



# Chatham County, NC

## Meeting Minutes

### Board of Commissioners

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Monday, September 16, 2019

6:00 PM

Historic Courthouse Courtroom

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#### Rollcall

**Present:** 5 - Chair Mike Dasher, Vice Chair Diana Hales, Commissioner Jim Crawford, Commissioner Karen Howard and Commissioner Andy Wilkie

#### Work Session - 2:00 PM - Historic Courthouse Courtroom

*Chair Dasher announced that the Board will add a closed session to the end of the work session to discuss matters relating to attorney-client privilege and economic development.*

#### PUBLIC INPUT SESSION

*No one signed up to speak.*

#### BOARD PRIORITIES

[19-3194](#)

Receive annual report from the Climate Change Advisory Committee

**Attachments:** [CC Annual Report 2019 08012019](#)

*Climate Change Advisory Committee Chair Mike Petruska gave the committee's annual report to the Board. (Report attached)*

*Vice Chair Hales stated Duke Energy has a neighborhood weatherization program and it is a free program. Chapel Hill participated last year. She suggested Siler City may have some good neighborhoods for the committee to look into.*

*Vice Chair Hales asked if the Climate Change Advisory Committee served on a Collaborative Impact Teams. She believes they would be an important addition. County Manager Dan LaMontagne said the CITs do not have advisory committee groups participating. CITs are staff and department groups. The advisory committee liaisons are members of the CITs so there is a connection between the two.*

*Chair Dasher requested an update on the CITs at a future meeting.*

[19-3230](#)

Receive Presentation by NC Cooperative Extension Agent Phyllis Smith, RD, LDN on Family and Consumer Science

**Attachments:** [Phyllis Smith Presentation](#)

*Phyllis Smith with Cooperative Extension gave a presentation to the Board. (Presentation attached)*

[19-3200](#)

Receive update and presentation from Chatham Economic Development Corporation.

**Attachments:** [08-19-2019 Chatham BOC Presentation](#)

*Chatham Economic Development Corporation President Alyssa Byrd gave a presentation to the Board. (Presentation attached)*

*Vice Chair Hales asked if the EDC has already completed their work plan. Ms. Byrd stated that the work plan is done through the County budget process and was submitted with the budget in June. The County Manager stated the January retreat would be a good time to present the EDC work plan to the Board.*

[19-3232](#)

Receive introductory presentation of the Unified Development Ordinance by project consulting firm CodeWright Planners LLC.

**Attachments:** [Chatham County BOCC Initial Pres 9.16.19v2](#)

*Planner Cara Russell introduced Chad Meadows with CodeWright who gave a presentation to the Board. (Presentation attached)*

*Vice Chair Hales said she is glad to see Meg and Vic as part of the team.*

*Chair Dasher stated flexibility in the UDO will be key.*

[19-3242](#)

Receive presentation on water and sewer master plan.

**Attachments:** [2019.09.16 Chatham MP Final Review](#)

*James Hennessey with Hazen and Sawyer gave a presentation to the Board on the water and sewer master plan. (Presentation attached)*

*Mr. Hennessey demonstrated the dashboard. The dashboard is meant to be used by the county and municipal engineers. It is not available to the public.*

*The County Manager stated Hazen and Sawyer is presenting this program at a national conference next week.*

[19-3239](#)

Receive update from staff on possible uses of Article 46 sales tax revenue.

**Attachments:** [Article 46 - potential uses presentation Sept BOC meeting](#)

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

*Commissioner Wilkie asked if the school impact fees can only be used for new school construction. Staff believes that the impact fees can only be used for construction but Finance Director Vicki McConnell will check and get back to the Board.*

*The Board will take action in October.*

[19-3240](#)

Vote on a request to approve awarding Certificates of Appreciation for Long Time Volunteer Committee Service for volunteers serving two terms.

