141](#)

Vote to adopt a Resolution Declaring Property Surplus and Authorizing Sale of Said Property

Attachments: [Resolution to Surplus Property and Auction](#)
[Surplus List FY24 Auction List v1](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that this Resolution 24-08 Declaring Property Surplus and Authorizing Sale of Said Property was adopted. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5146](#)

Vote to adopt a Resolution Amending the Chatham County Criminal History Check Policy

Attachments: [Criminal History Check Policy - HR Edits](#)
[Resolution - Criminal Background Check Policy March 2024 Amendments](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that this Resolution 24-09 Amending the Chatham County Criminal History Check Policy was adopted. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5147](#)

Vote to approve pyrotechnic display for the Briar Chapel Community Association located at 176 Boulder Point Rd, Chapel Hill, NC on June 29, 2024

Attachments: [Attachment A-N.C.G.S 14-410 and 14-413](#)
[Attachment B- Letter of Request Briar Chapel 2024](#)
[Attachment C-NC Pyrotechnic Display Operators License](#)
[Attachment D- Moncourtois Certificate of Insurance 2024](#)
[Attachment E- Moncourtois ATF License 2023](#)
[Attachment F-Site Plan Briar Chapel 2024](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the pyrotechnic display for the Briar Chapel Community Association located at 176 Boulder Point Rd, Chapel Hill, NC on June 29, 2024 was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5151](#)

Vote to approve the naming of two private roads in Chatham County listed as Lassiter Farm Road and Walnut Springs Road

Attachments: [Lassiter Farm Rd Petition](#)
[Lassiter Farm Rd map](#)
[Lassiter Farm Rd area map](#)
[Walnut Springs Rd Petition](#)
[Walnut Springs Rd map](#)
[Walnut Springs Rd area map](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the naming of two private roads in Chatham County listed as Lassiter Farm Road and Walnut Springs Road was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5148](#)

Vote to approve competitive bid exemption and sole source under North Carolina G.S. 143-129(e)(6) for Carolina Recording Systems for sales,

third party integrations, service, and maintenance on 911 recorders and associated equipment used within the county Emergency Communications Centers

Attachments: [Eventide Letter for CRS - 2024 \(NC SC WV VA DC\)](#)
[Sole Source Letter - Chatham 02232024](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the competitive bid exemption and sole source under North Carolina G.S. 143-129(e)(6) for Carolina Recording Systems for sales, third party integrations, service, and maintenance on 911 recorders and associated equipment used within the county Emergency Communications Centers was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5149](#)

Vote to approve the proposal from Carolina Recording Systems for the upgrade of mission critical recording hardware and equipment for the Emergency Communications Centers for \$159,735.00

Attachments: [CRS Quote # - Q-00164 - Chatham County 911 - DX Upgrade Actual](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the proposal from Carolina Recording Systems for the upgrade of mission critical recording hardware and equipment for the Emergency Communications Centers for \$159,735.00 was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5152](#)

Vote to approve a request from the Sheriff's Office to purchase seven vehicles for a cost of \$283,847.90, using the North Carolina State Competitive Bid Award STC 2510A

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the request from the Sheriff's Office to purchase seven vehicles for a cost of \$283,847.90, using the North Carolina State Competitive Bid Award STC 2510A was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5139](#)

Vote to accept \$10,811 in additional funds for ARPA Public Health Workforce Development NCDHHS funds from Guilford County to support staff development and training needs and purchase equipment for programming

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, to accept \$10,811 in additional funds for ARPA Public Health Workforce Development NCDHHS funds from Guilford County to support staff development and training needs and purchase equipment for programming was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5161](#)

Vote to approve Fiscal Year 2023-2024 Budget Amendments

Attachments: [Budget Amendment 2023-2024 Mar 18](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, to approve Fiscal Year 2023-2024 Budget Amendments was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5155](#)

Vote to approve Tax Releases and Refunds

Attachments: [February 2024 Release and Refund Report](#)
[February 2024 NCVTS Pending Refund Report](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the Tax Releases and Refunds was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5193](#)

Vote to approve the contract with Trio Community Meals for Nutrition Services with An Amount Not to Exceed \$375,000

Attachments: [Chatham County - Contract Draft - 2024-03-13](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the contract with Trio Community Meals for Nutrition Services with An Amount Not to Exceed \$375,000 was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5156](#)

Vote to approve the contract with Engineered Floors for the replacement of the carpeting at the Department of Social Services for \$189,389.90

Attachments: [Engineered Floors - DSS Carpet - Contract 03182024](#)
[Carpet Labor Catham County P 1193](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the contract with Engineered Floors for the replacement of the carpeting at the Department of Social Services for \$189,389.90 was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5157](#)

Vote to approve the contract amendment #2 for Green Revival

Landscaping for the mowing of County facilities

Attachments: [Green Revival Amendment 2 -2024 \(003\)](#)
[Green Revival - Amendment 1 - 07012023 - EXECUTED](#)
[Green Revival-Mowing Facilities & Construction FY23](#)

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the contract amendment #2 for Green Revival Landscaping for the mowing of County facilities was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5197](#)

Vote to approve a contract with Motorola Solutions in the amount of \$142,775.67 for public safety radio bidirectional amplifiers and distributed antenna systems in JS Waters School and Siler City Elementary School

Attachments: [Motorola BDA for Siler City ES and JS Waters 2024](#)

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the contract with Motorola Solutions in the amount of \$142,775.67 for public safety radio bidirectional amplifiers and distributed antenna systems in JS Waters School and Siler City Elementary School was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5160](#)

Vote to approve the FY2024 Audit Contract with Martin Starnes & Associates, CPAs, P.A.

Attachments: [Chatham County - 2024 Audit Contract](#)
[Chatham County - 2024 Single Audit Engagement Letter](#)

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the FY2024 Audit Contract with Martin Starnes & Associates, CPAs, P.A. was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5170](#)

Vote to award Circle Up, LLC (Retreat at Pittsboro) \$32,373.82, and After School, LLC (Siler School Square) \$28,906.50 as an Affordable Housing Support grants.

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Katie Kenlan, to award Circle Up, LLC (Retreat at Pittsboro) \$32,373.82, and After School, LLC (Siler School Square) \$28,906.50 as an Affordable Housing Support grants was approved. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

End of Consent Agenda

[24-5153](#)

Vote to accept \$15,000 from UNC Health Chatham (Chatham Hospital) to support the 2024 Chatham County Community Assessment

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, to accept \$15,000 from UNC Health Chatham (Chatham Hospital) to support the 2024 Chatham County Community Assessment was approved.

The motion carried by the following vote:

Aye: 4 - Vice Chair Howard, Chair Dasher, Commissioner Delaney and Commissioner Kenlan

Recuse: 1 - Commissioner Gomez Flores

SPECIAL PRESENTATION

[24-5168](#)

Vote to adopt and present a Proclamation Honoring Black Maternal Health Week in Chatham County

Attachments: [Proclamation Honoring Black Maternal Health Week](#)

Commissioner Gomez-Flores read aloud the Proclamation Honoring Black Maternal Health Week in Chatham County.

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the Proclamation Honoring Black Maternal Health Week in Chatham County was adopted. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5169](#)

Vote to adopt and present a Proclamation Honoring Women's History Month in Chatham County

Attachments: [Proclamation Honoring Women's Month 2024](#)

Vice-Chair Howard read aloud the Proclamation Honoring Women's History Month in Chatham County.

A motion was made by Commissioner Franklin Gomez Flores, seconded by Commissioner Katie Kenlan, that the Proclamation Honoring Women's History Month in Chatham County was adopted. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[24-5175](#)

Vote to adopt and present a Proclamation Honoring Arts in Schools Month in Chatham County.

