



Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, October 17, 2016

6:00 PM

Historic Courthouse Courtroom

Work Session - 1:30 PM - Historic Courthouse Courtroom

Rollcall

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

PUBLIC INPUT SESSION

No one signed up to speak.

BOARD PRIORITIES

[16-1895](#)

Receive presentation from Family Violence Rape Crisis (FVRC).

Attachments: [c project-10032016143914.pdf](#)
[Construction Tour 5-18-11 \(dragged\).pdf](#)
[HBS Elite Series 2015 STD's.pdf](#)

Cindy Carter with Family Violence Rape Crisis (FVRC) introduced Heather Fair with North Carolina Custom Modulares.

Chairman Crawford asked what the quote was for alarm and sprinkler system. Ms. Fair stated \$9,000 to \$15,000. Vice Chair Hales asked what the unit will cost. Ms. Fair stated \$265,000 with the exception of the alarm and sprinkler system. It is handicapped accessible. The unit has six bedrooms, four bathrooms, an office, kitchen, and living room. It is proposed to be built in Siler City.

Vice Chair Hales asked if they had the address of the property. Ms. Carter stated they do not have a physical address yet but it is on Fir Avenue. Vice Chair Hales asked what the cross street would be. Ms. Carter did not know. Ms. Fair stated it is parcel 0015993. Vice Chair Hales stated the only vacant lot she saw on Fir was a very wooded lot. Ms. Carter stated the lot is not very wooded. The FVRC office is also on Fir Avenue and the property is a couple of blocks below the office.

Chairman Crawford asked what the annual capacity would be for the proposed unit. Ms. Carter stated an average of twelve based on an average forty-five day stay.

Vice Chair Hales wants to know more about the actual site. Ms. Carter stated Jack Meadows with the Town of Siler City recommended the property. It is in a safe neighborhood and law enforcement would have quick access to it.

Commissioner Petty asked why the shelter is being moved from Pittsboro to Siler City. Ms. Carter stated it is a financial decision. They also send most of the clients of the shelter to Siler City for various services. Commissioner Petty asked if the property was purchased without full board approval. Ms. Carter stated it was thought to have had full board approval.

Commissioner Petty asked where most of the clients are from. Ms. Carter stated they come from a variety of areas. There is more opportunity to transition clients out of the shelter in Siler City.

The County Manager stated \$450,000 was set aside by the County and it was to be combined with \$900,000 from the NC Housing Finance agency. That was to be a loan and the loan was lost in June or July of this year. Without that funding this is the new plan to use the funding from the County and the funding they have raised themselves. The County Manager stated she did advise Ms. Carter, Jo Sanders, and Jane Allen Wilson in July that they would need to come to the County before moving forward with the project, including buying the land. The County Manager advised Ms. Carter of that again recently when she requested a check for the property. They purchased the property without bringing the concept to the Board of Commissioners. The County Manager believes more review of the building needs to be done to see whether it meets code.

Chairman Crawford asked Ms. Carter to respond to whether or not she was given an appraisal of what the County needed. Ms. Carter stated she was asked to step down from the FVRC board and to work in her current position. There were changes within the agency and she was putting out a lot of fires left by five other people. She believes there was some confusion over what was needed. She did not understand fully what was needed.

The County Manager stated the contract with FVRC calls for them to submit any contracts for purchase to the County before they enter into any contracts. She stated she met with Jo Sanders, Jane Allen Wilson and Ms. Carter in July and clearly went over that they would need to present a new concept of the shelter because it had changed very much since the original concept. The Chairman has an email from Ms. Wilson reiterating the conversation. Jo Sanders is present and can vouch for the conversation. The County Manager took detailed notes on what was required.

Ms. Carter stated she doesn't doubt that but she was confused.

Chairman Crawford asked if Magnolia House was a temporary shelter. Ms. Carter stated they entered into a contract with Magnolia House in May with the intent of getting approval for the fire and alarm systems and getting it handicapped accessible. The interim director removed all the clients from the old shelter and he hired a new director of the shelter. The new director needed training and did not receive the correct training. There were reports due that the interim director did not turn in and some funding was lost. No women moved in to Magnolia House because there was no staff there. They paid for May, June, July, August and part of September when they broke the lease. Chairman Crawford asked for the justification of breaking the lease. Ms. Carter stated the FVRC board made the decision to lay off the staff of the shelter.

Commissioner Petty asked how much money was required to retrofit Magnolia House. Ms. Carter stated \$15,000 plus \$3,100 a month in rent.

