

**TOWN OF SILER CITY**

The Siler City Board of Commissioners met in Regular Session on **Monday, September 19, 2022**, at 6:30pm in Multipurpose at the Wrenn Memorial Library with Mayor Price presiding. Commissioner Brown gave the invocation with the recitation of the Pledge of allegiance following. Commissioner Fadely recited the Town of Siler City Mission Statement and Mayor Pro Tem Haiges recited the Town of Siler City Vision Statement.

**ELECTED TOWN OFFICIALS PRESENT:** Albert Alston, Norma Boone, Cindy Bray, Curtis Brown, Lewis Fadely, Bill Haiges, Thomas "Chip" Price, and James Underwood

**TOWN STAFF PRESENT:** Town Manager Hank Raper, Attorney William Morgan, Planning Director Jack Meadows, Finance Director Tina Stroupe, Police Lieutenant Andrew Freeman, and Town Clerk Jenifer Johnson

**AGENDA ADJUSTMENTS/APPROVAL OF AGENDA**

*A motion to approve the agenda as presented was made by Commissioner Brown, seconded by Commissioner Alston, and unanimously approved.*

**CONSENT**

*A motion to approve the consent agenda which includes the September 6, 2022 Minutes (Incorporation by reference as if fully set forth herein Schedule A), Budget Amendment 2023.4 and Agreement for Golden Leaf Grant (Incorporation by reference as if fully set forth herein Schedule B), Rural Transformation Grant Application Resolution (Incorporation by reference as if fully set forth herein Schedule C), Voluntary Annexation Petition 265 Hamp Stone Road Resolution (Incorporation by reference as if fully set forth herein Schedule D), Voluntary Annexation Petition CAM Site Resolution (Incorporation by reference as if fully set forth herein Schedule E), and Hispanic Heritage Month Proclamation (Incorporation by reference as if fully set forth herein Schedule F) was made by Commissioner Fadely, seconded by Commissioner Brown, and unanimously approved.*

**PRESENTATION**

Hispanic Heritage Month Proclamation

Mayor Price read aloud the Hispanic Heritage Month Proclamation.  
(Incorporation by reference as if fully set forth herein Schedule F)

**LEGISLATIVE PUBLIC HEARING**

G5 Investments, LLC (D.H. Griffin Jr.) proposes to rezone ~81.049 acres from Agricultural-Residential (A-R) to Heavy-Industrial (H-I). The subject properties are located along the northern boundary of US 64 West (west of Benjie Williams Rd.) and is identified as parcels 12553, 12551, 63971, 12552, and 78171.

Mayor Price opened the public hearing for G5 Investments, LLC (D.H. Griffin Jr.) proposes to rezone ~81.049 acres from Agricultural-Residential (A-R) to Heavy-Industrial (H-I), the subject properties are located along the northern boundary of US 64 West (west of Benjie Williams Rd.) and is identified as parcel # 12553, 12551, 63971, 12552, 78171 at 6:39 pm. (Incorporation by reference as if fully set forth herein Schedule G)

Planning Director Jack Meadows stated that the subject property is owned by G5 Investments, located outside the Town's Corporate Limits, and is surrounded by tracts with an average area of 24.5 acres.

Meadows shared the compatibility with the existing Comprehensive Land Development Plan:

1. Additional Goals and Objectives for the Chatham-Siler City Advanced Manufacturing Site Area
  - a. The Chatham-Siler City Advanced Manufacturing (CAM) Site is identified as a large-scale heavy industrial manufacturing area. Future uses within and adjacent to the CAM Site area are intended to develop in a homogeneous manner to enhance the highest and best use for this area and to mitigate conflicting or incompatible uses and development. Uses sensitive to manufacturing operations are discouraged. This area is suitable for a variety of uses, including but not limited to manufacturing, assembly, research and development, warehouse, distribution, and planned business park.
  - b. CAM Site Area Objectives
    - i. Encourage and attract diverse industrial, manufacturing, and industrial-support-related uses, compatible with the CAM Site, that will stimulate the local and regional economy.
    - ii. Continue to support and enhance the deliberate and orderly industrial development of the CAM Site.
    - iii. Encourage the development of concentrated, contiguous, and compatible manufacturing uses.
    - iv. Promote the CAM Site as a growth area and provide it priority for utility extensions.
    - v. Support existing industry.
  - c. CAM Site Area Strategies
    - i. Identify adequate land for future industrial development.
    - ii. Identify properties adjacent to the CAM Site that can be rezoned to an industrial zoning district.
    - iii. Review and amend the table of uses to maintain and add uses desired and compatible, and remove such uses determined to be undesirable or incompatible, with the future development of the CAM Site.
    - iv. Review the Standard Industrial Code classification system in order to eliminate incompatible industries with the CAM Site, such as quarry operations.
    - v. Encourage the development of new thoroughfares to provide improved access to and from the CAM Site.
    - vi. Make extension of water and sewer service to the CAM Site a top priority.
    - vii. Encourage improved environmental impacts of industrial uses, such as water reuse and industrial recycling.
    - viii. Continue review of industrial incentive policies and programs to recruit suitable industry to the CAM Site.
2. Industrial development adjacent to the subject property
  - a. These areas are suitable for a variety of manufacturing and warehouse/distribution uses. This category may also include office/flex space development in a planned business park type of setting.
  - b. Objectives and Strategies
    - i. Limit impacts of development on the environment and promote sustainability.
    - ii. Encourage development to occur in areas with existing or planned infrastructure such as water, sewer, roads, and sidewalks.
    - iii. Identify adequate land for future industrial development
    - iv. Support existing industries
    - v. Improve the appearance of properties.
    - vi. Encourage efficient use of transportation networks.