Attachments: [Proclamation Honoring Arts in Our Schools Month 2024](#)

Commissioner Kenlan read aloud the Proclamation Honoring Arts in Schools Month in Chatham County.

A motion was made by Vice-Chair Karen Howard, seconded by Commissioner Franklin Gomez Flores, that the Proclamation Honoring Arts in Schools Month in Chatham County was adopted. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

PUBLIC COMMENT SESSION

The Board of Commissioners received the following public comments:

By Email:

Grace Penny

I heard on NPR radio on March 5 about 4:30pm a commentary called "Why are there Suddenly so Many Carwashes by a fellow named? Brisbane? Brisbon. Chatham County is not the only place dealing with this. Evidently it is now a national issue!!! I think this Board should listen to the very few minutes of this. It totally explains this issue and the reasons why NOT to allow any more car washes anywhere! Reasons were brought up that I had not thought of and evidently, no one else had pointed out on our Neighborhood chat. It is a "MUST HEAR" before this Chatham Board takes any action on this very hot matter!!! Thanks, Grace Penny

Alan McConnell

Members of the Chatham County Board of Commissioners:

My name is Alan McConnell, and I am providing public comments to the BOC on Monday night in opposition to the Walt Lewis rezoning request to allow the construction of a huge boat and RV storage facility in an R-1 area on Beaver Creek Road. I have summarized below key points in opposition to this request made by me, my neighbors and members of the Planning Board. These points are taken from the public record for this rezoning case and the Planning Board meeting of 2/6/2024. My neighbors and I request that you please review this summary prior to your vote on Monday night.

SUMMARY OF KEY POINTS IN THE RECORD AND PLANNING BOARD MINUTES IN OPPOSITION TO WALT LEWIS REZONING REQUEST

1. This exact Project was rejected by the Planning Board and Full Board of Commissioners in 2016. Statements by the Planning Staff and in the Planning Board report at that time included "It is staff opinion this rezoning would have a destabilizing effect on the residential uses in the surrounding area." Despite numerous inquiries by the affected neighbors and one Member of the Planning Board, the Planning Staff has not explained why its position has changed so precipitously that it has now recommended approval. The Application for the Project states, "The vast majority of properties located in this area and along Beaver Creek Road are already supporting local businesses and not residential uses". This is absolutely not true. In fact, of the parcels with Beaver Creek Road frontage, residential uses outnumber commercial uses by greater than 2 to 1, even including the Jordan Lake property and the two parcels Mr. Lewis seeks to rezone in the commercial total. The imbalance is even greater when you include the residential parcels that are accessed only from Beaver Creek, but do not have road frontage. The ratio similarly favors residential usage when acreage is compared, rather than numbers of parcels. Does this Commission, the Planning Board, and/or the Planning Department intend to support the "destabilization" of the residential uses in the Community and encourage increased and numerous commercial uses? The courtesy of a response is requested.

2. The Planning Board voted in favor of the Project by a vote of 5-3. In the record, 23 actual residents of the Community oppose the project. Ten parties support the Project. Only one of the supporting parties lives in the Community. This individual is a

real estate broker who has listed his home in the Community for sale and intends to move to the coast. As stated by Ms. Colbert of the Planning Board, "everyone that supports this project has a financial relationship with the Applicant."

3. The Project is twice as big as any of the Applicant's existing storage facilities.
4. The Project would diminish the value of nearby residential real estate.
5. The Project would be located on property that is suitable for residences. The applicant argues that the property is not suitable for residential development, because it does not percolate to an acceptable degree. This is demonstrably incorrect.
6. The applicant's traffic analysis remains woefully inadequate and completely fails to consider traffic approaching the facility from the south, including the volume of cars using Tody Goodwin Road as a cut-through from Wake County. The applicant relies entirely on a four page document that the author of the document, Chase Smith of Ramey Kemp Associates, refers to as a "trip generation letter of sorts" that is based on data from 2016. The "letter" does not address turning traffic, increased traffic on Beaver Creek Rd., and how the facility will add to lengthy backups on Beaver Creek that already occur. Despite all the traffic concerns voiced by the Community, the Planning Department has not required the Applicant to prepare an NCDOT TIA Analysis as may be required in the County's Application even though the Applicant agreed to provide a "traffic impact analysis . . . prepared by a qualified engineer" in the community meeting. Finally, the Applicant states in the application that NC DOT has "approved the two access entry driveways to the facility," although nothing in the record supports this statement. Alan McConnell

Barbara Thomas

To :Chatham County Board of Commissioners,

A carwash which has no means of disposing of its wastewater next to a wooded buffer which was purposely made 300 feet so as not to disturb the contiguous residential properties just doesn't make sense. There are plenty of carwashes nearby such as the one at the gas station just north of this proposed Sam's. There is also a huge new carwash, Hubies in Pittsboro right in front of the new Lowe's Food. Additionally, there is a carwash just south of the above at the Refuel. There is Suds Up right in Pittsboro and another out West Street. Those are just a few. There is no need for a carwash, especially right up against Fearington Village residential properties. Put some retail or a shared office hub, something quiet with the only wastewater concerns being restrooms. Thank you for your consideration. Barbara Thomas, 652 Spindlewood, 27312

Catherine Loveland

I am writing to vote against the proposal of Sam's Car Wash to use the buffer zone along Fearington Village to dispose of waste water. There is a reason it's called a "buffer zone" ... chemicals, automotive fluids and other toxic materials will flow into that zone and eventually leach into the ground water. Catherine Loveland, 595D Weathersfield, Fearington Village

Larry Newlin

We are residents of Fearington Village and are strongly opposed to the proposed car wash. It is not fair to nearby residents to have wastewater from the car wash sprayed on the buffer zone protecting their homes. We are also concerned about further pollution of a nearby creek that flows ultimately into Jordan Lake which we depend on for our water supply as do many other communities in the Triangle. Not only do we not need a huge car wash at our community's doorstep, but in fact, we have a new car wash just minutes away.

Thank you in advance for consideration of our concerns, Larry and Lee Newlin, 4 West Camden, 1104 Fearington Post, Pittsboro, NC 27312

Mickey Kesselman

My wife and I strongly oppose this wastewater proposal for Sam's car wash. Linda and Mickey Kesselman, 724 Barnsley, Pittsboro, NC 27312, 620 Fearington Post, Pittsboro, NC 27312

Mary LaVelle

The stream that winds through Fearington is already compromised. The car wash that is proposed has the potential of making that even worse. We do not need a car wash - there is a nice new one in the outskirts of Pittsboro--but we do need a decent quality of water. Please do not allow them to dispose of their wash water as they propose. Mr. and Mrs. James LaVelle, 716 Spindlewood in Fearington

Kathryn Gettys

Please don't allow Fearington Village to become polluted by a car wash. Thank you.

Elizabeth Krijgsman

Re the request by SXCW Properties, II, LLC to dispose of wastewater from their proposed Sam's Car Wash in the buffer zone protecting Fearington Village: The buffer zone was created to benefit both the many residents of Fearington Village and the natural environment. I am curious as to the reasoning for now destroying it, after nearly 50 years, for the benefit of one business interest and the detriment of FV and the environment. When the Commissioners consider whether to accede to this request, they should first ask themselves why the buffer zone was created in the first place and what sudden exigent circumstances now require its destruction. Thank you, Elizabeth Krijgsman

Suzanne Burke

Wastewater disposal containing toxins from a car wash which will abut a neighborhood anywhere is unacceptable. I urge the Board of Commissioners to think carefully before they add yet another business with harmful implications for the public sector. Suzanne Burke

Mary Coyle

Commissioners: As a resident of Fearington Village I would urge you to vote against the waiver request by Sam's Car Wash to put in a drainage field to allow them to dispose of their wastewater in the buffer zone that protects Fearington Village. The buffer zone is there to protect Fearington property from this type of misuse. Sincerely, Mary Kay Coyle, 478 Beechmast, Pittsboro, NC 27312

Brenda Ungerland

Dear Friends, PLEASE do not allow Sam's Car Wash to dump wastewater in the buffer zone of Fearington Village. They have other solutions that will not harm our precious natural environment. To degrade our property in this way is 100% unacceptable. We must protect our environment. Quality of life, for our wildlife and our community, is the priority. PLEASE do the right thing. Sincerely, Brenda Ungerland, passionate resident

Leo Shanahan

I am 100% against SCW's proposal to disposed of waste water in the buffer zone protecting FV. My suggestion is SCW should install at water purifier/recycling system at the site.

