



Chatham County, NC

Meeting Minutes

Board of Commissioners

Tuesday, January 17, 2017

6:00 PM

Historic Courthouse Courtroom

Work Session - 2:00 PM - Historic Courthouse Courtroom

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

PUBLIC INPUT SESSION

John Graybeal submitted the following comments:

Two quick items, one relates to the provisions dealing with the sign up policy for the new Ag Building. I am here as a poor substitute for John Darling and Amanda Robertson who have been working very hard on arranging a conference working with the Climate Change Advisory Committee and the Abundance Foundation. A conference I think is now scheduled for May 12-13. I think the idea they have is they would hope to be able to use the Ag Building for the evening part of the conference Friday night May 12th. You should have received a communication from John Darling late last night or this morning where he has reviewed your new proposals for the Ag Building. John seems to be making the point that it isn't clear. You may have two kinds of nonprofit organizations. Some that are functioning by themselves and others that are functioning in collaboration with a Chatham County entity such as the Climate Change Advisory Committee. I talked to John about this before coming over here. I think he believes that the sign up policy would work whether or not our project would need to sign up as an internal county department or as a nonprofit. The County departments are able to sign up 90 days ahead of time and nonprofits are able to sign up six months ahead of time. That leaves the issue of what fees, if any, would be applicable. The second item is prompted by the fact I just saw on your agenda item two, the DCHC MPO Comprehensive Transportation Plan. We have recently received an emissions inventory report from the two graduate students that you may have heard about from UNC who have provided to us 2015 Greenhouse Gas Emissions Inventory for Chatham County, North Carolina. Amazingly, the very top category in greenhouse gas emissions is transportation. Transportation now accounts for 74%. It dwarfs all other forms of emissions. When I spot something on your agenda that is talking about transportation I have to say at least a finger needs to be wagged about the more roads we have the more CO2 we are emitting and the more problem we have. I will also mention that we have just become aware of a book entitled Climate Change: What Everyone Needs to Know. There is a little conspiracy afoot the Climate Change Committee to provide each of you a copy. It is fantastic work. At one point the author says "Forecasted increases in global temperature pose serious threats for human health and productivity in this century. Without deep reductions in emissions much of Kansas by century's end would be well above 100 degrees Fahrenheit for nearly the whole summer. Much of the southern United States will see temperatures about 90 degrees Fahrenheit for five months of the year or more". We are dealing with a major problem and unfortunately transportation is a substantial contributor to that. Thank you.

BOARD PRIORITIES[17-1992](#)

Presentation to the Board of Commissioners about Chatham County becoming an affiliate of Keep America Beautiful.

Attachments: [KNCB Chatham County Presentation.pdf](#)

Shannon Culpepper introduced Brenda Ewadingeron with Keep North Carolina Beautiful.

Ms. Ewadingeron gave a presentation on Keep North Carolina Beautiful. (Presentation attached) Ms. Ewadingeron stated she retired from Mecklenburg County Solid Waste Litter Prevention in 2007. She was asked by a core group of funders for Keep North Carolina Beautiful to serve as Executive Director on a contract basis. Three years ago they ran out of funding. She approached her board and said there is no reason for them to spend every dime they have paying her. She agreed to serve as Executive Director for free until they have an opportunity to raise enough funds to entice an Executive Director.

Ms. Ewadingeron stated they are a state affiliate of the national Keep America Beautiful (KAB). Their role is to grow the network. They provide support and assistance to all affiliates wishing to be. Randolph County became an affiliate in the fall. They also facilitate grant programs. National KAB gets quite a bit of money through their national sponsors including Lowe's. National KAB routes the money down to the state organization who gives it out to the local affiliates. There are 38 affiliates in North Carolina representing 34 counties.

Ms. Ewadingeron stated the Highway Patrol had a campaign a few years ago to write more litter tickets. She has found that a lot of tickets are written but they get thrown out in the courts. There is also a great cost associated with inmate labor and it is very competitive. She stated McDonald's is a big supporter of KAB national organization and they put a lot of money into education. Cleanups are necessary. Prevention and education are very important. KAB provides a lot of help with promotion. Enforcement is also important. The real key is legislation. The litter laws on the books are very old. She highlighted some of the programs and events Keep North Carolina Beautiful participates in.