Commissioner Cross thinks these plans need to go through the County Manager and staff for review to make sure they meet the County's criteria before going any further.

Commissioner Howard stated there is a concern with the organizational structure of the agency.

Vice Chair Hales asked about the lack of staffing and how is it being addressed. Ms. Carter stated they have run ads to hire people and they hope when the doors open all staff would be trained.

Vice Chair Hales asked what would happen to the original shelter. Ms. Carter stated the Board wants to sell it. The County Manager asked for the last date clients were in the shelter. Ms. Carter said around the middle of May.

Commissioner Petty thinks this needs to go back to staff. He believes staff's review should include a performance review to make sure the Board is investing in the right place.

By unanimous consent the Board asked staff to provide a report and a performance review of FVRC from the past twenty-four months. Chairman Crawford suggested providing meeting minutes from the board meetings.

[16-1891](#)

Chatham County Climate Change Advisory Committee Presentation on Natural Capital Update

Attachments: [climate_change_committee_natcap_update](#)
[Amanda Robertson Comments](#)

Amanda Robertson with the Climate Change Advisory Committee submitted comments to the Board. (Comments attached)

Vice Chair Hales asked what the \$1,000 to \$2,500 would be used for. Ms. Robertson stated it would be similar to plotting out what a GIS software would do. It is gathering all the data and producing maps of the county that lets everyone know where all of the information is.

Commissioner Petty asked if the committee expects staff to input the information. Ms. Robertson stated they would need to ask staff for help in identifying where the information is located.

Chairman Crawford stated they need to find out if there is any money available to cover the cost of the researcher. Commissioner Petty suggested going through the program first.

Commissioner Petty asked if the information gathered would be used to guide developers. Ms. Robertson stated that is the intention. Commissioner Petty asked if the committee sees it becoming part of an ordinance. Ms. Robertson stated she is not qualified to answer that question because she doesn't know what the legal ramifications are and what the Board can do. She thinks a big part will be educating the public.

Commissioner Howard thinks the county could get to a place where it attracts developers who are interested in preserving the county's natural capital.

Vice Chair Hales believes this information could be assigned to the Environmental Review Advisory Committee for them to review when they are looking at plans.

[16-1893](#)

Chatham County Climate Change Advisory Committee Presentation on Education and Outreach

Attachments: [climate_change_education_update](#)

Amanda Robertson with the Climate Change Committee addressed the Board. The committee would like to sponsor a climate change conference in Chatham County. They have asked the Abundance Foundation to consider partnering with the climate change committee. The Abundance Foundation was very open to the partnership. The conference would be in March. The committee would like to work with county staff on finding funding sources and getting the word out to the community.

Vice Chair Hales thinks the County could provide the space at the Agriculture and Conference Center and help with promotion and publicity.

Commissioner Howard asked if they would reach out to the community college and public schools. Ms. Robertson stated they would definitely reach out to them.

Chairman Crawford asked for a more detailed description of what is needed.

Commissioner Howard also asked that they reach out to the agricultural community.

[16-1892](#)

Chatham County Climate Change Advisory Committee Presentation on Sustainable Buildings

Attachments: [CCC - THE COST OF LEED](#)
[CCC recommendations October 17 2016](#)
[CCC Sustainable Buildings](#)

Alicia Ravetto with the Climate Change Committee gave a presentation to the Board. (Presentation attached).

Commissioner Petty stated LEED buildings were not voted out by the Board in 2011. The decision was made that a LEED building must have a return on investment within seven years.

Commissioner Howard asked if there are suggestions for specific reduction targets. Ms. Ravetto stated 70% reduction in energy.

Ms. Ravetto asked why LEED certification was not pursued with the Agriculture and Conference Center and other county buildings. Commissioner Cross stated the architects looked at LEED certification. Some buildings are difficult to facilitate LEED such as the jail. The jail came back with a twenty year payback much like the geothermal option they heard at the last meeting that was a fifty year pay back. Ms. Ravetto stated the third party certification gives you the information on how the building is performing. Commissioner Cross stated the architects are LEED certified.

Commissioner Petty stated the Board has to be responsible with tax payer dollars.

Vice Chair Hales stated it comes down to measurement and accountability. You don't build a building and walk away. She believes the Board should make a commitment to a LEED standard.

Commissioner Howard stated she has two children at Margaret Pollard School and to have them in a school that doesn't off gas is worth it.

The Board discussed the pros and cons of doing a building audit.