William Kearney

Dear Chatham County Board of Commissioners, Thank you for your public service and

the opportunity to express my concern with the subject proposal. I am among many who oppose the SXCW Properties, II, LLC proposal to build Sam's Car Wash and dispose of wastewater in the buffer zone protecting Fearington Village, due to concern over compromising the buffer zone and polluting nearby waterways. Advancing this private economic opportunity grossly impacts the rights, goals, and interests of the environment and boundaries of our community. Please refrain from approving the subject proposal and respect our mutual high standards for integrity, independence and public confidence entrusted to our County Government by the citizens of our community. Thank you, William Kearney, Pittsboro, Chatham County, NC

Bert Bowe

I listened to the 2/15/24 Zoom put on by attorneys for the proposed Sam's Car Wash. It was clear that the majority of attendees had a negative view of this project, as did my wife Kathy and I. Our takeaway is their planning could and should have been much better: Someone should have known much earlier that Briar Chapel waste treatment could not handle the chemical effluent. Residents in the area should have been given much more information before this, though credit to the attorney and a couple other key folks for at least doing the Zoom. They did not have answers to a lot of the questions though promised to provide them for the next meeting. In our opinion, the biggest issues are chemical waste affecting vegetation, ground and surface water in Fearington, and Sam's should be required to clearly address those convincingly so that you and we all feel comfortable with these frequent discharges. Failing that, the project should be denied. Noise and light pollution should also be addressed. Best Regards, Bert and Kathy Bowe, 18 East Madison (Fearington Village), Pittsboro, NC 27312

James Rudbeck

Chatham County Board of Commissioners – your March 18 meeting re Sam's Carwash. We live at 16 West Camden in Fearington Village - we oppose your granting a wastewater discharge waiver to Sam's Carwash for discharge into the Fearington buffer zone. In fact, we feel that a carwash in the proposed location would be unsightly and not in keeping with the nature of the neighborhood. James and Mary Rudbeck, 16 West Camden

George Malacinski

Please vote AGAINST SXCW's proposal to dispose of wastewater by pouring it into the "buffer zone" which protects our dear Fearington Village. Our village is a "treasure", which the county, and State of North Carolina are understandably proud of! The adverse long-term effects of the proposed disposal plan will be both broad, and permanent. Please vote against it! Thanks, in advance, George Malacinski, Ph.D.

Hugh Knapp

My wife and I have lived in a townhome above the Beechmast Pond in Fearington Village for 20 years. We note the usage of the Pond for a walking trail created by volunteers. The Pond creates a habitat for numerous turtles, fish and birds including Heron. Thus the Pond is a very valuable and beautiful resource for our neighborhood and community. I fear that the run-off of wastewater from a car-wash would leach into the tributaries and creeks which feed the Pond. Over the years, the Fearington Homeowners Assoc. Has maintained the Pond including a program, fifteen years ago, to dredge out a silt-collecting fore bay. Induced by the threat of a Tort Claim, the Dept of Transportation contributed \$5000.00 toward this effort. The Fearington Homeowners Assoc. Contributed \$5000.00 and Mr. R. B. Fitch gave \$10,000. Outside interests should not be permitted to threaten this environment. (Dr.) Hugh H. Knapp, 456 Beechmast, Fearington Village.

Dublin Popov

To: Board of Commissioners - On Wednesday March 13, the Chatham County Planning Department spoke at Fearington Village about Sam's Car Wash and addressed our concerns about the request by SXCW Properties, II, LLC to dispose of wastewater from their proposed Sam's Car Wash in the buffer zone protecting Fearington Village. I am reporting to you that the thirty of us who were in attendance were without exception adamantly against this proposal. I am writing to you now because I understand that on Monday, March 18, the Board of Commissioners will be voting on this proposal. I am asking you to please cast your vote against Sam's Car Wash. Sincerely, Dublin Popov, Resident of Fearington Village

Paige Greene

Hi, I am sure you have a copy of this from last month. I would like to point out #7 and #8. The fact that groundwater and stream will not be monitored is concerning since there is an established seep from the land into the creek. Also #13- the study on the impact of noise and light pollution that Sam's carwash representative thought they had done has not been made public to my knowledge. Thanks, Paige Greene, New Home Specialist, Fitch Creations, Inc.

Greene shared her questions and responses she received from Matthew Parker, Pre-Construction Manager, Sam's Carwash:

- 1. What type of septic system is proposed for installation? Anaerobic Drip System located in soil suitable for a conventional system, proposed septic capacity is 2,900 gpd. Is this a closed-loop wash water recycling system? What is the capacity of the system? If this is a wash water recycling system there will be sludge generated - how will that sludge be disposed of? How will the recycled water be stored? The polishing/reclamation system for this site outlets 5.93 gallons of water to sewer per car. The majority of the water is polished to a point that it can be re-used to wash cars. The sludge water remains in the trench and is cleaned out by Sam's Xpress employees.*
- 2. What will the inspection schedule for the system be? Quarterly inspections are required. Who will have access to the inspection reports? The reports are submitted to the County Health Department. What are the consequences for a failed inspection? The Engineer/Operator/County HD provide guidance on corrective actions required.*
- 3. What percentage of live tree canopy and understory vegetation will need to be removed in order to accommodate the system? The typical design specification is vegetation 4" in diameter and less is removed to facilitate system installation of the dripfield. In the location of the buried supply piping, a 18" – 24" deep trench ~3' wide is excavated. This is the "darker path" through the center of the dripfield.*
- 4. What percentage of removal is allowed before the designation of "vegetative buffer" no longer applies? Unsure*
- 5. What percentage of removal is allowable before system collapse becomes inevitable? The system is based on the capacity of the soil.*
- 6. What environmental impact study was conducted in tandem with this system proposal? A site and soil evaluation was completed to determine the location of the drainfield.*
- 7. Who will be monitoring the ground wells and where will that data be stored and how may it be accessed? With maintaining the required setback distances from well, monitoring of groundwater wells is not planned.*
- 8. Will there be any monitoring of the adjacent stream? With maintaining the required setback distances from the stream, monitoring of the stream is not planned.*
- 9. Will there be any additional plantings around the perimeter of the drain field to offset the loss of vegetation. And will this planting be done on a 1-1 basis to offset loss? Plantings can be added.*

10. What consideration was given to the remaining vegetation, specifically the trees left standing? The drainfield design allows for "blanking" to allow the dripline to "go around" the tree and minimize damage to the tree roots.
- 11: How has the trenching to install drain field lines been justified as it impacts remaining adjacent tree roots? The dripline is installed at a shallow depth to minimize impacts to tree roots.
12. Will there be any additional above- or below-ground construction or disturbance within the 300' perimeter buffer at any point during the life of this business? No, only the septic system.
13. Has there been any noise level study done to compare current dB levels at the perimeter and into the adjoining neighborhood versus what those noise levels will be anticipated to be with the removal of a percentage of the existing buffer? Likewise has there been any thought to the light penetration in summer and winter from new construction with the current buffer and with a reduction in buffer biomass? I believe we have a study referencing that. I can forward as I find it in our records.
14. What permits were pulled, specifically through the Health Dept? The Engineered Option Permit is being utilized for the wastewater system with the Health Department. An Industrial Pump and Haul application is also being sought with NC DEQ to remove portions of the washwater during high usage.
15. Is this septic system bonded? Who specifically will be responsible in the event of a system failure?