Commissioner Howard asked about the cost of becoming an affiliate. Ms. Ewadingeron stated the one time fee would be \$4,000. It is a population based fee. An additional annual fee is charged one year after becoming a certified affiliate. Ms. Culpepper stated the annual fee would be \$250. The money gets the affiliate training. By becoming an affiliate you also have access to the grants.

Commissioner Petty asked what other costs are associated with the operation of the program. Ms. Ewadingeron stated the budget usually is around \$15,000 to \$20,000.

Commissioner Hales stated the Clean Jordan Lake initiative is a separate effort from what the County is doing. Ms. Ewadingeron stated water clean up is a big part of Keep North Carolina Beautiful.

Commissioner Hales stated her questions are about the best way to proceed. Ms. Culpepper thinks the best place to house it is in Solid Waste and Recycling. The

Board would include people representing Siler City, Pittsboro, Jordan Lake, the Haw River, the Highway Patrol and local law enforcement agencies.

A motion was made by Commissioner Howard, seconded by Vice Chair Hales, to move forward with making Chatham County a Keep America Beautiful affiliate and direct staff to look at the impact it will have on personnel and the budget. The motion carried by the following vote:

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

17-1997

Durham Chapel Hill Carrboro Metropolitan Planning Organization (DCHC MPO) Comprehensive Transportation Plan (CTP)

Attachments: [DraftCTPChatham](#)
 [DraftCTPKeyProjectsChatham](#)

Cara Coppola introduced Andy Henry from the Durham-Chapel Hill-Carboro Metropolitan Planning Organization (DCHC MPO). Tyler Bray from the Town of Cary was also present. Mr. Henry gave a presentation on the DCHC MPO Comprehensive Transportation Plan (CTP). (Presentation Attached)

Mr. Henry stated the MPO does the long term transportation planning for Durham County, most of Orange County and for a corner of Chatham County. Mr. Henry stated the Board could go to the website www.dchcmpo.org to provide feedback.

Commissioner Dasher asked when the CTP would be updated. Mr. Henry stated every four or five years.

17-2002

Presentation on energy efficiency and sustainability programs available through Duke Energy Progress

Indira Everett with Duke Energy addressed the Board. Ms. Everett thanked Dr. Bud Marchant for reaching out to Duke last year wanting to have a sustainable Health Sciences building. Duke had an initial meeting with its Charlotte Products and Services group last year and this is a follow up.

Jay DeVilbiss with the White Group addressed the Board. The White Group is a contractor with Duke Energy. He will speak about how Duke Energy supports sustainability in buildings like the new CCCC Health Sciences building. Through the White Group's assistance, Duke does offer incentives for new construction projects that rewards energy efficient design. The White Group would handle all the paperwork, calculations and modeling. Some of the design options they would look at as project teams might include items like high efficiency lighting, high efficiency HVAC equipment, energy efficient windows, better insulation, and smart building controls. The White Group's fees are paid 100% by Duke Energy so it is free for eligible project teams to participate.

Mr. DeVilbiss stated in general there are three phases. The first is to get involved in early design. When construction documents are complete they will do a review of what did or did not make it into the design. Finally, once the building is constructed they go in and verify that those items have been installed. After that an incentive check is paid to the owner. The benefits are that it leads to more sustainable buildings that use less fossil fuels. It leads to a more cost effective building that uses less energy and has lower energy bills.

Mr. DeVilbiss stated for a project like the Health Sciences building, which is about 40,000 square feet, they might expect to see \$8,000 - \$14,000 in incentives available. It is a savings of roughly 160 kilowatt hours. For the Health Sciences building they have already engaged with Phillip Price and will be moving forward with the design team in the coming weeks.

Commissioner Petty asked if they offer services to re-evaluate a facility once it has been in operation for a few years. Mr. DeVilbiss stated they do new construction and major renovation.

Mr. DeVilbiss stated eligible projects enroll with Duke Energy. A building has to be in Duke Energy territory and under 400,000 square feet. They work with the project team to determine eligibility.