*After some discussion, the Board agreed that if a volunteer has been appointed at least two times they will be eligible for a certificate of appreciation after resigning from the committee.*

**A motion was made by Commissioner Crawford, seconded by Vice Chair Hales, to approve giving certificates of appreciation for committee volunteers who have been appointed at least twice before their resignation from the committee. The motion carried by the following vote:**

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

### **CLOSED SESSION**

[19-3248](#)

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

**A motion was made by Commissioner Crawford, seconded by Vice Chair Hales, to approve going out of 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 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie

### **ADJOURNMENT**

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

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

### **End of Work Session**

### **Regular Session - 6:00 PM - Historic Courthouse Courtroom**

**Present:** 5 - Chair Mike Dasher, Vice Chair Diana Hales, Commissioner Jim Crawford, Commissioner Karen Howard and Commissioner Andy Wilkie

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

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

### **CALL TO ORDER**

**APPROVAL OF AGENDA and CONSENT AGENDA**

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

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

**19-3207**

Vote on a request to approve \$700 Breast and Cervical Cancer Control Program (BCCCP) additional Funds

**Attachments:** [\\$700 BCCCP Additional Funds](#)

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

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

**19-3208**

Vote on a request to approve \$20,000 Culturally and Linguistically Appropriate Services (CLAS) Standards Advancing Health Equity Grant additional funds.

**Attachments:** [\\$20,000 CLAS Additional Funds](#)

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

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

**19-3209**

Vote on a request to approve \$2,951 additional Preparedness State Funds.

**Attachments:** [\\$2,951 Emergency Preparedness Funds](#)

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

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

**19-3210**

Vote on a request to approve \$4,529 Healthy Communities State Funds Reduction

**Attachments:** [\\$4,529 Healthy Communities - Reduction State Funds](#)

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

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

[19-3211](#)

Vote on a request to approve \$14,770 Minority Diabetes Prevention Program (MDPP) Funds.

**Attachments:** [\\$14,770 FY20 MDPP Contract](#)

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

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

[19-3221](#)

Vote on a request to accept \$2,250 Community Health Grant Funds.

**Attachments:** [Community Health Grant\\$2,250 Orange County HD Voucher Program FY19-20](#)

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

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

[19-3241](#)

Vote on a request to adopt a Resolution Proclaiming September 2019 as Senior Center Month

**Attachments:** [SeniorCenterMonth2019](#)

**A motion was made by Vice Chair Hales, seconded by Commissioner Howard, that this Resolution #2019-39 Proclaiming September 2019 Senior Center Month, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

[19-3222](#)

Vote on a request to approve appointment of Dr. Stephanie Freese, DVM, to fill the Veterinarian vacant seat on the Board of Health effective 9-23-19.

**Attachments:** [Dr. Stephanie Freese](#)

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

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

[19-3223](#)

Vote on a request by Dan Sears, P.A. on behalf of Fitch Creations, Inc. for subdivision **Final Plat** review and approval of **Fearrington P.U.D., Section X Area "D" Phase One - Montgomery**, consisting of 14 lots on 8.792 acres, located off Milcroft/SR-1817, E. Camden/SR-1813, and Weathersfield/SR-1807 parcel #18998.

**Attachments:** [Hyperlink](#)

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

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

[19-3224](#)

Vote on a request by Dan Sears, P.A. on behalf of Fitch Creations, Inc. for subdivision **Preliminary Plat** review and approval of **Ferrington P.U.D., Section X Area "D" Phase 2 & 3 - Montgomery**, consisting of 11 lots on 5.12 acres in Phase 2 and 10 lots on 4.24 acres in Phase 3, located off Milcroft/SR-1817, E. Camden/SR-1813, and Weathersfield/SR-1807 parcel #18998.