A motion was made by Vice Chair Hales, seconded by Commissioner Howard, to direct staff to get a quote on what it would cost to do a building audit for the Pittsboro Library, the CCCC Technology Building, the Justice Center, Margaret Pollard School, the Siler City CCCC building, the Detention Center, and the Agriculture and Conference Center. The motion carried by the following vote:

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

[16-1894](#)

Chatham County Climate Change Advisory Committee Update on The Greenhouse Gas Emissions and Reduction Project

Attachments: [CCInvBOC](#)

John Graybeal with the Climate Change Advisory Committee addressed the Board. The Climate Change Advisory Committee thinks it is important to get an inventory of greenhouse gas emissions. In April 2010 a baseline greenhouse gas emissions inventory was done. The committee has been using two grad students from UNC.

The Board agreed for the committee to move forward with the project.

[16-1863](#)

Presentation to the Board of Commissioners to receive feedback on options for Chatham County to address litter.

Attachments: [Options to Address Litter.pptx](#)

Shannon Culpepper provided a presentation to the Board. (Presentation attached)

Chairman Crawford suggested a sub-committee of the Board to look at the options presented.

Commissioner Petty and Vice Chair Hales agreed to serve on the sub-committee and they will come back to the Board in January.

CLOSED SESSION

[16-1885](#)

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

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

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

ADJOURNMENT

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

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

End of Work Session

Regular Session - 6:00 PM - Historic Courthouse Courtroom

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

INVOCATION and PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

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

APPROVAL OF AGENDA and CONSENT AGENDA

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

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

[16-1873](#)

Vote on a request to approve the September 19, 2016 Work and Regular Session minutes, the September 29, 2016 Special Meeting minutes, and the September 29, 2016 Joint Elected Officials Meeting minutes.

- Attachments:** [Minutes 09.19.2016.pdf](#)
 [Minutes Special Meeting 09.29.2016.pdf](#)
 [Minutes Joint Elected Officials Meeting 09.29.2016.pdf](#)

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

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

[16-1727](#)

Vote on a Request to Approve a Pyrotechnics Display at the Bennett Baptist Church, 68 E. Bonlee Street, Bennett, NC 27208, on October 22, 2016.

Attachments: [Fireworks G.S. 14-410.doc](#)
[Attachment B-Pyrotechnic Display Request Bennett 2016.pdf](#)
[Attachment C-NC Pyrotechnic License Bennett 2016.pdf](#)
[Attachment D-Pyrotechnic Display Insurance Certificate Bennett 2016.pdf](#)
[Attachment E-Pyrotechnic ATF License Bennett 2016.pdf](#)
[Attachment F-Pyrotechnic Display Site Map Bennett 2016.pdf](#)

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

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

[16-1728](#)

Vote on a request to approve the appointment of Mr. Jay Farrell to the Firefighter's Relief Fund Board of Trustees for the Pittsboro Fire & Rescue Department.

Attachments: [Attachment 1- Relief Fund Board of Trustees Appointment Request.pdf](#)
[Attachment 2-NC Firefighter's Relief Fund Description.pdf](#)

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

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

[16-1886](#)

Vote on a request to approve a change to the Advisory Policy Addendum A to add members to the Climate Change Advisory Committee.

Attachments: [Advisory policy addendum A revision for oct 17 2016 final.pdf](#)

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

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

[16-1872](#)

Vote on a request to appoint two members of the Chatham County Housing Authority.

Attachments: [hall appt letter housing authority sept. 2016.pdf](#)
[moore appt letter housing authority sept 2016.pdf](#)

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

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

[16-1883](#)

Vote on a request to approve two appointments to the Climate Change Committee.

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

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

[16-1755](#)

Vote on a request to accept \$2,560.57 NACCHO Retail Program Standards Mentorship Program Funds.

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

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

[16-1801](#)

Vote on a request to approve Robert Kapp for a Conditional Use Permit revision at American Self Storage located at 30 Mt. Gilead Church Rd., Parcel No. 17454, to remove three existing structures currently used for boat and RV storage to be replaced with two bi-level, climate controlled self-storage mini storage units.

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

A motion was made by Commissioner Petty, seconded by Commissioner Cross, that Resolution #2016-41 Approving a Conditional Use Permit Revision Request by Robert Kapp dba American Self Storage, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[16-1800](#)

Vote on a request to approve the Chatham County Alcoholic Beverage Control Board for a rezoning of Parcels No. 11503 being all of 1.57 acres and No. 11505 being all of 1.46 acres, totaling 3.03 acres, located at the corner of Moncure Pittsboro Rd. and the US 1 off ramp, from R-5 and R-1 Residential zoning to NB Neighborhood Business.