Chairman Crawford asked if there is a minimum square footage to be eligible. Mr. DeVilbiss stated he was not sure, he would have to check.

Vice Chair Hales asked how long this program has been offered. Mr. DeVilbiss stated Duke has offered incentives for a while. In terms of the White Group and the program they are offering, it just came online about a month ago.

Ms. Everett stated she would provide the Board a list of the other energy savings programs that Duke offers.

Dr. Bud Marchant, President of Central Carolina Community College, addressed the Board. Dr. Marchant stated it was obvious to him from the discussions the Board has had that it is very interested in making the Health Sciences building as energy efficient as possible. He stated a medical classroom is not the same as a traditional classroom. There will be more equipment. It will be a medical facility that may require a lot more power usage than a traditional building.

17-2018

Chatham County Climate Change Advisory Committee Recommendation for LEED Certification

Attachments: [CCC recommendations December 14 2016 - LEED - 011717 BOC](#)

Alicia Ravetto, member of the Climate Change Advisory Committee, addressed the Board about the committee's recommendations for LEED Certification.
(Recommendations attached)

Commissioner Howard asked if LEED addresses the adequacy of a site. Ms. Ravetto stated it does.

Vice Chair Hales asked if they are recommending the Version Four Silver Standard for LEED. Ms. Ravetto stated yes, but the Board could choose Gold or Platinum. Vice Chair Hales asked if the Energy Star Portfolio Manager was similar to the program they heard about earlier in the meeting. Ms. Ravetto stated it could allow that to happen. Somebody would be monitoring the energy decision making process through design and construction. Energy Star does energy, water, and waste. It does not do materials, indoor environmental quality or sustainable sites. LEED is more comprehensive and covers all of those items.

Commissioner Dasher asked how the site selection process would work. The County Manager stated the County typically has a feasibility study when selecting a site so this could be incorporated.

Commissioner Petty stated the County is limited where it can go with a school site.

He asked what LEED certification gets the County. Ms. Ravetto stated it gets the certainty that what it is asking them to do is going to be incorporated into the design and construction. Commissioner Petty believes the County is already asking the architects to design and build buildings that are as energy efficient as possible. He doesn't understand what the certification gets the County that it isn't already getting. Ms. Ravetto stated the County gets the certainty it is going to get what it is asking. If you don't have a third party looking at the information the buildings will not perform the way they were designed.

Commissioner Howard believes the County will be setting a high standard that will be beneficial.

Vice Chair Hales does believe the County should adopt a LEED standard.

Vice Chair Hales made a motion to adopt LEED Certification for County buildings and refer the policy recommendations to staff. Commissioner Howard seconded the motion.

Commissioner Dasher supports adopting LEED Certification.

Vice Chair Hales stated the recommendation includes creating a staff position to oversee future projects. She asked staff if the County is currently positioned to do that. The County Manager stated they are asking for a position in the upcoming budget for a Construction Manager and they believe this would be the person to provide that skill set. The County already has an excellent Construction Manager in the Facilities Director and she believes he can perform that role until there is another person in place.

Commissioner Petty stated he would not be voting in the affirmative, not because he doesn't agree with using LEED practices. He would prefer the Board adopt a plan that would use LEED practices that they could verify the return on investment of 7-10 years or less.

A motion was made by Vice Chair Hales, seconded by Commissioner Howard, to adopt LEED Certification for County buildings and refer the policy to staff. The motion carried by the following vote:

Aye: 3 - Vice Chair Hales, Commissioner Dasher and Commissioner Howard

No: 2 - Chairman Crawford and Commissioner Petty

[17-2005](#)

Presentation to the Board of Commissioners about upcoming changes to recycling in Chatham County.

Attachments: [Changes to Recycling in Chatham County.pdf](#)

Shannon Culpepper, Waste Reduction Coordinator, gave a presentation to the Board about the upcoming changes to recycling in Chatham County. (Presentation attached)

Ms. Culpepper stated currently residents who come to the collection centers have to separate the glass, plastic, paper, etc. Starting January 26, 2017 the County will be going to single stream or mixed recycling except for glass. Currently residents must separate glass by color but when the County goes to single stream recycling all colors of glass can go in the same container. The centers currently can only take plastic bottles and dairy tubs in the plastic container. When the County goes to single stream recycling they will be able to accept many different kinds of plastic

including five gallon tubs and plastic toys. The County will no longer be able to accept shredded paper at the collection centers.