- vii. Urban development densities should be restricted to areas in which sufficient water and sewer service is available.
  - viii. Encourage planned developments.
  - ix. Preserve the sites best suited for office and industrial development by identifying such areas and excluding non-supportive uses from those sites.
3. Rural residential for the subject property.
- a. These are areas of very-low density development that are either environmentally sensitive or are located beyond the anticipated utility service area of the Town. Minimum lot sizes in these areas are typically 1 acre or greater. Agriculture and forestry uses are common in these areas.
  - b. Objectives and Strategies
    - i. Limit impacts of development on the environment and promote sustainability.
    - ii. Improve the appearance of properties.
    - iii. Encourage efficient use of transportation networks.
    - iv. Urban development densities should be restricted to areas in which sufficient water and sewer service is available.
    - v. Require that as a condition of receiving public water and/or sewer service, all new developments be incorporated into the Town limits.
    - vi. Designate areas of the Town’s planning jurisdiction as growth areas and give priority to utility extensions in those areas.
    - vii. Promote land uses that are compatible with the future growth and development of Siler City Municipal Airport.

Meadows shared information about the infrastructure:

- 1. Public water is located along US 64
- 2. Public sewer is planned along US 64
- 3. Area streets:

Street/Road	Road Frontage (feet)	Travel Lanes	Maintenance	Speed Limit (mph)	Average Daily Trips
US 64	1,600	5	NCDOT	55	8,500 (2020)

Meadows shared the impact on landowners, immediate neighbors, and the surrounding community:

Zoning District	H-I	A-R
Minimum lot size (square feet)	0	40,000
Recommended minimum lot width	100'	100'
Street right-of-way building setback	40'	40'
Lot boundary building setback	25'	20'
Height limitation	200'	40'

Meadows stated that the H-I was hereby established primarily to accommodate enterprises engaged in the industrial, processing, creating, repairing, renovation, painting, cleaning, or assembling of goods, merchandise, or equipment. The performance standards set forth in Part II of Article XI place limitations on the characteristics of uses located in the H-I district. The limitations in the L-I district are more restrictive than those in the H-I district.

Meadows stated that the A-R district is designed to accommodate agricultural and residential uses normally associated with:

1. agricultural uses with large tracts of uninhabited land near the fringe of urban areas.
2. single-family residential development in areas not served by town or county water and sewer facilities and that are not yet appropriate for development at higher densities. Some types of manufactured homes are allowed to be used for single-family residential purposes in this district.

Meadows noted that the Board of Commissioners should consider the entire range of permitted, special, and conditional zoning uses for the existing and proposed zoning district as listed in the Table of Uses.

Meadows shared the relationship of uses:

1. Current use of subject property is agriculture and single family residential.
2. Surrounding land uses include agriculture, single family residential, and motor vehicle repair.
3. Surrounded by H-I and A-R zoning

Meadows shared the Planning Board recommendations from the September 12, 2022 meeting:

1. Approve the ordinance amending the official zoning map; and
2. Approve that the action is inconsistent with the adopted future land use map because:
  - a. Future uses within and adjacent to the CAM Site area are intended to develop in a homogeneous manner to enhance the highest and best use for this area and to mitigate conflicting or incompatible uses and development.
  - b. This area is suitable for a variety of uses, including but not limited to manufacturing, assembly, research and development, warehouse, distribution, and planned business park.
  - c. Continue to support and enhance the deliberate and orderly industrial development of the CAM Site.
  - d. Encourage the development of concentrated, contiguous, and compatible manufacturing uses.
  - e. Promote the CAM Site as a growth area and provide it priority for utility extensions.
  - f. Identify adequate land for future industrial development.
  - g. Identify properties adjacent to the CAM Site that can be rezoned to an industrial zoning district; and
3. Approve the ordinance amending the adopted future land use map; and
4. Approve the proposed amendments are reasonable because:
  - a. The Chatham-Siler City Advanced Manufacturing (CAM) Site is identified as a large-scale heavy industrial manufacturing area
  - b. Encourage and attract diverse industrial, manufacturing, and industrial-support-related uses, compatible with the CAM Site, that will stimulate the local and regional economy.

Dean Betts, 510 Benjie Williams Road, Staley, NC 27355

My presentation tonight is, I'm going to give preliminary documentation and testimony and pause and ask that the matter be tabled at that point. If the board does want to do it, then I will go into the meat and potatoes of what is available to me. Does that sound alright if everybody. Like I said I'm asking that the matter be tabled. I have evidence efficient to table the matter. If the board doesn't feel that its efficient, then I can go.

Town Manager Hank Raper informed Betts that this is a public hearing, and you don't have a conversation with the board, that he should just speak.

Betts continued: Fine. Let me start by telling you for the past eight days internet services and telephone service with internet was knocked out on Benjie Williams Road. Whether it was the construction site coming in that knocked out a wire or it was an act of God it has severely prestigous me here tonight. I've been at the library and have had to go through the documents there. I'm going to start with my first. I don't have it printed. My conversations with Mr. Meadows through Gmail. I'm going to put into the record the first one I neglected to copy at the library, and I would like to read into the record at this point. It's dated September 5 from Dean Betts to Jack Meadows. Dear Mr. Meadows let me start by alerting you to the fact that you indemnified me as a Siler City property owner. That is incorrect, I am a Staley property owner. However, I'm writing you in regard to the for mentioned letter in which I received. At this time, I'm requesting that you make available by appointment for review the said proposed item which may include by not limited to any environmental impact studies, any traffic flow studies that have been conducted thus far on my home. For the record, I purchased my house 8/30/2018 for the purpose of being close to the research triangle for my battle against cancer which there is no cure. Having said that 510 Benjie Williams Road Staley North Carolina at the time of purchase was a quaint little town, population around six hundred people. To my knowledge there's not even a traffic light in town. This is where I intend to live the remainder of my life. While my medical condition is forcing me into bankruptcy. At this time, I will make any and all objection that I can research and file as soon as I can obtain and digest the applicable recourse, I have in accordance to local rule and regulation in order to submit to your office. I don't believe the date of your notice to the date of the hearing allows any comprehensive review and adequate responses as a layman. I ask that my objection be duly noted to protect my appellate review and or injunction down the road if necessary. Your anticipated cooperation in the above matter will be greatly appreciated. Sincerely Dean Betts. That's the first contact I had with Mr. Meadows.

Betts continued: The second contact I had I won't read; I will just submit them in the record. Was Wednesday September 7. I will read this. Can you please make available for inspection and or photo copying zoning permit application in the above-mentioned letter. Let the record reflect that the document email dated September 7 from me was submitted. Next item I want to enter a September 12, 2022, and I will read this into the record. Mr. Meadows, as you know I have been in your office on two occasions thus far, in an effort to obtain any and all documents related to rezoning application made by G5 Investments LLC. To date you have only made available a couple of maps and a limited rezoning application. This is insufficient to be able to property respond to the proposed legislative hearing. I also attended last night's hearing planning board for the consideration as to G5 Investments LLC and its G5 proposal to rezone 81 acres from AR to HI. During the meeting, there was a brief discussion as to the approval of the forgoing matter and there were areas of concern by board members and those items were only identified by page number and subsection numbers. I was unable to ascertain the content of those discussions because you we're not willing to supply me that information pursuant to chapter 132 of the North Carolina General statutes. Also, when the zoning meeting concluded, I approached you with my concerns as to the true nature of the haring and your refusal to make available any and all documents in your custody and control. We also discussed parcel #12553 (558 Benjie Williams Road in which you conveyed that only a portion of the property was purchased by G5 Investments LLC. That statement is clearly erroneous and disingenuous. At this time, I propose that I revisit your office at 3:00 pm today or any other reasonable time date to inspect copy or photograph any and all relevant materials as they relate to this matter. Your anticipated cooperation will be most appreciated. Sincerely Dean P. Betts.