Betty Anne Carlin

To the Commissioners: Please do not approve the application by the owners of the car wash to allow the dirty water from their business to make its way into Jordan Lake. These chemicals strong enough to clean dirty vehicles are also strong enough to harm humans, especially young ones in whose bodies they can accumulate over time. Profit for the company must not prevail over public health. Remember we vote. Please....

Becky McKee

To the Board of County Commissioners: As a resident of Fearington Historic District I ask that you decline okaying the spraying of waste water from Sam's Car Wash into any portion of our buffer zone. Please listen to the voices of the people you represent. I believe you, as a board, will stand for the residents of Fearington and vote NO to Sam's car wash request. Respectfully, Becky McKee

Geoffrey Neal

Regarding the request by Sam's Car Wash to alter the buffer between their proposed construction location and the homeowners in Fearington Village adjacent to the lot. A month ago I posed a series of questions about this proposed change. I include them here as well as the answers (italicized) provided by a representative of Sam's Car Wash, additionally I am adding comments relevant to those questions:

1. What type of septic system is proposed for installation? Anaerobic Drip System located in soil suitable for a conventional system, proposed septic capacity is 2,900 gpd. Is this a closed-loop wash water recycling system? What is the capacity of the system? If this is a wash water recycling system there will be sludge generated - how will that sludge be disposed of? How will the recycled water be stored? The polishing/reclamation system for this site outlets 5.93 gallons of water to sewer per car. The majority of the water is polished to a point that it can be re-used to wash cars. The sludge water remains in the trench and is cleaned out by Sam's Xpress employees.

2. What will the inspection schedule for the system be? Quarterly inspections are required. Who will have access to the inspection reports? The reports are submitted to the County Health Department. What are the consequences for a failed inspection?

The Engineer/Operator/County HD provide guidance on corrective actions required.

3. What percentage of live tree canopy and understory vegetation will need to be removed in order to accommodate the system? The typical design specification is vegetation 4" in diameter and less is removed to facilitate system installation of the dripfield. In the location of the buried supply piping, a 18" – 24" deep trench ~3' wide is excavated. This is the "darker path" through the center of the dripfield. This is troubling. It is a fact that trees and septic fields do not coexist for very long. Trenching through an existing stand of trees, a forest, will damage extensive sections of roots of these individuals. 80% of a tree's roots are within the first 12-18" of soil. This network of living tissue must remain intact to ensure the tree's health. Wholesale cutting of roots by trenching will lead to decline and eventual tree death in the proposed drainfield area. This is not prognostication, this is fact. Not to put too fine a point on it, but the trees were there first. A plan was established to protect them and allow for adjacent development, and now that plan is at risk of alteration in a hastily drawn up manner that will doom many of the trees in this stand of woods. Please do not forget that losing a few trees at a time is a natural process and forests recover through succession. Losing larger numbers, removing all younger members of the community and damaging sections of root masses of the older members will turn this stand of woods into a short-term vegetative pocket that will decay and decline. It will have no opportunity to renew itself. And, inevitably, when the car wash goes out of business, there will be no trees left in this patch of woods. No owls, no moths, no spiders, no deer, no coyotes, no opossums, nothing but a tangle of underground plastic and stagnant wastewater.

4. What percentage of removal is allowed before the designation of "vegetative buffer" no longer applies? Unsure I'm willing to wager that the folks on that side of the buffer have never considered the question.

5. What percentage of removal is allowable before system collapse becomes inevitable? The system is based on the capacity of the soil. That does not answer the question. The system I'm asking about is the forest that is being threatened.

6. What environmental impact study was conducted in tandem with this system proposal? A site and soil evaluation was completed to determine the location of the drainfield. This information was never provided to the neighbors of this project.

7. Who will be monitoring the ground wells and where will that data be stored and how may it be accessed? With maintaining the required setback distances from well, monitoring of groundwater wells is not planned. Why install monitoring wells if no monitoring is planned? That seems like poor planning. The information gained might be useful? Or damning?

8. Will there be any monitoring of the adjacent stream? With maintaining the required setback distances from the stream, monitoring of the stream is not planned. That stream immediately adjacent to the proposed drainfield runs through Fearington Village, joins Bush Creek and eventually Jordan Lake. I have noted a seep coming from directly below the drainfield site that feeds into the stream. This seep is active for 24 hours approx 24 hrs following a rain event. I wonder if this aspect of the site was even noted by anyone who might have conducted a survey or an environmental impact analysis? I have video footage of this seep that I can make available to the Board.

9. Will there be any additional plantings around the perimeter of the drain field to offset the loss of vegetation. And will this planting be done on a 1-1 basis to offset loss? Plantings can be added. No detail provided. This offset planting should be a requirement in all situations where healthy native vegetation is removed.

10. What consideration was given to the remaining vegetation, specifically the trees left standing? The drainfield design allows for "blanking" to allow the dripline to "go around" the tree and minimize damage to the tree roots. This use of jargon is confusing and not helpful. There is no such thing as minimizing damage to tree roots when one is planning on trenching through a standing forest.

11: How has the trenching to install drain field lines been justified as it impacts remaining adjacent tree roots? The dripline is installed at a shallow depth to minimize impacts to tree roots. See previous comments above. This answer speaks to the lack of knowledge these folks demonstrate with regards to the system they are asking to alter.

12. Will there be any additional above- or below-ground construction or disturbance within the 300' perimeter buffer at any point during the life of this business? No, only the septic system.

13. Has there been any noise level study done to compare current dB levels at the perimeter and into the adjoining neighborhood versus what those noise levels will be anticipated to be with the removal of a percentage of the existing buffer? Likewise has there been any thought to the light penetration in summer and winter from new construction with the current buffer and with a reduction in buffer biomass? I believe we have a study referencing that. I can forward as I find it in our records. No such records were made available. In fact, there has been no communication from these folks regarding their project. If they are aiming at being good neighbors, they are not making a good show of it.

14. What permits were pulled, specifically through the Health Dept? The Engineered Option Permit is being utilized for the wastewater system with the Health Department. An Industrial Pump and Haul application is also being sought with NC DEQ to remove portions of the washwater during high usage.

15. Is this septic system bonded? Who specifically will be responsible in the event of a system failure? Owner. Thank you all for your careful attention

Spoke In Person:

Alan McConnell

My name is Alan McConnell and I live on Tody Goodwin Road in the Community impacted by the Walt Lewis rezoning request you will be voting on tonight. Let's be clear. What you will be voting on is a huge facility, all of which will be right up against Beaver Creek Road for 1/3 of a mile because of the narrow configuration of the property. This facility would be more than twice the size of the Applicant's existing facilities. This exact Project was rejected by the Planning Board and Full Board of Commissioners in 2016. Statements by the Planning Staff at that time included "It is staff opinion this rezoning would have a destabilizing effect on the residential uses in the surrounding area." I have with me a book entitled "The Architectural Heritage of Chatham County, North Carolina." The book lists 17 existing historic buildings in the vicinity of the Project. At least five of the 17 will be adversely impacted by the Project: the Goodwin Farm (1850); my home, The Edward Winslow Goodwin house (1870); Ebenezer Methodist Church (1875), the Aaron Wilson house (1875), and the Freeland Goodwin house (1905). My road, Tody Goodwin Road is named after the son of farmers whose families built many of these houses and helped establish the Community. Wilsonville, the crossroads of Beaver Creek and 64, is named after Aaron Wilson's family. The church cemetery is the final resting place for many of these pioneers of our Community. The Community remains vibrant today with both descendants of those first families and several million dollar plus homes and a new house of worship that you have no doubt heard about. This is a real Community. And contrary to the applicant's statements, the properties along Beaver Creek Road remain overwhelmingly residential. So, again, in 2016 this planning staff stated: "this rezoning would have a destabilizing effect on the residential uses in the surrounding area." Despite numerous inquiries by the affected neighbors and one member of the Planning Board, the Planning Staff has not explained why its position has changed. Does the Commission, Planning Board, and/or Planning Department intend to support the "destabilization" of the residential uses in this Community and encourage increased and numerous