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

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

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

[19-3233](#)

Vote on a request to approve the Environmental Enhancement Grant (EEG) Program for the Bynum Mill Project

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

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

[19-3234](#)

Vote on a request to adopt the proposed Schools Track Resurfacing Project Ordinance

**Attachments:** [Project Ordinance Schools Track Resurfacing Original 9-16-19](#)

**A motion was made by Vice Chair Hales, seconded by Commissioner Howard, that this Ordinance Concerning the Schools Track Resurfacing, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

[19-3235](#)

Vote on a request to approve Fiscal Year 2019-2020 Budget Amendments

**Attachments:** [Budget Amendment 2019-2020 Sept](#)

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

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

[19-3236](#)

Vote on a request to approve Tax Releases and Refunds

**Attachments:** [August 2019 Release and Refund Report](#)  
[August 2019 NCVTS Pending Refund Report](#)

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

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

[19-3237](#)

Vote on a request to approve Tax Department - Write-off of Outstanding Real and Personal Property Taxes

**Attachments:** [2019 Write off](#)

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

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

[19-3245](#)

Vote on a Request to Approve a Pyrotechnics Display at the Bennett Baptist Church, 68 E. Bonlee Street, Bennett, NC 27208, on October 26, 2019.

**Attachments:** [Attachment A-N.C.G.S. Pyrotechnic Displays](#)  
[Attchment B - Pyrotechnic Display Request Bennett Baptist 2109](#)  
[Attchment C - Pyrotechnic License](#)  
[Attachment D - Hale Artif. Certificate of Insurance](#)  
[Attachment E - Hale Atific. ATF License](#)  
[Attachment F - Bennett Baptist Site Plan 2019](#)

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

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

[19-3243](#)

Vote on a Request to Approve Applying For a Grant to Install a DC Fast Charging Station For Electric Vehicles

**Attachments:** [DC Fast grant approval form](#)

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

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

**End of Consent Agenda**

**PUBLIC INPUT SESSION**

Mike Pool expressed his disappointment regarding the past rally. He felt as though one group of demonstrators engaged in intimidating behavior which detracted from the demonstration in which Mr. Pool was participating. He also submitted the following comments:

*I would like to share some excerpts from the Richmond Times Dispatch.*

*The headline. Charlottesville judge says Confederate statues cannot be removed, will award attorney's fees. A Charlottesville Circuit Court judge has ruled that two Confederate statues do not send a racially discriminatory message and issued a permanent injunction preventing their removal.*

*The judge stated "I don't think I can infer that a historical preservation statute was intended to be racist," he said. "Certainly, [racism] was on their minds, but we should not judge the current law by that intent." Though the statues may represent a history that many do not like, they do not speak of hatred, he said, but people do.*

*Expanding his viewpoint, Moore said he also could not find that the statues denied equal access to any protected classes or stifled the voices of anyone in the community.*

*Regarding our monument, in an earlier session the board asked the County lawyer to provide legal options to deal with the monument. I'm requesting that you release the legal options to the public. If the legal interpretation is that the owner of the monument is the county, the people of Chatham county need to know if we need a new county lawyer or if the four that voted to move the monument violated their oath.*

*Robert Butler supports keeping the statue in its current location and is concerned that in voting in favor of its removal, four of the commissioners are violating their oaths.*

*Mike Fishback explained a situation he is currently dealing with in his neighborhood. There are many dogs living in the properties abutting his own and their barking is noisy and disruptive. Mr. Fishback has reached out to the County Manager, Sheriff and Animal Services Director but does not feel as though he has received a satisfactory response from any of the aforementioned parties.*

## **PUBLIC HEARINGS**

### **[19-3225](#)**

A legislative public hearing request by Warren Mitchell dba Hwy 64 Boat & RV Storage for an amendment to the Conditional District Regional Business zoning district to revise the existing site plan on Parcel No. 17891, located at 13144 US 64 E; revise the uses to remove boat, trailer, and other utility vehicle sales and service facility; and relocate the approved mini warehouse storage facility on the project site.