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

A motion was made by Commissioner Petty, seconded by Commissioner Cross, that Resolution #2016-42 Adopting a Consistency Statement for the Approval of General Use Rezoning to NB Neighborhood Business, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

A motion was made by Commissioner Petty, seconded by Commissioner Cross, that this Ordinance Amending the Zoning Ordinance of Chatham County for General Rezoning from R-5 and R-1 Residential to NB Neighborhood Business, attached hereto and by reference made a part hereof, be adopted. The motion carried

[16-1882](#)

Vote on a request to approve amendments to the County Management and Sheriff Retention Schedules.

Attachments: [County Management Retention Schedule Amendment](#)
[Sheriff Retention Schedule Amendment](#)

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

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

[16-1874](#)

Vote on a Request to Approve an Amendment to the Healthcare Agreement with Southern Health Partners, Inc. and authorize the County Manager to executive the Contract.

Attachments: [SHP Amendment #3](#)

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

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

[16-1878](#)

Vote on request to approve lease amendment with Rosemary Street Properties & authorize the County Manager to execute the agreement.

Attachments: [Rosemary Street](#)

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

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

[16-1877](#)

Vote on a request to approve lease for The Town of Goldston and authorize the County Manager to execute the contract

Attachments: [Town of Goldston](#)

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

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

[16-1875](#)

Vote on a Request to Approve a Bid Award to Bakers Waste Equipment and Authorize the County Manager to execute the contract.

Attachments: [Bid Tab with results for recycling compactors](#)
[Bakers Waste Equipment Compactors Contract](#)

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

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

[16-1905](#)

Vote on a request to approve the Haw River Trail Environmental Enhancement Grant Program

Attachments: [Environmental Enhancement Grant Program- Trail request 2016](#)
[Grant form- Environmental Enhancement Grant Program Trail 2016 FINAL 1](#)

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

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

[16-1904](#)

Vote on a request to approve the FirstHealth Emergency Medical Service One Year and Eight Month Agreement.

Attachments: [FirstHealth Contract 10-2016](#)

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

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

[16-1879](#)

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

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

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

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

[16-1876](#)

Vote on a request to adopt a Resolution declaring an Intent to Reimburse on the New High School, Elementary School, and Health Sciences

Building Projects

Attachments: [Resolution of the County of Chatham Intent to Reimburse](#)

A motion was made by Commissioner Petty, seconded by Commissioner Cross, that Resolution #2016-43 Declaring an Intent to Reimburse on the New High School, Elementary School and Health Science Building Projects, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[16-1909](#)

Vote on a request to accept \$10,000 from the NC Wildlife Resources Commission's Green Growth program to supplement the comprehensive plan and amend the budget to cover the additional cost.

Attachments: [Attachment PGG Grant NCWRC Cooperative Agreement Chatham Co LD BM JS](#)

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

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

End of Consent Agenda

PUBLIC INPUT SESSION

Gretchen Smith submitted the following comments:

Good evening. My name is Gretchen Smith and I would like to tell you about a new nonprofit organization in Chatham County, the Friends of Lower Haw River State Natural Area. Our chapter comes under the umbrella of Friends of State Parks, using their 501(c)3 tax exempt status. Our organization was formed to support the Lower Haw River State Natural Area, a part of the NC State Parks system. This state natural area consists of about 1,100 acres along both sides of the Haw River in Chatham County, stretching from above US 15-501 near Bynum to below US 64 at the Jordan Lake State Recreation Area. This section of river is designated as Nationally Significant by the NC Natural Heritage Program for rare aquatic species and their habitats, and the riverbank lands are designated as Statewide Significant for natural areas.

Our chapter envisions a Lower Haw River State Natural Area that is expanded in size, strategically developed, well maintained, and connected to local and regional trail systems. The Lower Haw is a special place that we're committed to conserving and enhancing for current enjoyment while creating a legacy for future generations.

Ways in which our chapter will work towards this vision and mission include supporting State Parks in:

- Preservation and protection of natural areas*
- Establishment and operation of state scenic trails*
- Promotion of public awareness of the importance of the Lower Haw River ecosystem*
- Encouragement of acquisition and preservation of lands along and surrounding the Lower Haw River State Natural Area*

As a local chapter affiliated with Friends of State Parks, we want to play a positive role in supporting State Parks by collaborating and cooperating with all stakeholders, in order to protect and enjoy this special place. Visit our website at www.lowerhaw.org to learn more about us.