commercial uses? The courtesy of a reply to the residents of the Community is requested. If you are going to throw the Community under the bus by allowing the area to become commercial, please tell us. I believe Ms. Johnson provided you with photographs of two signs. Both of these are currently on Beaver Creek Road. One is the Applicant's existing sign (the one with the message board) and the other sign is at a competitor's storage facility. Now the consistency statement drafted by the Planning Staff states that the Project has "been designed to keep in the spirit of the rural designation" and is "designed for virtually no visibility from the road." Does this look like farming, residential or rural to you? Does this sign look consistent with farmland, historic homes and churches, million dollar homes, and the "spirit of the rural designation?" The existing sign beams fluorescence all night and the messages change periodically to things like "Party at the Lake!" The application shows that the sign for the proposed facility will be like the current garish one, very, very visible from the road and not at all consistent with the staff's consistency statement. If the County decides to foist this Project onto the Community, would you please at least ensure that the signage is tasteful and that it is not illuminated all night polluting our view of the night sky? The competitor's approach is far more tasteful and the illumination is turned off overnight.

Daniel L Galvin

Dear Commissioners: We reside adjacent to the property proposed to be rezoned and we are submitting this letter to you to voice our opposition to this rezoning. As you are aware the planning board approved this matter at its most recent meeting in a divided 5-3 vote. The concerns which we had brought to the attention of the planning board remain. In short, we would propose the following summary. First, the Applicant says commercial use is necessary because the land will not perc. He has presented no analysis to prove this contention and additionally, we live next door and own the vacant lot adjacent to the north of our residence which is permitted for residential construction with alternate septic systems. It does not logically follow that septic system design challenges necessitate only commercial development of the subject property. Second, commercial development of this land will, in our judgment and the judgment of our neighbors, have an adverse impact on the traffic in the neighborhood by reason of the fact that persons from outside of the neighborhood will be using Beaver Creek Road to pick up and drop off items they have stored at the proposed facility. Third, the tax revenue raised by this development will likely be less than it would be if the very same project were to be developed on a parcel with proper commercial zoning and a corresponding higher value of the underlying land. Fourth, commercial development in the midst of a residential neighborhood would, almost certainly, have a deleterious impact on property values of residences in the neighborhood. Fifth, the proposed uses of the land--including the storage and dispensing of fuel--pose fire and environmental concerns in a location where these concerns are particularly sensitive. Finally, in 2016 this same project was rejected by the planning board and by the commission by reason of the destabilizing effect this development would have on this residential neighborhood. Do you now believe that destabilization of the neighborhood is a good thing and is to be desired? In your capacity as commissioner, you are a steward for the well-being of the lands and resources within your jurisdiction for current and future generations. Good stewardship helps to ensure that natural resources are protected, that environmental challenges are met and that the quality of life for residents is maintained. To allow haphazard exceptions to our zoning laws, you are fostering an out-of-control development which results in inefficient land use, traffic, noise, pollution and disruption of the sense of community of current residents. Please carefully review the record of the planning board deliberations, be sensitive to the needs of our neighborhood and exercise your discretion to deny the applicant's request.

William Harvey

Hello, my name is Mark Harvey. My wife Joy and I are boat owners who come to Jordan Lake. We are here to offer our support in favor of the rezoning expansion of The Extra Garage Storage IV. As boat owners, we wanted to keep our boat as close to the lake as possible. After being on a waiting list, we were contacted by Walt Lewis and offered an upcoming open spot at The Extra Garage Storage III facility. Some prospective boat owners even asked; "how did you land this spot? Did someone die?" That tells you something about the demand! Storing our boat with The Extra Garage has turned out to be a blessing and one of the best decisions we have made for our boating family. Let me tell you why. It limits almost all travel time – keeping us off the roads around the lake -- in two important ways Proximity to the lake. Our facility is right beside the New Hope boat ramp. We pick up our boat/trailer and put it directly into the water. We do not have to tow the boat a long distance like we see others are doing over the highways and roads of Chatham County. This reduces the overall traffic congestion, improves safety, and reduces the exhaust emissions that are created by towing a vehicle around. This proposed facility is also close to multiple lake access points, this would also be a huge reason for rezoning approval. Fuel provided onsite. Being able to fuel up right there on the property and then go directly to launch the boat is wonderful benefit. There is no need to hook up the boat and go drive around looking to find a fuel source somewhere around the County. In addition, the facility is very well maintained and professionally managed for everyone to have a great family experience out on Jordan Lake. The safety and security of the covered facility allows us to store our boat without the worries of theft or damage from Mother Nature when we are not present. A new facility will provide others on the waiting list with great peace of mind. From a practical business perspective, a commercial property will provide more tax dollars to Chatham County than a residential property. Clearly, it makes financial sense to expand the tax base and add more business dollars to help the County's finances. As we all are aware, Chatham County is rapidly expanding. The number of local residents, visitors, and tourists to the lake is growing each year. This is great for Chatham County as tourism brings in revenue for the County. Again, there is a huge need for additional properties like this to offer amenities that help people come and enjoy the lake. I believe your support and approval for this project is good for Chatham County's focus on tourism. Thank you for your time and support tonight. Respectfully submitted, Mark Harvey, Owner, Ten Bears Production Company

Dennis Chapman

My name is Dennis Chapman. I have lived at 175 Woodhaven Drive, New Hill, NC, Chatham County since 1995. I am an avid boater and currently have my boat stored at The Extra Garage on W.H. Jones Road, just off Pea Ridge Road for the past 5 years, under the ownership of Walt Lewis. Mr. Lewis has provided me and my family with a first class facility with all the necessities to make the storage and safety of my boat a wonderful experience; especially the ability to purchase fuel and ice for our adventures on Jordan Lake. The current proposal of Mr. Lewis to pursue another storage installation on Beaver Creek Road as stated this evening and in accordance with this meeting, I would like you to endorse his request! He has proven himself not only as a professional in his other storage facilities, but his new endeavor an asset to the boating community and those he serves.

Cameron Morgan

It is surprising to me that Sam's car wash would be attempting to claim constructing a septic field in a buffer zone is no different than leaving the buffer zone as is since it isn't a clear cut. I also have concerns about the cleaning chemicals, heavy metals, oil, and others off of cars which are harsher than those found in septic waste from restaurants or residential buildings that a sewer company doesn't even want to receive,

hurting the environment. Based on the filings from Sam's and the fact that private septic systems must be looked after by the facility owner, I have worries about compliance. Will the county assess whether the septic tank is regularly pumped to prevent backup into drains? Will the county routinely inspect the system to keep things running smoothly? How many gallons will be discharged per day? What chemicals will be the most problematic in the car wash? If the buffer zone established is disregarded the car wash will basically be following the same requirement for a single-family three-bedroom home with a septic, except they will create theirs right next to a creek. I doubt the owner of the car wash would like a carwash septic system created right next to the lake his home is located upon. I oppose the car wash using a septic system to dispose of their waste water and the buffer zone being intruded upon.