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

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



*The Chair opened the hearing.*

*Will Gasiorowski stated he is not against the application but he would like them to leave as many trees as possible next to his property. He is worried about the noise from Hwy 64. When it rains his property is affected.*

*Mark Espisito stated he is not against the application either. He stated the noise definitely got worse when the trees were cut down. He is also concerned about lighting. He does believe after speaking to the owner that these things will be addressed.*

*Applicant Warren Mitchell addressed the issues raised by the neighbors and stated he will do his part to be a good neighbor.*

*The Chair closed the hearing.*

**This Agenda Item was referred to the Planning Board.**

[19-3227](#)

A Legislative public hearing request by Ernest Clemons to amend the language in the Watershed Protection Ordinance, Section 302.D.1.e, to add the use of “retail stores and personal service shops similar to those listed dealing in direct consumer and personal services.

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

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

*The Chair opened the hearing.*

*No one signed up to speak.*

*The Chair closed the hearing.*

**This Agenda Item was referred to the Planning Board.**

[19-3226](#)

A quasi-judicial public hearing request by Ernest Clemons for a conditional use permit revision on Parcel No. 19508, located at 1711 Farrington Point Rd., to add the additional use of retail stores and personal service shops similar to those listed dealing in direct consumer and personal services.

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

*The Chair administered the oath to those wishing to speak during this hearing or the quasi-judicial hearing occurring immediately after.*

*The Chair opened the hearing.*

*Janie Phelps reviewed the specifics of the request.*

*Ms. Phelps: Good evening, everyone. So this is a quasi-judicial public hearing request by Ernest Clemons for a conditional use permit revision and he wants to add the additional use of retail stores and for personal service shops similar to those listed dealing in direct consumer and personal services. Currently the property is zoned for*

approximately 1.133 acres of the 8.70 acre property. On the application it was stated 1.9 but that was just a misprint so it's actually about 1.133 acres. That's non-residential zoning. It was originally approved on May 17, 1999. The approved uses for retail stores and personal service shops specifically for the sales servicing and utilization of computers, emailing, public internet access and computer consulting for individuals with small businesses. And there's also a conditional five that list some other uses similar to the kind of low-traffic retail and everything services. Um, there was one notice of violation that was issued on September 22, 2008 for having uses on the property that weren't included in the conditional use permit for approval but from email correspondences in the file, um, compliance on the issue is met by December 31st of the same year in 2008 and there have been no other zoning violations on the property. There is no site plan change so everything is remaining the same and the issue that we had was, um, in the approved use it says that retail stores and personal service shops specifically for the sale. So with that word specifically limits it to only the sale and the computers use and everything and everything that its written for so pretty much specifically is going to take-be taken out so it says retails stores and personal service shops. Um, that's all I have and again, Ernest Clemons is here if you have any questions for him or if you have any questions for me.

Vice Chair Hales: And this is on the corner of where?

Ms. Phelps: Sorry.

Chair Dasher: Right across from that BP station.

Vice Chair Hales: And the service station is across the barrier there, yeah.

Chair Dasher: Any questions?

Commissioner Howard: So the material change would be removing that, that, that just limitation?

Ms. Phelps: Pretty much just specifically because it really limits the it to only the computer sales and at the time when it was requested, that was a really big time. Computers were coming out and everything so that's why it was-that's why we're assuming it was done that way. But now they kind of want to have some options for other small retail to come and to help benefit the area a bit more.

Commissioner Howard: And is there something there right now?

Ms. Phelps: I think there is...I think he still has his consulting services there and the computer services.

Chair Dasher: Alright. Anyone want to hear from the applicant or...um. Close this and send it to the Planning Board?

Commissioner Crawford: Do you want to give him a chance to speak?

Chair Dasher: Yeah, okay. Mr. Clemmons did you want to..? Thank you.

Clerk Ray: Can you come to the microphone please?

Ernest Clemons: Hello. I really don't have anything to add, we were just um. We've been going through this for a few years now. Just so limited. A lot of people that want

to come by and rent space and we couldn't do it. Um, the infraction she was talking about was a guy who came by and wanted to do U-Haul out of there and that was an infraction so. Uh, we'd just like to have more opportunity to do things out of that spot.

Vice Chair Hales: Yeah, because your (inaudible) sounds like you're in a, you'd be in a good little location for—

Mr. Clemons: Yeah, it's a great location.