Assistant County Manager Dan LaMontagne stated there are items that are banned from the landfill. Citizens are not supposed to throw away aluminum cans, plastic bottles or electronics. These items must be recycled. Ms. Culpepper stated aluminum cans have been illegal to throw away since 1980 but most people don't know that.

Ms. Culpepper stated the County got a grant from the state and they are going to do a pilot program in April where they will give out bins to people that use the collection centers. They will focus on people who don't recycle. If they see that providing them a bin increases their recycling then they would be able to justify buying containers for everyone that uses the centers. They expect to see an increase of 20% in recycling.

17-1993

Chatham County Agriculture and Conference Center Policy Revisions

Attachments: [Final CCACC Policy 01.04.17 security and reseveration amendments](#)

Tansy Long, Policy Analyst, presented revisions to the CCACC policy. (Policy attached)

The first revision is to allow all events to be subject to the security requirement.

The second revision is that internal groups will now be allowed to reserve the facility 90 days in advance instead of 30 days. Non profit groups will now be allowed to reserve the facility six months in advance instead of 60 days in advance.

A motion was made by Vice Chair Hales, seconded by Commissioner Howard, to approve the revisions to the CCACC Policy. The motion carried by the following vote:

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

17-1996

Family Violence Rape Crisis(FVRC) Performance Review Report

Attachments: [FVRC Performance Review Jan 2016 01.17.16](#)

The County Manager stated Chatham County has historically supported Family Violence Rape Crisis (FVRC) in very significant ways. Most years they are one of the top programs in the County's nonprofit process and receive one of the highest nonprofit awards. Several years ago the commissioners generously set aside \$450,000 to help the agency replace its shelter. Having said that, there have been some troubling issues that have come up during the year. The County currently has a contract with FVRC for the nonprofit funding. That funding has been suspended because the funding is designated for a shelter and they are not operating a shelter. In staff's view, they still would be subject to the contract and if they provided an alternative for shelter those funds could possibly be used for that purpose. The County Manager does believe there is still a contractual relationship between the County and FVRC. The \$450,000 contract for the shelter has expired. The agency has officially withdrawn their request for that shelter funding.

The County Manager stated these issues came to a head when the agency requested funding in the fall to purchase land without receiving prior approval from the County. They moved ahead with the land purchase and used their own funding. Shortly after that they requested the opportunity to present to the Board of

Commissioners the latest iteration of the shelter design. After that meeting, the Board of Commissioners directed staff to perform a performance review. Staff has been working on that for several months. Staff received some information from the agency but quite a bit of the information requested was not received. Staff has based their findings on the information FVRC provided and information the County has already.

Tansy Long, Policy Analyst, stated there are two changes from the document attached to the agenda. Jane Allen Wilson's title is Co-Director and only served in the capacity for two weeks. Finding G originally mentioned that the real estate agent was hired and appointed to the board but it should have reflected that the real estate agent was hired as a volunteer coordinator. The Clerk will post the revised document to the agenda.

Ms. Long reviewed the fifteen findings of the FVRC performance review and also reviewed staff's recommendations. (Performance Review Findings and Recommendations attached)

Cindy Carter, Executive Director of FVRC, asked the Board if they would be given the opportunity to respond. She stated they did not receive this document prior to this meeting. Chairman Crawford stated the Board would let Ms. Long finish her presentation and then the Board would hear from Ms. Carter.

Commissioner Petty stated there is a definite breach of contract and the County needs to cut ties with the current administration and seek a way to help these victims. Either by staff's recommendations or find other options.

Ms. Carter asked to address the Board. Chairman Crawford cautioned Ms. Carter and said this is not an opportunity for her to try and dispute the facts. The Board is taking this as evidence from over a year's worth of concern by this Board. The Board tasked the County Manager and staff to bring them this report. He stated she had seven minutes to explain how she sees these things.