Dennis Reynolds

I am here to speak in favor of the Walt Lewis rezoning and I want to say that my fishing partner myself, Charles, will be coming behind me, have a boat that's stored there. We had a fishing tournament Saturday a week ago when at Jordan, we have another one that's coming Saturday on Jordan. It's very nice to have the boat in a close proximity, but I also want to talk about something that was brought up and has been traffic. So I've got a lot of relatives and the Moncure Merry Oaks area and for many years I commuted to Chapel Hill and back Monday through Friday. Most of the traffic, the RV, the boat traffic, like people like myself are on Saturday and Sundays. So that should be considered when you are thinking about this. This is nothing new, before these of county commissioners. In attendance with me is my wife and her mother, my mother in law was from the Mann's Chapel and she's part of that family that has been up there over 100 years. My grandfather, Lehman Reynolds, many years ago on old number one had a little store and my other grandparents had a nice tobacco farm. So where is it now, it is under Jordan Lake. Change has impacted me personally and my family members over the years, but change can be good and I love fishing the lake now. Jobs are coming here now. The young people can be here. What's going to be needed is small businessmen like Walt to handle the current and all the incoming people that are becoming the Chatham. You are going to be hit with many, many requests over the next few years where all these small business are rezoning because of the big guys that are coming. So thank you for your time. Thank you also for what it's meant to my family. So many generations here in Chatham County. Thank you.

Ervin C. Henderson

My name is Ervin Henderson, a currently live at 802 cover Beach Trail, in Parkers Creek. the expansion of a storage facility because he's meeting an immediate need, one that is not going to change. There's nothing that can be done that can alter what's happening to this area, especially around the lakes, Harris and Jordan. We are particularly interested in Jordan Lake. You have got to have more storage area where attracting people that are coming and these people are working affluent, that wantt to bring their toys with them. You can not stop that. The best you can do is becomes a matter of safety. I think it can be done with almost no adverse impact on the local residents because people with those boats work every day, Monday through Friday during business time of the day and they are not there.

They also have issues because they live in the communities that are controlled by very strong HOA's. No RV's or boats are allowed there. We have to get help from people that want to build us services that are needed and safe. Thank you.

Stephen H, Stewart, President, Fearrington Homeowners Association

Thank you again for letting me speak in opposition to the Waiver proposed by Sam's Car Wash to their existing construction request. I represent the 2300 individuals residing in Fearrington Village. We oppose for two reasons. First, the proposal would

break the buffer established between this property and the Village. Once broken, it can never be reestablished. Second, a potentially toxic waste product containing forever chemicals such as PFAS will be applied in this buffer and leach into homes within the Village. It is my understanding that Sam's purchased this land in good faith, with the understanding, but with no agreement that the waste effluent would be taken by Old North State Sewage Plant at Briar Chapel development. It has very recently become known that Old North State would not accept the toxic waste without pretreatment and that they would not incur the cost of pretreating. This is the effluent that is now proposed to go into our buffer. In denying this waiver, you, the Commissioners, would not be banning the car wash, you would just require Sam's to meet the conditions of the original approval. The solution would rest between Old North State and Sam's as to which would pretreat the toxic waste so that it would be acceptable for normal processing at the North State plant. Again, thank you for your time and attention.

Frank Jackalone

Thank you for giving me the opportunity to speak about the waiver request on behalf of Sam's car wash for allowance of a septic treatment system and drainage field that's wrapping my head around the whole question of what is a buffer under the Compact of the County Compact Ordinance? And so now I asked the question, would placement of a septic treatment system and drainage field behind Sam's Car Wash keep intact the 300 foot perimeter buffer adjacent to Fearington Village? The applicants attorneys stated in their letter to the Chatham County Commission that the drip system will still perform the function of the buffer because they won't be clear cutting, just thinning. They say the land would still be a buffer because the remaining vegetation would soften the view of the car wash from the adjacent properties. But what about the view of the septic system and drainage field itself? That doesn't soften the view at all. In fact, it makes it a lot worse. Just visualize what happens when one of the adjacent homeowners puts their home up for sale and they realized these properties are right against the property. Prospective buyer falls in love with the house and then inspects the backyard and would see the septic tank. What's that thing? Ask as soon as they learn there is a massive septic drainage field just forty feet away, they back away from the purchase. The result is drastic reduction in the property values of all five homes. I'd say that's significant, but would you? It's significant enough that a reasonable person would say the drain field would create a frightening view to the homeowners. It would no longer meet the requirement of the Counties Compact Communities Ordinance, obscure or soften the external view of the compact community from adjacent properties. That's the compact community. It includes buildings and whatever else is in the compact, and not just the buildings. So where are the supporting documents showing that the county independently analyze the project and assess whether it's impacts were mitigated and the county did not do an independent analysis where the documents submitted by Car Sam's car wash showing how the impacts would be mitigated? I don't see them in the agenda packet. Finally, is the County Commission is not obligated to approve the waiver request, even if it buys the attorneys arguments? Of course not. Section 9.2 says It says that the deed restriction must be filed that permanently protects this line and as a buffer. It's not a temporary buffer, it's supposed to be a permanent buffer. Please vote against this waiver request. Thank you.

Rose Krasnow

Tonight I am here to speak against the buffer waiver requested by Sam's car wash in the compact community ordinance which was originally drafted back in the early 2000s. It gained the county permission to modify the requirements of the CCO where reasonable. After taking the impact into account, you seem willing to modify the

requirements regardless of the impact, simply because you have been asked to. For example, I have seen the boundaries of the compact community ordinance expanded several times to include parcels such as that owned by Fearington Preserve, that have major impacts on those who believed that the rural aspects of the county would be protected when Briar Chapel was approved. The county's word affected residents in Fearington to protect them from the briar chapels commercially zoned land adjacent to Fearington's Historic District. The buffer was purposely increased to the 300 foot. You cannot really believe that allowing a drainage field from commercial, installed within that buffer, will not have an impact on the trees. And am I never to sleep with increased noise, lighting, and other impact from the nearby commercial construction. I strongly take issue with the whereas clause and the resolution which states that this waiver will preserve the intent of the buffer. It absolutely will not. It is my understanding, from car wash in 2017 being change the waste is now considered industrial waste and the Briar Chapel Wastewater facility is not approved for such ways. But that is a matter between Sam's car wash and Briar Chapel. There is no reason that the county commissioners should be asked to approve a waiver, and I should hope that you do not. If you should, there is no reason to believe that our lives will not be seriously and continuously impacted as growth continues. And what was once a beautiful county? Because these agreements were made to protect the existing residents of the county. Thank you.

Paige Greene, 84 Shagbark, Pittsboro

Good evening and thank you for listening. Last month, I and lots of other folks who spoke about the request from Sam's Carwash to change the vegetative buffer, mentioned one phrase over and over - the lack of due diligence. The land transaction was done without all parties involved doing their required homework. Old North State, who handles the wastewater for Briar Chapel does not appear to have been

consulted to see if they could or were willing to handle the waste a carwash produces.

This

failure of due diligence is impacting a promised vegetative buffer between commercial properties and an established neighborhood. Tonight, I will speak about the impact this proposed septic field will have on our neighborhood and the wider community. I have two main points. The first point is that what is referred to as "vegetative buffer" is woods, a forest: land that is full of old trees that absorb and reduce the impacts of noise and light from the commercial

properties and the highway. We asked Sam's Carwash if they had done studies on the current noise levels and light pollution compared to what they will produce. They said they believe they have studies referencing that and would forward to us. We have not received any studies that I am aware of. Anyone that has ever dealt with construction knows you do not put a septic field in a forest. The trees that are left after the process of thinning will have significant root damage and while they may not die this year, they will eventually die. They will not be replaced with 20' tall trees

equivalent to what is there now. We do not know if they will be replaced with anything.