Vice Chair Hales: -the right, the right little business right there.

Mr. Clemons: Right, yeah. I'm hoping we can find that business.

Vice Chair Hales: Good luck.

Commissioner Crawford: And you don't have any like, plans to add to the parking spaces or build or add anything to it? You're basically going off the footprint you have?

Mr. Clemons: Yes. Um, the only thing I was interested in adding would be charging stations for EV cars which is environmental (inaudible) that was, that's the only thing I'd like to add.

Vice Chair Hales: Well you're certainly talking to the right group about that. Very good.

Commissioner Howard: Sounds good.

Chair Dasher: Thank you, sir.

Mr. Clemmons: Thank you.

Chair Dasher: Okay, we will close the hearing and refer that to the Planning Board. Did we see...no one else signed up to speak...did I ask that?

Clerk Ray: No, no, no. I would have told you.

The Chair closed the hearing.

**This Agenda Item was referred to the Planning Board.**

### [19-3228](#)

A quasi-judicial public hearing request by For Garden's Sake Nursery & Landscaping for a conditional use permit revision on Parcel No. 19644, located at 9197 NC 751 Hwy, to add the additional use of Event Center Limited.

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

The Chair administered the oath to those wishing to speak during this hearing at the beginning of the first quasi-judicial hearing.

Planning Director Jason Sullivan reviewed the specifics of the request.

Mr. Sullivan: Good evening. I will be handling this set of notes. So similar to the item that we just heard, this is a revision to an existing conditional use permit. This property is zoned Conditional Use B1 and has a parallel conditional use permit that was approved several years ago. This location is off of NC 751 at the Chatham County

and Durham County line. For Garden's Sake Nursery currently operates there. It is a nursery and retail establishment. Because of the conditional use permit there are limitations on uses that can occur on the property. This public hearing is to add the use of Event Center Limited, so just adding a single use to the existing conditional use permit. There is a site plan that is also included with this. There are some slight modifications to the site plan. There is a possibility of relocating the O'Kelly Chapel Church, which is on an adjoining tract. There is also a change in the existing caretaker facility. That was changed several years ago to allow for a caretaker's residence on the property. The request will be to convert the rear house back to the business use. It is a fairly straight forward request. This is in the joint plan area, Joint Chatham-Cary Planning Area. This information was sent to the Town of Cary but it doesn't require any changes as it relates to the joint plan because the existing footprint for this business use is already accounted for. There is no request to expand the zoning footprint, which is the area shown in green. If you have any questions I would be happy to answer them. The applicant is also here.

Vice Chair Hales: Does your property also extend across the county line?

Mr. Sullivan: That I don't know but I don't think it does. Angie is saying it doesn't. Here is the recorded survey.

Vice Chair Hales: And so you said it would also, as an event center, they are going to be able to convert a residence too?

Mr. Sullivan: There was an existing structure that was a business use that was converted to a caretaker residence and the request is just to take it back, being able to use it for business use.

Commissioner Crawford: The document we have shows that there is an intention to build an oper air pavilion...

Mr. Sullivan: Right. Yes, that is correct. This southern area.

Commissioner Crawford: That would be for weddings, parties, things like that?

Mr. Sullivan: That is correct.

Commissioner Howard: How big was the parcel?

Mr. Sullivan: This property is 19.25 acres. A little under 20 acres.

Commissioner Howard: And the access is from 751?

Mr. Sullivan: It is. They have the existing access already in place for the nursery.

Commissioner Crawford: So they are next door to the camel? Have you been out there to see the camel?

Mr. Sullivan: No.

Commissioner Crawford: There is a camel. To the south of their parcel is a big camel.

Chair Dasher: Is it a residence with a camel?