Ms. Carter stated when the FVRC board said to purchase the land an email was sent to the County Manager asking about the \$15,000. The County Manager indicated if they were going to use County money they would need County approval, if not, FVRC could use its own money. FVRC chose to use its own money. Chairman Crawford asked when she says "we" is she referring to the FVRC Board. Ms. Carter stated yes. Chairman Crawford asked if she had any proof this board meeting took place. Ms. Carter stated she has attached a response to the County's performance review with all emails. She stated the minutes were also there. They were not provided the performance review, it was sent to her by a community member. The FVRC Board met in November and decided to table the idea of building a shelter at this time. Chairman Crawford asked who was the present at the board meeting. Ms. Carter gave the names of the five members. Ms. Carter stated the Board met and based on what their state and federal research revealed the sheltering with an actual building doesn't empower the clients. It provides temporary housing versus long stability. Children get uprooted from their school and friends. It is supposed to be a short term stay. Now it is 45 days. It has also been proven that once clients leave the shelter they are going back into a domestic violence situation so it is not helping them. FVRC has chosen to put money toward placing clients into a more stable residence. They help them with their first month's deposit or their rent. If the victim already has a place and the abuser is out but they can't pay, then FVRC helps with that. They help with utilities and deposits.

Chairman Crawford stated there are very specific problems with the way the

organization has made its decisions and how it has reported to outside authorities, especially this Board. Ms. Carter stated when the FVRC board met in November she immediately emailed the County Manager to set up a meeting to let the County know. The meeting was November 30th. The County was informed then that FVRC did not want money to build a shelter nor did they want money from the County this fiscal year. They told the County Manager that they wanted to take this year to rebuild the core and work with the County and build a relationship again. In 2014-2015 fiscal year FVRC served 389 individual clients. They provided 1,242 services. Fiscal year 2015-2016 FVRC provided services for 467 clients. They provided 1,539 services. Since July 1, 2016 FVRC has provided services for 469 individual clients. They provided 1,174 services. They have provided more services in six months than have been provided in the last two fiscal years. She stated they are in the school system. They have been asked to go to another county to do a presentation and to also do a statewide presentation on elderly abuse. This agency is moving forward. The clients have not been affected by the service. Most of the clients in the shelter were out of county clients.

Commissioner Petty stated it is concerning there has been a loss of funding. He is also concerned that Chatham County citizens are having to go to another county to get service.

Vice Chair Hales believes the Board should move forward with staff's recommendations.

A motion was made by Commissioner Petty, seconded by Commissioner Howard, to move forward with staff's recommendations. The motion carried by the following vote:

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

CLOSED SESSION

[17-2008](#)

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

A motion was made by Commissioner Petty, 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 Petty, Commissioner Dasher and Commissioner Howard

ADJOURNMENT

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

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

End of Work Session

Regular Session - 6:00 PM - Historic Courthouse Courtroom

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

INVOCATION and PLEDGE OF ALLEGIANCE

Vice Chair Hales 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 6:05 PM.

APPROVAL OF AGENDA and CONSENT AGENDA

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

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

[17-2024](#)

Vote on a request to approve the December 5, 2016 Regular Session Minutes and the December 19, 2016 Work and Regular Session Minutes.

Attachments: [Draft Minutes 12.05.2016](#)
 [Draft Minutes 12.19.2016](#)

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

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

[17-2016](#)

Vote on a Request to approve an appointment to the Chatham County Board of Social Services.

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

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

[17-2000](#)

Vote on a request to adopt a Resolution Proclaiming February 2017 as

We Love Seniors Month.

Attachments: [WeLoveSeniorsMonthResolution2017](#)

A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that Resolution #2017-01 Proclaiming February 2017 as We Love Seniors Month, 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 Petty, Commissioner Dasher and Commissioner Howard

[17-2001](#)

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

Attachments: [Signed Resolution Package](#)
 [Chestnut Crossing Subdivision Resolution](#)

A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that Resolution #2017-02 Approving the Addition of Streets in the Chestnut Crossing Subdivision to the North Carolina System of Secondary Roads, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

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

[17-2006](#)

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

Attachments: [December 2016 Release and Refund Report](#)
 [December 2016 NCVTS Pending Refund Report](#)