BOARD PRIORITIES

[16-1907](#)

Vote on a request to adopt a Resolution Proclaiming November as Family Caregivers Month in Chatham County.

Attachments: [caregivermonth proclamation 2016.doc](#)

Chairman Crawford read the resolution into the record.

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that Resolution #2016-44 Proclaiming November as Family Caregivers Month in Chatham County, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[16-1884](#)

Vote on a request to adopt a Resolution Setting the Time and Place for Meetings of the Chatham County Board of Commissioners for Calendar Year 2017.

Attachments: [2017 BOC Meeting Calendar Resolution.pdf](#)

Vice Chair Hales stated there are seven Mondays throughout the year that the Board could hold additional afternoon work sessions. The Board agreed it would not hold meetings the first Mondays of January, July or September. The Board agreed to reserve the first Mondays of the month to hold additional work sessions if needed.

A motion was made by Vice Chair Hales, seconded by Commissioner Howard, that Resolution #2016-45 Setting the Time and Place for Meetings of the Chatham County Board of Commissioners for Calendar Year 2017, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[16-1908](#)

Vote on a request to set a public hearing on hotel incentives on Monday, November 21, 2016 at 6:00 PM.

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

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

PUBLIC HEARINGS[16-1887](#)

Hold a public hearing Monday, October 17, 2016 to receive public comment on the draft of the Chatham County's 2017 revaluation Schedule of Values

Attachments: [2017 Schedule 1](#)
[2017 Schedule 2](#)
[2017 Schedule 3](#)
[2017 Schedule 4](#)
[2017 Schedule 5](#)

Kep Kepley, Tax Administrator, addressed the Board.

The Chairman opened the hearing.

No one signed up to speak.

The Chairman closed the hearing.

Vice Chair Hales asked if there have been any changes since the March 2016 adoption of the Present Use Value Program. Mr. Kepley stated there have not been any changes.

Vice Chair Hales asked when the revaluation will be complete. Mr. Kepley stated it should be complete late January or early February, 2017.

[16-1880](#)

Hold a public hearing to receive public comment on a proposed incentive for Mountaire Farms, Inc. and vote on a request to approve proposed incentive.

Attachments: [Chatham County Incentive Policy Final Format - 6-18-12](#)
[Chatham Public Hearing Presentation.pptx](#)

Kyle Touchstone, President of the Chatham Economic Development Corporation, gave a presentation to the Board. (Presentation attached)

Mr. Touchstone introduced representatives from Mountaire Farms including Mike Tirrell, Vice President of Human Resources and Business Services; John Wrenn, Director of Engineering and Environmental Services; Jeff Beavers, Director of Live Operations in Chatham County and Scott Hevener, Project Engineer.

Commissioner Petty stated there will be a lot of family farms helped by this company's presence.

Vice Chair Hales stated she would like to hear more about wastewater treatment for the site.

Mr. Tirrell stated the entire facility has been gutted and it is just a concrete shell. They will build a state-of-the-art food processing plant in that location. There is no wastewater treatment plant left on the property. They will start with the latest and

greatest wastewater treatment facility.

Mr. Wrenn stated they are looking at three different water reuse systems. They anticipate 20-25% reuse water. The wastewater treatment plant will be state-of-the-art. It will have a 1.5 million gallon storage tank. The investment on the pre-treatment plant is \$8.5 million.

Commissioner Howard asked how the wage levels fell against the county average. Mr. Touchstone stated it does fall below the county and state averages. Siler City has about 18% unemployment. Part of the EDC's mission is to provide a better quality of life for individuals through skilled and higher wage jobs. This will allow any individual who wants a job to get a job.

Chairman Crawford opened the hearing.

No one signed up to speak.

Chairman Crawford closed the hearing.

Commissioner Howard asked when the verification starts and if there is ongoing verification. The County Manager stated the agreement states they will meet the investment and meet the jobs. Those two items are verified on an yearly basis. There will be a contract between the County and Mountaire Farms as a result of any action taken by the Board.

Vice Chair Hales asked when year one begins. The County Manager stated it begins when Mountaire meets the employment threshold.

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

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

[16-1889](#)

A legislative public hearing for a request by Michael Gress for an amendment to the Conditional District Community Business approval, specifically Condition No. 4, for a two year extension, Parcel No. 89671, located at 162 Beaver Creek Road, New Hope Township.