We will in a relatively short span of time will have a clear-cut septic field as our promised "vegetative

buffer" between us and the commercial properties. Since we do not have information of the noise or light studies, we have no way of knowing what impact this will have. The second point is these woods have a dramatic drop, just outside of the proposed septic field that leads straight into a creek that feeds into larger creeks and eventually into Jordan Lake.

After a rain, even a small one, there is a seep from the above land that runs straight into the creek. Geoffrey Neal sent you a video of the seep running the day after less than a quarter of an inch of rain earlier this month. Sam's Carwash stated they will not

be monitoring the stream or the groundwater wells. How will we know if chemicals get into the ground and stream? How will we know what damage is caused to the ground, the stream or our neighbor's existing well? We do not even know what chemicals could be present as Sam's Carwash will not disclose. Are we going to find out years later of the damage that this has caused when it is too late? Chatham County has received enough negative attention on similar issues of late. As I said last month It hardly seems fair that we must sacrifice an intact and agreed-upon buffer because of the failure of others to perform their due diligence when this land was purchased. It seems to me and to many of my neighbors that the rush to construction will cause harm to the immediate neighborhood and to the surrounding downstream communities. Thank you again for your attention and careful consideration.

Jason Welsch

My name is Jason Welsch. I live at 848 North Langdon, Pittsboro, NC 27312. When I last stood before you, on January 19, 2024, to speak about this issue, my focus was on the likelihood that approval of the Sam's Car Wash proposal would result in the death of the trees in the buffer zone in question. I was speaking primarily from my more than 50 year experience, and training, focusing on trees including my Bachelor of Science degree from the State University of New York, College of Environmental Science and Forestry, at Syracuse. Today the focus of my comments is the method that the applicant proposes to use to mitigate the negative effects of soaking the forest soil with very large quantities of dirty, slimy, soapy water. The method being the proposed construction of a septic system and leach field, in the previously protected 300 foot woodland buffer. The theory behind this proposal is that such a "septic system" will somehow cleanse the voluminous, filthy, slimy, soapy water and magically mitigate the otherwise profoundly negative effect of converting the forest floor in the leach field area into a perpetual, slimy, muddy morass. A muddy morass fed by an all day, day after day, drip - drip - drip of dirty, slimy, soapy water. You, the Board of Commissioners, are being asked to "sign off" on the idea that it somehow makes sense to change the originally proposed disposal of industrially produced, dirty, slimy, soapy water from an essentially state of the art Wastewater Treatment Facility at Briar Chapel to a very low tech (almost no tech) "septic system". I would urge you to focus your attention on the substantial differences that exist between the process of a modern Wastewater Treatment Facility such as Briar Chapel. And the centuries old process that a septic system represents. To understand the differences in what each system does and does not do, it is important to begin with an understanding of what a typical septic tank is - and how it functions. Essentially a septic tank is usually a large, rectangular, concrete box, with a hole at each end. Dirty water flows into the hole at one end, sets around for a little while, and then flows out the hole at the other end. There is typically nothing pro-actively constructive "working on the dirty water" while it's in the tank. Nothing stirring it around. Nothing being added to it to. No filters separating out the "bad stuff". By and by the same dirty, slimy, soapy water simply flows out the hole at the other end and heads for the leach field. The leach field that will become over time a part of a muddy morass of dead trees. Please be clear, the is the legacy that the approval of this request will lead to. Thank you

Marva Price, 85 Fearington Post, Pittsboro, NC 27312

Thank you Board of Commissioners for this opportunity to present evidence about the detriments of carwash waste water planned for the 300 ft. buffer behind our family residence and several of our neighbors homes. My family drinks water from a permitted well for health reasons. The well is approximately 100 ft from an unnamed stream that directly borders the buffer and will seep into the ground water that serves our well. I am a former Chatham County Board of Health member, and former Chatham County

Health Director here. I served on the state's Public Health Commission, and the state's oil and Gas Commission (formerly known as the Fracking Commission). My Main Point: I spent time speaking with NCDEQ soil and water specialists, who also included the permitting people for carwashes. No permit has been requested to this point with from DEQ, likely because SXCW's current plan is designed simple and falls under Chatham County health department. Mr. Morphis' presentation and preliminary illustrated drawings show typical drain fields like used in a septic tank which the local county health department regulates, but his verbal description spoke of more sophisticated drain fields like those regulated by the state's DEQ (Department of Environment Quality). As planned, inspections will take place 2-4 times a year by a contracted company and not regularly monitored for the 24 inch sewage height in the holding tanks and that sewage is being properly removed. During that span of 2-4 times a year inspections, repair drain fields could overflow plus the added onto climate changes and be a threat to my drinking water the environments aquatic life and streams down line to Jordan Lake where Fearington Village gets its municipal water. Finally, the SXCW and Mr. Morphis know that carwash chemicals contain phosphates, and forever chemicals, harmful to the environment and residents. Please do not adopt the waiver request.

Lawrence "Eddie" Price

Lawrence Price have lived in Chatham County since 1974 and that was my wife. So it is hard to follow up behind her. Our home is adjacent to the two dream fields. My lot is 85. Shagbark is a Fudd to the Buffer 5 home set of budget to the buffer. Over several years I served on the committee giving pride with Briar Chapel or Newland at the time and Fearington Association. I was asking on that committee. We've discussed the buffer for many meetings. The 300 foot buffer they. Work with us and finally accepted the buffer during the past two years. The buffer has been destroyed in the sense and at first I think they allowed another route to go into the book for modified the buffer and. I think it was during the time they were looking at putting in and others step not septic but sewer count in which the buffer was modified. We did not know about that modification. It was done the words to anybody that lived inference. We learned about that buffer during this time that it had been given permission to do that. Well, I guess been kind of surprised by all this buffer has been manipulated and still trying to be manipulated in terms of the modifications. We ask that you not make modifications and that you yet what changes who make? Because changing the buffer means it's no buffer. Modifying the from means it's no buffer we asked. You say no to this modification, otherwise we have no. This buffer expands from the interest Fearington all the way up to Food Lion. There is still more of this buffer for companies to ask for modifications. And again, I asked, did you please consider our request? There's a minimal request. We ask that you not modify. Thank you.

Johnny Shaw

Well, now you guys can get relaxed a little bit because I'm not here to talk about any car washes. I am here to celebrate some decisions to the county commissioners made that are having lasting and unmeasurable benefits to the citizens of Chatham County. First, I want to talk about is the partnership with Central Carolina Community College and all high school students that graduate from there. Chatham County Schools students have the opportunity to go for free giving these kids a lot of my hope. He recently met a nice young man and he asked him do you go to school? He told me. Yes, Sir, I do, I go to CCCC and I get to go for free. I said. Really. And he said, yes, I'm a Northwood graduate. That's just one example. The next thing I want to talk about is the merger of the Council on Aging. The Department of Aging Services. It is just amazing to see the great participation they brought in with new and innovative programs. And I won't give a shout out to the Staff here, Bryan, Carolyn and Roy for all

they did to make this happen. The director is doing a great job. In 1972, when I was at Elon University, I was on the track team and our coach came in a meeting one day. And they took a piece of chalk, and he wrote on the blackboard the word team. Under that, he put a big capital Y and he took the piece of chalk and he slashed through it. And when I thought about five people working together as one. This benefits all of Chatham County, thank you for all you have done and I thank you for all you will do.

PUBLIC HEARINGS

[24-5180](#)

A quasi-judicial public hearing requested by 1535 King Road LLC for a Special Use Permit on parcel 95385, zoned Heavy Industrial, located at 1535 King Rd., being approximately 18.685 acres, for an asphalt manufacture or refining plant, Cape Fear Township. (Applicant has requested an extension to February 2024)

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

Chair Dasher continued the quasi-judicial public hearing requested by 1535 King Road LLC for a Special Use Permit on parcel 95385, zoned Heavy Industrial, located at 1535 King Rd., being approximately 18.685 acres, for an asphalt manufacture or refining plant, Cape Fear Township from the February 19, 2024 Board of Commissioners meeting.