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

[17-2007](#)

Vote on a request to approve Fiscal Year 2016-2017 Budget Amendments

Attachments: [Budget Amendments 1-17-17](#)

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

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

[17-2009](#)

Vote on a request to approve amended project ordinances as proposed by staff

Attachments: [Project Ordinance Ag Center Amended](#)
[Project Ordinance Business Campus Amended](#)
[Project Ordinance Nature Trail Amended](#)
[Project Ordinance Roof Replacements Amended](#)

A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that the Ordinances, 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 Petty, Commissioner Dasher and Commissioner Howard

[17-2025](#)

Vote on a request to adopt the proposed Health Sciences Building Project Ordinance

Attachments: [Project Ordinance Health Sciences Building](#)

A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Ordinance, 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 Petty, Commissioner Dasher and Commissioner Howard

[17-2003](#)

Vote on a request to approve grant application to Crime Victim Services of NC Governor's Crime Commission

Attachments: [Grant Approval Request 2017](#)

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 Petty, Commissioner Dasher and Commissioner Howard

[17-2004](#)

Vote on a request to approve Bynum Community Garden Lease and authorize the County Manager to execute the lease.

Attachments: [BYNUM COMMUNITY GARDEN SPACE LEASE 2017-2022](#)

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

[17-2013](#)

Vote on a request to approve contract for Social Services for the 02/01/2017 to 06/30/2017 with Angenette Stephenson, Attorney-At-Law (Holcomb & Stephenson, LLP).

Attachments: [Contract -FY17-1901 Angenette Stephenson Final](#)

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

[17-2019](#)

Vote on a request to approve purchase price of former Chatham County Schools Transportation Facility

Attachments: [Former Transportation Facility and Property](#)

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 Petty, Commissioner Dasher and Commissioner Howard

[17-2015](#)

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

Attachments: [ARBOR LANE Map](#)
[ARBOR LANE PETITION](#)
[ROCKS TRAIL WAY Map](#)
[ROCKS TRAIL WAY PETITION](#)

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 Petty, Commissioner Dasher and Commissioner Howard

[17-2023](#)

Vote on a request to approve NNP Briar Chapel, LLC for Final Plat approval of Briar Chapel, Phase 10, Section 1, consisting of 41 lots on 7.84 acres, located off Andrews Store Road, SR-1528, Baldwin Township, parcel #2714.

Attachments: [Briar Chapel Ph 10 Sec 1 Application Binder](#)

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 Petty, Commissioner Dasher and Commissioner Howard

[17-2010](#)

Vote on a request to approve to award a service weapon to retiring Captain Doug Stuart.

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 Petty, Commissioner Dasher and Commissioner Howard

End of Consent Agenda

PUBLIC INPUT SESSION

John Wagner submitted the following comments:

I am a resident of Chatham County. I want to speak very briefly. I heard that you are going to be talking about Yossellin today. I have two daughters that went all the way through the Chatham schools. I think that it is critical that Chatham welcomes its students and encourage its students and not allow them to be taken out and put in deportation. I think this deportation attempt is outrageous and I want you to do everything you can to protect her and allow her to remain here and complete her schooling. I think it is really important that our students be protected and not be afraid to come to school. Thank you.

PUBLIC HEARINGS

17-2017

Public Hearing to receive public comments on the re-naming of State Road US 64 and vote on a request to approve the name US 64 Business E and US 64 Business W.

Attachments: [US 64 Business E Map](#)
 [US 64 Business W Map](#)
 [US 64 Business Letter from EOC](#)
 [US 64 Business E and W Property Owners](#)
 [AASHTO Special Committee on US Route Numbering 2005 Meeting Minutes](#)
 [Board of Transportation Highway Traffic Ordinances](#)

Janet Scott, Emergency Operations Director, reviewed the specifics of the request.

The Chairman opened the hearing.

No one signed up to speak.

The Chairman closed the hearing.