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

Angela Birchett, Zoning Administrator, reviewed the specifics of the request.

The Chairman opened the hearing.

No one signed up to speak.

The Chairman closed the hearing.

This Agenda Item was referred to the Planning Board.

[16-1890](#)

Legislative public hearing and/or vote on request to approve Moncure Holdings LLC for a text amendment to Section 302(E)(2) of the Chatham County Watershed Protection Ordinance to provide an option for the

Cape Fear WSIV Protected Area watershed district to allow 10% of the drainage to occupy up to 70% built upon area when approved as a special non-residential intensity allocation and consideration of adoption of the proposed text amendment.

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

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

Dennis Wicker spoke on behalf of Moncure Holdings, LLC. He stated the current classification does not allow enough impervious area in the Moncure megasite to host a high tech major manufacturer. Without the 10/70 provision, Moncure Holdings cannot be designated as a megasite or be deemed certified by the Department of Commerce. This change is an opportunity to improve some of the existing environmental conditions on the site and to develop a major, high tech employment center in an environmentally responsible manner. This is smart growth by clustering employment to preserve the farmland and rural character of the county. The megasite will help the tax base.

The Chairman opened the hearing.

Kyle Touchstone spoke in favor of the text amendment.

The Chairman closed the hearing.

Commissioner Petty stated this fits with the Board's desire for economic development. He believes it will be good for the county and the Moncure area.

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

The motion carried by the following vote:

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

[16-1888](#)

A quasi-judicial public hearing by NNP Briar Chapel LLC for a Conditional Use Permit for a recreation club with a minimum lot area of five acres to be located on Parcel No. 2177 (US Steele Subdivision), located off Half Dollar Road, Baldwin Township.

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

The Chairman administered the oath to those wishing to speak.

Angela Birchett, Zoning Administrator, reviewed the specifics of the request. This is a conditional use permit request for a recreation club to be located on what we currently know as the US Steel tract, which is owned by Newland Properties. Ms. Birchett showed the property on the map. US Steel is not part of the compact community of Briar Chapel. They have a separate subdivision approval. The proposal is for an amenity for a section of Briar Chapel, Phase 16. David Weekly Homes is developing a section for ages 55 and older. It is called Encore at Briar Chapel. They want to utilize property on this parcel for the recreation amenity area. Because it was considered to be an off-site amenity, staff advised the applicant that a conditional use permit would need to be sought.

Ms. Birchett stated the applicant met with the Chatham County Appearance Commission. The Commission has reviewed the landscaping, the lighting, and the parking. It is a nice and elaborate facility. The reason there are five acres assigned to this is because that is what the ordinance requires for a recreation facility.

Vice Chair Hales asked if what they are seeing in the drawing is the only thing that will exist on that five acres. Ms. Birchett stated she was correct. It will be open space. One of the factors that will be figured as the US Steel tract is developed, which is a conservation subdivision, they have to still maintain the percentage of open space that is required as well as impervious surface calculations.

Ms. Birchett stated the Appearance Commission approved the plan. There are no real concerns at this time. The applicant is present.

The Chairman opened the public hearing.

Nick Robinson, attorney for the applicant, addressed the Board. He stated he is here on behalf of NNP Briar Chapel. Lori Ford and Lee Bowman from Newland were present. Ryan Jackson and Ryan Wells were present from Weekly Homes. Chris Seamster, project designer, was also present.

Mr. Robinson stated he is going to make, as is required for a conditional use permit, the quasi-judicial presentation of evidence in support of the request for a conditional use permit for a recreational club located within the conservation subdivision at the US Steel property. The US Steel property is owned by NNP Briar Chapel, LLC. The other property is also owned by NNP Briar Chapel, LLC. So it is one owner and two pieces of property. That creates the unique situation where the property that is going to be used for the recreation club is surrounded solely by the same entity that is requesting the conditional use permit. He introduced into evidence the entire application submitted in connection with this request as well as anything on the county website in support of the application. There is a meets and bound description of the property that was included in the original submittal but it is not online. He submitted the document to the Clerk for the official record. The amenity and the neighborhood it is going to serve are separated by inches. Typically there is a fifty foot perimeter buffer around a compact community and for Briar Chapel that is the case in almost all places. The County ordinance provides that if one person owns both sides of the property line they can seek to have that fifty foot buffer waived and in this case they did that and the fifty foot buffer has been waived. The idea behind that is to create some kind of street scape continuity between the two projects so that when you go out there after it is built you will have no clue what the difference is between the US Steel subdivision and Phase 16 of Briar Chapel.