*Commissioner Crawford: It is still a winery, so they have their grape vines and a camel as well. Don't know how they go together. It is the new landmark out there.*

*Angela Birchett: I will say, if you know where the property is, he is not proposing any changes to what you see form 751. The property is elevated above 751 so you still will not see all of this, and in conjunction with the current business. It is not going away.*

*Chair Dasher: Any other questions for staff or the applicant?*

*Commissioner Crawford: I have a few questions if the applicant would be willing to answer about the O'Kelly Chapel. That is an important historic structure. Can you share any of your plans for it?*

*Scott Pearson: Yes, that is part of the plan. We purchased the chapel about a year, or in the last two years, let's say. The property is two acres additional to what we are talking about now. We feel like the best, the one thing you said it would be great to see it used in some way. It has sat empty for years and years. We would like to work on a process to restore that. It seems like one of the best ways to do it would be to possibly move it on to this property that already has zoning in place. Where the chapel is sitting is residential zoning from back in the day. It is a small parcel. I actually just did a little soil testing on that property and it is just not conducive to anything. The idea would be to put it over there where there are already some things in place and possibly do some restoration to it. (Inaudible) We would love to get it over there first and then say over time, work on the restoration and use of it. Maybe for like a small 100 person or less wedding or event like that could make use of it again.*

*Commissioner Crawford: I can see how this fits right in with weddings. You would have an actual chapel.*

*Mr. Pearson: I received a request today to use it. But you don't want to use it right now. I see why you are interested.*

*Vice Chair Hales: Where is the O'Kelly Chapel? Is it in the red area?*

*Mr. Pearson: The only adjoining area there to the north.*

*Vice Chair Hales: To the north? And that is what you purchased recently then?*

*Mr. Pearson: That is correct.*

*Vice Chair Hales: But you don't want to put that under this...*

*Mr. Pearson: Not currently. We are not looking at that right now.*

*Vice Chair Hales: But you could move, I take it that it is a small building?*

*Mr. Pearson: It is about 30 by 80. It is tall, we would take down some red lights, I think. That is the only big inconvenience. I've already talked with Oldham about moving it and he has come out and looked and seen what it would take to do it.*

*Commissioner Crawford: It is a historic church because Peter O'Kelly started the United Church of Christ. I imagine having a purpose to preserve the building, buildings that don't get used, especially in our climate, they deteriorate. There is no gain, no money to bring back a building that goes past a certain point. I applaud any effort you*

*might have to preserve it because it is a one of a kind structure.*

*Chair Dasher: I wonder if the United Church, the UCC even as an organization would have any interest in helping...*

*Mr. Pearson: That is who we bought it from. The UCC actually owned it at that point and they approached us and said they wanted to put it on the market. They wanted to see if there could be a connection with us later so we bought it directly from the denomination itself. They considered moving it up to Elon and restoring it and they just decided they weren't going to put any more money into it. They decided they were done.*

*Vice Chair Hales: Moving a building is very expensive, especially when it is sixty miles.*

*Mr. Pearson: That is expensive, even to move it half a mile.*

*Chair Dasher: Any other questions? Thank you.*

*Mr. Pearson: Thank you.*

*Commissioner Crawford: Good luck.*

*The Chair closed the hearing.*

**This Agenda Item was referred to the Planning Board.**

## **BOARD PRIORITIES**

### **19-3231**

Vote on a legislative request to consider amendments to the Zoning Ordinance to revise the list of uses that are eligible for a height exception as recommended by the Planning Board.

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

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

*The Board discussed that this would be effective immediately upon adoption and would apply county wide.*

**A motion was made by Vice Chair Hales, seconded by Commissioner Howard, that Resolution #2019-40 Adopting a Consistency Statement for the Approval of Zoning Ordinance Text Amendments to Section 8.8, Height Limit Exception, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

**A motion was made by Commissioner Crawford, seconded by Commissioner Howard, that this Ordinance Amending the Zoning Ordinance of Chatham County, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

No: 1 - Commissioner Wilkie

[19-3220](#)

Vote on a request to approve a Resolution Requesting the Chatham County Board of Elections Hold Elections Regarding the On-Premises Sale of Malt Beverages