A motion was made by Commissioner Petty, seconded by Commissioner Dasher, to approve the renaming of State Road US 64 to US 64 Business East and US 64 Business West. The motion carried by the following vote:

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

17-1998

A legislative public hearing request from the Chatham County Board of Commissioners for a rezoning for all or a portion of parcels 11005, 79836, 85078, 85079, 11026, 10992, 11014 and 11023 owned by Minnesota Mining & Mfg (3M), containing approximately 1,670 acres and located at 4191 NC 87 S; parcels 9691, 83936 and 9257 owned by Martin Marietta, containing approximately 179 acres and located on St Luke Church Road; and parcels 10156 and 67072 owned by General Shale Inc and Cherokee Sanford Group LLC, containing approximately 382 acres and located on Rosser Road, from R-1,

Residential, to IH, Heavy Industrial.

Attachments: [Industrial Properties Rezoning Attachment](#)
[Rezoning Application - 3M-MM GShale](#)

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

The Chairman opened the hearing

Charles Oldham stated he is concerned about the property off of Rosser Road. He believes the Board should think hard about rezoning heavy industry in the middle of tens of thousands of acres of residential property. If the Board does decide to rezone he would like to see some buffers established between the residential property and the heavy industrial property. He believes the buffers should be on the property of the heavy industry.

Nick Robinson, attorney for General Shale, addressed the Board. Mr. Robinson stated both of the properties owned by General Shale are subject to mining permits. The mining permits themselves are going to build in the buffers Mr. Oldham is concerned about. Mr. Robinson stated he would give Mr. Oldham his card so that he could call with any additional questions.

Chairman Crawford entered an email from Alma and Patricia El into the record.

Dr. George Lucier, Chair of the Planning Board, asked where the current mining operations are going on at 3M. Mr. Sullivan pointed out the mining operations on the map.

The Chairman closed the hearing.

This Agenda Item was referred to the Planning Board.

17-2022

A quasi-judicial public hearing request from Kunal Enterprises, LLC c/o George Farrell, Jr. for a modification of Condition No. 3 of the December 15, 2014 approval to allow an additional twenty-four months to obtain the first building permit for the project site located at 55 Jordan Lake Commons Dr., Apex, New Hope Township.

Attachments: [Kunal Application Binder](#)

The Chairman administered the oath to those wishing to speak on the item.

Jason Sullivan, Planning Director, reviewed the specifics of the request. Mr. Sullivan stated this is a request for an amendment and revision to an existing conditional use permit. Mr. Sullivan showed an aerial view of the property that is under consideration for the amendment. The property has B-1 zoning district and a conditional use permit. This falls under the old zoning process that the County no longer has where there is a dual legislative process and then a quasi-judicial conditional use permit attached to it. In 2014 there were some revisions to the site plan. Mr. Sullivan showed the site plan submitted in 2014 that was ultimately approved by the Board of Commissioners for an expansion of the existing operations. One of the things included in the application was a map for some property on Lutterloh Road. Part of the 2014 proposal was to deed restrict this property and then transfer the density or built upon area to the property on US 64. This is at the intersection of US 64 and Bob Horton Road.

Mr. Sullivan stated at the time of approval there was a two year window that was attached to the conditional use permit that the owner had to obtain a certificate of occupancy. What has happened in the interim, after Mr. Farrell obtained the permit he started going through the County's other regulatory permitting processes and discovered at that time there were changes to the Jordan Lake Nutrient Requirements for stormwater. It was going to require a rather substantial mitigation payment even though he was deed restricting property within the same drainage. Over the course of the past two years, there have been changes at the state level in regards to that and there is no longer a requirement to have a mitigation payment. Mr. Farrell desires to move forward with the project but he needs a two year extension for that to occur.

Vice Chair Hales asked how the second property came into play. Mr. Sullivan stated this has occurred on a few properties in the county. Within the past five years there have been some changes at the state level regarding watershed protection regulations that allow density transfers by the legislation. It is more than just density. You can deed restrict a piece of property within the same watershed district then transfer the density if it is residential or the built upon area that is associated with that property to another property even though they may not be contiguous. In this instance there is property Mr. Farrell has an interest in on Lutterloh Road and he wants to transfer a portion of the available theoretical built upon area from that property to this property. That is how the two properties are connected. There was a similar situation with Uhaul on 15-501 and Vickers Road where they had the density transfer in place. They have a property that is deed restricted, perpetually binding, that has to remain as conservation but the receiving property can now have more built upon area. They still have to do stormwater controls and in this instance stormwater controls would be required as he moves forward.