Mr. Robinson stated the Newland developers are pretty conscious of the fact that they have a lot of residents that live in their neighborhood. They have periodic developer updates. They had a special developer update in the recent past, a morning meeting and afternoon meeting, where folks were invited and they addressed very specifically the matter of having the amenity in this location and serving the residents of the Encore subdivision. They did that voluntarily as a matter of good business practice and good policy.

Vice Chair Hales asked if the Encore subdivision already exists. Mr. Robinson stated there is no such thing as an Encore subdivision. What Encore is going to do is buy some lots in Phase 16 of Briar Chapel from the Briar Chapel developer. It will be an

age restricted community and this amenity will serve just that community. Mr. Robinson stated the US Steel subdivision is a conservation subdivision so there are locked in requirements for open space. The US Steel subdivision always had a provision in it for an amenity area. The US Steel subdivision is comprised of 132 acre tract. 40% of that has to be in conservation space so that is 52 acres that is being preserved. 20% of that can be in open space and a portion of that can be in active open space. This meets all of those criteria. All of the conservation subdivision criteria are met.

Chris Seamster with McKim & Creed is the engineer for the project. Mr. Seamster displayed the site plan. There are nineteen parking spaces in the front. They are required to have sixteen. The main building is 4,200 square feet. There is a 600 square foot pool building. The pool deck itself is 6,900 square feet including the pool. There are shade structures on the pool deck. There are outdoor grilling areas and a bocci court. There are sidewalks that wrap the building on the north and south side. There are steps that enter the main entrance as well as the handicapped spaces that allow a ramp system to access the front of the building. There are existing woods that will be preserved on the east side.

Chairman Crawford asked if there will be homes adjacent to this parcel. Mr. Seamster stated there are homes that will follow the entry road that will be separated by woods on the east side. There are no homes to the south. He does not think you will be able to tell the difference between Briar Chapel and US Steel. They presented to the Appearance Commission on August 24th. They had nothing but positive comments. There was one request to change a ground cover plant to a different kind that the applicant said it will gladly do.

Chairman Crawford asked for the anticipated construction date. Mr. Seamster stated they have approval for a number of lots in Phase 16. He believes the construction should start in the next couple of months based on Board approval. Vice Chair Hales asked how many age restricted units there would be. Mr. Seamster stated 185 units. This amenity would serve those units. Vice Chair Hales asked if others outside of the Encore community could use the amenity. Mr. Seamster stated the pool is just to serve the residents of Encore, which is the product offering of David Weekly Homes.

Chairman Crawford stated the US Steel parcel was approved to have an amenity. He asked if another amenity will be planned in the US Steel subdivision. Mr. Seamster stated from the beginning they showed an amenity site. This is that amenity site. Vice Chair Hales asked if there will be a second amenity for the US Steel subdivision.

Lori Ford, Senior Vice President for Newland Communities, addressed the Board. The US Steel property is actually folded into the overall Briar Chapel master plan community in terms of the HOA. The residents that live in US Steel will have access to the multi-million dollars worth of investment that has been made in the amenities, so the existing clubhouse, the pool, the parks, the trails, all of that. Vice Chair asked if this amenity is exclusive. Ms. Ford stated this amenity is going to be a component of an age restricted community. In the way that the federal law works for age restricted communities only residents that are paying for the dues and are actually part of that community will be able to have access to that just by virtue of the exemption that is created by the federal housing law.

Mr. Robinson reviewed the five findings that the Board is required to make in order to approve a conditional use permit. The first is that the use requested is among those listed as eligible conditional use in the district in which the property is located.

Recreational uses are allowed within the R-1 district of this subdivision. The second finding the Board needs to make is that the requested conditional use permit is either essential or desirable for the public convenience or welfare. The requested conditional use permit is essential and desirable for the public convenience and welfare. This 5.35 acre tract of the US Steel subdivision was always planned for an amenity. It will create an amenity for the Encore age qualified community which is going to compliment the entire amenity package for the two subdivisions together. Provision of community recreation areas benefit the association members because there are accessible and local recreation opportunities that don't require you to get in a car and drive somewhere else. It helps people outside the community by reducing the pressure on the existing county recreation facilities as well. Walkable amenities enhance the convenience and welfare of the community and the public. There are going to be no public improvements that the county will be required to provide to support this site. A structure of this size is going to be worth more than a residential dwelling and it will enhance the tax base. It will also create employment opportunities, mostly temporary for the construction but also permanent employees. All of those things lead to the conclusion that it is essential or desirable for the surrounding area.