Chair Dasher invited anyone that was going to speak on the item to stand for an oath. Dasher administered the following oath to those standing: Do you solemnly swear or affirm that the evidence or testimony you are about to provide is factual and truthful to the best of your knowledge. Those standing replied yes.

Zoning Administrator Angela Plummer stated that staff had no additional information to present since the hearing was opened at the February 19, 2024 Board of Commissioners meeting.

Nil Ghosh, attorney for the applicant, shared a resume of witness Jonathan Hill. Ghosh then introduced Jarvis Martin with Stewart, Martin, and McCorry, who presented an updated study to put into evidence concerning the Neighborhood Market Study. The presentation included updated research for four additional asphalt plants in Chatham, Lee, and Alamance counties. The study included a summary of sales data, analysis on commercial, light industrial, businesses and residential home sales near the four locations.

No one signed up to speak during the hearing.

This Agenda Item was referred to the Planning Board.

BOARD PRIORITIES

[24-5112](#)

Vote to approve a request by Lydia Lavelle, on behalf of SXCW Properties II LLC to reduce and modify the Perimeter Buffer for Commercial Parcel #93106, SD-East, Briar Chapel for the installation of a septic system, pursuant to Section 9.2 of the Compact Communities Ordinance

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

Planning Director Jason Sullivan shared the request by Lydia Lavelle, on behalf of SXCW Properties II LLC to reduce and modify the Perimeter Buffer for Commercial Parcel #93106, SD-East, Briar Chapel for the installation of a septic system, pursuant to Section 9.2 of the Compact Communities Ordinance, which was originally presented at the February 19, 2024 Board of Commissioners meeting.

Lydia Lavelle with Brough Law gave an overview of the request. Lavelle shared potential tax revenue numbers and stated that the Board of Commissioners has approved previous waivers. She stated that their interpretation of the ordinance is that the waiver should be granted.

The Board of Commissioners discussed the two components of the request with County Attorney Bob Hagemann. One, if approved would allow for the impact in the buffer and two would allow for the waiver to not connect to the wastewater system.

Sullivan shared a history of the ordinance and stated that about fifteen waivers have been granted previously.

The Board of Commissioners asked if action was required for this item. Hagemann replied no, but he recommended that they do so that there is closure on the issue.

The Board of Commissioners discussed the request including protecting communities, the environment, quality of life, and how to best vote on the request.

A motion was made by Vice Chair Karen Howard, seconded by Chair Mike Dasher to deny the waiver request by Lydia Lavelle, on behalf of SXCW Properties II LLC to reduce and modify the Perimeter Buffer for Commercial Parcel #93106, SD-East, Briar Chapel for the installation of a septic system, pursuant to Section 9.2 of the Compact Communities Ordinance. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

[23-5013](#)

Vote to approve a legislative request by Walt Lewis to rezone Parcels 88772 (16.54 ac) and 17696 (4 ac) from R-1 Residential to CD-NB Neighborhood Business for a boat and RV storage facility located at 896 Beaver Creek Rd, New Hope Township

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

Planning Director Jason Sullivan presented the legislative request by Walt Lewis to rezone Parcels 88772 (16.54 ac) and 17696 (4 ac) from R-1 Residential to CD-NB Neighborhood Business for a boat and RV storage facility located at 896 Beaver Creek Rd, New Hope Township.

Sullivan stated that the applicant had previously applied to have the parcel rezoning and it was denied by the Board of Commissioners.

Brady Herman with Brough Law Firm, the attorney for the applicant gave an overview of the request.

The Board of Commissioners discussed the request and traffic and reviewed maps.

The Board of Commissioners expressed their reservations about the project and more storage facilities around the lake to detract from the beauty.

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Katie Kenlan, to deny a legislative request by Walt Lewis to rezone Parcels 88772 (16.54 ac) and 17696 (4 ac) from R-1 Residential to CD-NB Neighborhood Business for a boat and RV storage facility located at 896 Beaver Creek Rd, New Hope Township. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

CLERK'S REPORT

Clerk to the Board Jenifer Johnson stated since the Board of Commissioners meetings will be moving back to the Historic Courthouse an amendment to the resolution setting the time and date of the meeting needed to be approved.

Johnson also stated that there are no items for the April 1 meeting, so staff is recommending that the meeting be cancelled.

Johnson reminded the Board of Commissioners about the Association of County Commissioners District 9 meeting on May 2 at 12noon.

Intergovernmental Manager Lindsay Ray shared an update on the audio visual being installed in the Historic Courthouse.

24-5283

Vote to approve the amendment to the 2023/2024 Resolution Setting the Time and Date of the Board of Commissioners Meetings

Attachments: [Resolution Setting the Time and Place for BOC Meetings signed 3-18-2024](#)

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Katie Kenlan, that the Resolution 24-14 Setting the Time and Date of the Board of Commissioners Meetings was adopted. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan

MANAGER'S REPORT

County Manager Dan LaMontagne stated that he would be attending a conference on Thursday and Friday.

LaMontagne stated that the Chatham County Historical Association has more volunteers and they would like to open the museum more times. LaMontagne suggested that the contract with them be amended to reflect the change. LaMontagne stated if the Board of Commissioners are good with the change that he would have the county attorney make the change to the contract and place it on the next agenda for approval.

Commissioner Delaney asked if there was an agreement in place. LaMontagne stated yes and they have been abiding by the agreement. Commissioner Delaney replied that he just wants to make sure that there is still an opportunity for others to plan events

and use the Historic Courthouse. The Board of Commissioners discussed other events.

The consensus of the Board of Commissioners was to move forward with an amended contract with the Chatham County Historic Association.

COMMISSIONERS' REPORTS

Commissioner Delaney stated that he participated in a School of Government program on effective community engagement. He plans on having an event in early April on community engagement.

Commissioner Delaney shared his concerns over the new voucher program and the impact it may have on budgets.

Vice-Chair Howard stated that she and Assistant County Manager Bryan Thompson attended the Shelter Advisory Board meeting and had the opportunity to have an interesting conversation. She also had the opportunity to attend the Chatham Economic Development Board meeting which had some great conversation about early childhood needs assessment and workers we are planning for in the county.

Vice-Chair Howard shared that she was reappointed to the Governors Crime Commission. Vice-Chair Howard stated that she attended the 6 over 60 event with Aging Services and the Chamber's Annual Meeting and rebranding announcement.

The final item Howard shared was information on a foster working group with the North Carolina Association of County Commissioners.

Commissioner Gomez-Flores stated that he has been discussing funding and budgets with committees and generally speaking about more requests. Some of the conversations included Communities in Schools and Teen Court.

Commissioner Kenlan shared several updates. She had her first meeting as a voting member for CAMPO and attended AI Training with Assistant County Manager Bryan Thompson with Central Pines.

Commissioner Kenlan congratulated her mom Elaine Chiosso for receiving a 6 over 60 award from Aging Services for her 40 plus years of work trying to keep Jordan Lake clean.

Commissioner Kenlan stated that she attended the Big Night for the Arts event and thanked those that organized the event.

Commissioner Kenlan stated that she completed the Advanced Leadership Training Corps with the School of Government, and she is only one of three Chatham County officials to complete the course.

The Board of Commissioners congratulated Kenlan on the outstanding accomplishment.

ADJOURNMENT

A motion was made by Vice Chair Karen Howard, seconded by Commissioner Katie Kenlan to adjourn the meeting. The motion carried by the following vote:

Aye: 5 - Vice Chair Howard, Chair Dasher, Commissioner Delaney, Commissioner Gomez Flores and Commissioner Kenlan