Vice Chair Hales asked how much land Mr. Farrell wants to transfer. Mr. Sullivan stated Mr. Farrell can better address that. Commissioner Howard asked if the transfer has already happened. Mr. Sullivan stated he is not sure if the deed restriction is already in place on the property. Mr. Farrell should be able to answer that. Mr. Sullivan stated it doesn't have to be in place until the time someone comes in for the building permit and that is when Planning would require documentation for the County records to show that has been accomplished. It also involves the Watershed Review Board. The Watershed Review Board has to review the documents and make sure they meet the requirements. In some instances the deed restrictions have been in place prior to zoning being put in place and in others it would come after. There is no stipulation by the legislation stating it has to be done in a certain sequence. A similar situation is occurring right now with the Builders First Source property on US 64 East where they were approved for an expansion of their operation but they are deed restricting a property they have an interest in so they can transfer that built upon area.

George Farrell, applicant, addressed the Board. Mr. Farrell asked if there were any questions. Vice Chair Hales asked how much acreage he is transferring. Mr. Farrell stated the 36% rule still applies. You can put both pieces together and the idea is he owns land on US 64 which is road frontage and then he owns land on the back side of Chapel Ridge that he is trying to make the best use of his property. He thinks the property on Lutterloh Road is about twenty-two acres and they are reserving seventeen that is deed restricted. Vice Chair Hales asked if he is going to add that seventeen acres to the US 64 property. Mr. Farrell stated yes. Basically you put the two tracts together and you are still only able to use 36% of that.

The Chairman closed the hearing.

This Agenda Item was referred to the Planning Board

MANAGER' S REPORTS

The County Manager stated during the retreat the Board talked about a small committee for overseeing school construction. She proposed that the County representatives be Facilities Manager and someone from the County Manager's Office. This would be for the community college and Chatham County Schools. The Board agreed.

17-2045

Vote on a request to approve a resolution asking federal authorities to grant Yossellin Herrera asylum in the United States.

Attachments: [FEDERAL AUTHORITIES TO GRANT YOSSELLIN HERRERA](#)

Vice Chair Hales asked the Board to consider a resolution asking to stop the deportation of Yossellin Herrera. They have heard about this situation through the NAACP, which has been very active on the state and county level. Yossellin was removed from her home and taken into federal custody.

Chairman Crawford read the resolution into the record.

Vice Chair Hales stated Yossellin's parents were away and she was removed from her home. Her family did not know for six months where she was. This can happen to any child at any time. This was an I.C.E. operation. With the upcoming inauguration no one knows how immigration laws may or may not be changed. On Saturday at 2pm there will be a rally at First Missionary Baptist Church on Martin Luther King Blvd. in Siler City. The NAACP President, Rev. William Barber, will be attending. This is a serious matter for this family and this community.

The Herrera family was present and Chairman Crawford asked Yossellin to come forward. He stated the resolution states the Board's formal view that she should be granted asylum in the United States. Commissioner Howard stated the Board has heard about Yossellin's academic success and she is exactly the kind of young lady we should be welcoming in America. Yossellin thanked the Board for passing the resolution.

A motion was made by Vice Chair Hales, seconded by Commissioner Howard, that Resolution #2017-03 Asking Federal Authorities to Grant Yossellin Herrera Asylum in the United States, 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 Petty, Commissioner Dasher and Commissioner Howard

COMMISSIONERS' REPORTS

Vice Chair Hales asked Debra Henzey to get the Yossellin Herrera resolution out tomorrow. She also spoke about the NCACC Legislative Goals Conference. One goal is raising the juvenile justice age from 16 to 18.

Chairman Crawford attended the Triangle J Council of Governments Mayors and Chairs meeting and they learned the RDU airport is planning a major expansion of the main terminal and they are going to have to replace the runway soon than earlier thought. The state only contributes \$500,000 a year to the operation of the airport. He believes the state could contribute more money. He also completed the Leadership Triangle course and he recommended other board members or staff to

take the course.

ADJOURNMENT

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

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