**Attachments:** [RESOLUTION REQUESTING THE CHATHAM COUNTY BOARD OF ELECTIONS HOLD ELECTIONS REGARDING THE ON-PREMISES SALE OF MALT BEVERAGES](#)  
[ABC Presentation in Word - August 2019](#)  
[Ballot Proposition - ABC Election Ballot Proposition - On and Off Premises Sale of Malt Beverages - July 2019 - 3](#)

*Assistant County Manager Bryan Thompson gave a presentation to the Board. (Presentation attached)*

**A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2019-41 Requesting the Chatham County Board of Elections Hold Elections Regarding the On-Premises Sale of Malt Beverages, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

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

## **MANAGER' S REPORTS**

*Mr. LaMontagne wanted to publicly thank the Sherrif and his staff as well as the County's Communications and Emergency Management departments for their work during the events of the last week. They did an excellent job, as did the Pittsboro Police Department. He also informed the Board that on the 27th of September, Chatham County 360, along with Siler City Safe Homes and the Sheriff's Department, are putting on Friday Night Flicks at Bray Park in Siler City. This is a family-friendly event with a focus on mental health and substance abuse awareness.*

## **COMMISSIONERS' REPORTS**

*Vice Chair Hales asked Mr. LaMontagne to confirm that the Board was going to hear about private well testing in October. Mr. LaMontagne stated yes, and that Dr. George would be here to speak about his testing at the October 21st meeting. Vice Chair Hales thinks it will be a good presentation and discussion. On September 11, there was a conversation about poverty and education that was sponsored by Chatham News and Our Chatham. The event was solid, informational, and well-attended. These community discussions are well done and Vice Chair Hales thinks they will serve the community well. The United Way kickoff was at the Governor's Club last week and there was a good turnout. She participated in a September 6th call with the NCACC and learned that the Army Corp of Engineers has a new program for financing water infrastructure. This was a good conversation and there may be some opportunities for Chatham. She was impressed with the Habitat project in Orange County. The Commissioners were invited to Farm Bureau's meeting on August 26th to talk about Phase II for the Agricultural and Conference Center as well as their desire to have an equine facility. She attended a NCACC event and there was a session about human labor trafficking. She was shocked to hear that this is happening everywhere but was encouraged to hear that county and town staff are in the best position to see it.*

Commissioner Crawford reminded the Board that the Pepperfest is this Sunday. Mr. LaMontagne confirmed that the County is working on securing the electric car as well as seeing if music can be played out of the bell tower. The whole CCCC system has broken its previous record for student enrollment. Typically booms happen during a recession but this is actually happening during a period of expansion and a thriving economy. Also, the certification technology program at CCCC got a perfect rating score from the certification agency. Finally, a group called Niche rated CCCC the best community college in the state of NC.

Commissioner Howard also attended and appreciated the Chatham Community Conversation last week. She went to the School Board meeting last week and the projects are moving along well. We are going to need to think about other schools. She expressed her concern that traffic on Andrews Store Road might become problematic once there are four schools functioning in that area. She would be interested to hear DOT's assessment. The Partnership for Children is going through a strategic planning process so hopefully some good information will come out of that. She will be co-chairing the NCACC Presidential Initiative for disaffected youth and hopes to focus on younger children not just older teens. The first meeting will be held in Wilmington in October. She attended an Arts Council meeting last week, and told the Board the Council is extremely grateful for the additional funding since Chatham has been removed from consideration for two grants. She also reminded the Commissioners of an upcoming Arts Council event being held at Lorax Lane.

Commissioner Wilkie enjoyed the Chamber's Development Breakfast. The event was well-attended and Chair Dasher gave a good speech.

Chair Dasher wanted to mention the emails from Briar Chapel residents regarding the sewage issues. He attended the HOA meeting with the NC State regulator last week, and he had just done an inspection the day prior and had some issues with a few items. Envirolink was not present. The HOA is going to schedule another meeting with the hope that Envirolink will be there to address resident concerns.

## **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 - Chair Dasher, Vice Chair Hales, Commissioner Crawford, Commissioner Howard and Commissioner Wilkie