Mr. Robinson stated the third finding is that it should not impair the integrity or character of the surrounding or adjoining districts and will not be detrimental to the health, safety and welfare of the community. These two communities are going to be working hand and hand so there is no chance it will impair the integrity or character. Their intent is not to impair surrounding values but enhance them. Emergency services will be readily accessible to fire, police and rescue services. The roadway for this amenity has already been approved by NCDOT. This will enhance property values and help to achieve the anticipated sales velocity. There will not be any negative impact on surrounding values. The Appearance Commission appreciates the visual impact and screening effort that has been made. The lighting is in accordance with the applicable ordinance requirements. The fourth finding is that the requested permit will remain consistent with the objectives of the land conservation and development plan. One of the six fundamental policies of the land plan that is currently in place is to develop an integrated approach to protecting and promoting high quality open space and recreation. Since this is both recreation and part of the open space in a conservation subdivision that is a home run in that regard. The fifth finding is that there are adequate utilities, access roads, storm drainage, etc. for the project. The answer to that is there is storm drainage that will be in accordance with all applicable ordinances. The water is going to be provided by the county water system and integrated into the water delivery system that supplies Briar Chapel. Sewer is going to be supplied by the same entity that supplies it to the rest of the community which is Old North State Water Company.

Ryan Jackson with David Weekly Homes addressed the Board. They are the largest private builder in the country. They have built over 80,000 homes across twenty-three markets. They have been in Briar Chapel since 2011 and so far they have constructed two electric homes. They are recognized nationally for customer service, product, and energy efficient design. They currently are building an age targeted product in Briar Chapel in a different section. Encore is a brand of product that David Weekly Homes builds. They are building it in other markets across the country. One of the most recognized communities is Fish Hawk Ranch, which is another Newland community down in Tampa, Florida. They won a national award there a month ago. It is a 55 plus age restricted neighborhood. Chairman Crawford asked if the residences are typically one floor. Mr. Jackson stated they are ranch homes. Chairman Crawford asked if the landscaping and mowing will be taken care of by the community. Mr. Jackson stated yard maintenance is included.

Mr. Robinson stated Newland is pretty excited to have David Weekly Homes doing this. They are ready to get started. Part of the reason they are here tonight is that they came to get a building permit for this facility and discovered there was a technicality about the zoning. The sooner they can get out of this process the sooner they will begin. The Planning Board meeting is earlier than usual, it is on November 1st and the Board of Commissioners meeting is on November 21st. They are requesting that if there is no real opposition from the Planning Board that this item be put on the November 21st commissioner agenda. He stated he objects to any heresay.

The Chairman closed the hearing.

This Agenda Item was referred to the Planning Board.

MANAGER' S REPORTS

The County Manager stated the County has received over 400 responses to the broadband survey.

She stated Debra Farrington, the county's Senior Community Executive with OPC, has resigned from Cardinal Innovations. The County has enjoyed working with her and is sad to see her go.

She asked the Board if they would approve an Interlocal Agreement with Sanford. It is necessary for Sanford and Moncure Holdings to apply for the Golden Leaf funding for wastewater. Staff has expressed a couple of concerns that the County Attorney will address with Sanford. She asked the Board to approve the agreement subject to the changes negotiated by the County Attorney and the County Manager and also authorize the County Manager to sign the agreement.

16-1911

Vote on a request to approve an Interlocal Agreement with Sanford.

Attachments: [Chatham County.Golden LEAF Foundation.docx](#)

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

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

COMMISSIONERS' REPORTS

Commissioner Howard stated Debra Farrington's replacement has been named and she believes it will be a smooth transition.

Vice Chair Hales stated she was happy to see the letter from the Health Director last week about the hexavalent chromium levels. She asked if Jeremiah Road is flooded. Dan LaMontagne, Assistant County Manager, stated no. Vice Chair Hales stated Chara had more leachate due to the rain and she would like an update on any issues with storm water and sedimentation in Goff Creek. Mr. LaMontagne stated they have not heard of any issues. The General Shale property drains to Goff Creek. He spoke with Chara and they were holding back as much of the stormwater as they could. Chara had an inspection the Tuesday after the event by the state for erosion and storm

water control. They received a favorable review from the state.

ADJOURNMENT

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

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