Betts continued: As I was saying, I've been here three years now. Never had a problem with the phones. Never had a problem with the internet. The day that the construction company of G5 Investment pulls their truck up there, I'm knocked out of phone and internet. For eight days. That's my information highway. That's my ability to email people. That's my ability to present evidence here tonight. Not any

fought of my own. Again, I don't know if it's an act of nature. I don't know if one of these trucks hit it. I don't know if it was nefarious. All I know is I was greatly diminished in my capacity to obtain information tonight. I'm going to put into the record where I had to go to the library today to do a google password change. I was battling cancer and having to go out into a public forum because my sanctity of my house was knocked out by somebody. Happenstance it is. I'm also going to enter into the record the after-visit summary in which I went to Fast Med because I was sick. I was sick because I was out in the public, because I couldn't stay in my house because somebody knocked out my internet.

Betts continued: On Monday September 19 and 20 concerning the meeting with Jack Meadows today. We got together and he gave me a few documents back. Betts asked Jack Meadows if he had the documents that Meadows had sent to Betts earlier. Meadows asked the mayor if he would like for him to send them to the Board now. Mayor Price asked Meadows if the records Mr. Betts is referring to already in the Board's packet. Meadows listed the items that he had sent to Mr. Betts. Mayor Price asked Staff if the records are in the Board packet. Town Attorney William Morgan stated that the items have been identified and are part of the packet. Betts stated that was an incorrect statement. The ones that he received today were certified. The others didn't have a date on them. They didn't have any sort of certification on them. I've had to take my magnifying glass and go back and forth between the documents, and I'm still not completed yet because I got done with Jack at noon and I've been at the library. What I can tell this body, is they were not the same documents. He emailed me those documents, so they are a matter of record in the pdf file. That is an incorrect document statement. I have those documents and the corresponding documents. I still don't know if those are the same documents. I haven't had the time. Mayor Price stated if these are the same documents that we have already have in the record then we can move on. Betts stated that was not the case. Morgan stated that he can put what every document he wants in the record.

Betts continued: I'm going to request a motion at this point to table the matter given that the subject matter that I just said with my internet being knock out, the repeated attempts to acquire these documents that I got in drips and drabs and not certified. It is nothing that would allow me to make a proper presentation tonight. There was a window of ten days. I asked for last week's board meeting minutes, where some of the board members ask Jack about some issues. I wanted to present those minutes tonight. There not available. There were board members that ask Jack questions about this track being attached to G5 Investments and that's all material to what's going on here. Again, I am suppressed from obtaining proper documents. For that reason, I'm asking at this point, table the matter so I can get together and get my internet back up and I can email Jack again and specially ask for in writing the proper documents. I think I've met my ability to appeal at this point.

Mayor Price stated that he didn't hear any motions from any of the board members to table that so that will die. Betts stated that he would make a motion. Mayor Price told Mr. Betts that he could not make a motion. No members of the Board of Commissioners made a motion.

Betts continued: Now I'm to move on to the packet, page four. I draw everyone's attention to item 2 of section b i. Limit impacts of development on the environment and promote sustainability. As you know Jack talked about that one property that was subdivided 12553. What there doing is, its in a stream flowing into a river and into a pond or lake. I don't know what the difference is in size. Then down Benjie Williams Road there's a tributary to two other ponds. They are allowed to go up to twenty feet, Jack, how many feet do they have to stay away from that? Mayor Price told Mr. Betts that this is not a question-and-answer period, and these are questions that should have been asked during the planning board. Mayor Price asked Mr. Betts to state his points on the matters. Betts stated that he was at the planning board meeting, and he was not afforded any question-and-answer period during that. It's my recollection that they are

able to go within twenty feet of that river with no studies on what that's going to do to that river. I need time to get studies done on that because it also flows into Benjie Williams Road into two other ponds. When those things dry up and die, it's going to be mosquitoes and rats, there's going to be all types of things. This project is not taking into consideration any of that. They say the heck with Benjie Williams Road, we don't care about them. That's in our backyard. That's one of my objections. And it's reiterating in the same packet identified as c. CAM Site Area Strategies, section vii. Encourage improved environmental impacts. I need time to get those environmental studies. I'm not going to be sold a bill of goods by a developer saying that's ok nothings going to happen. And I know better. You all know better. Same packet, rural residential for subject property. Section 3a. These are areas of very low-density development that are either environmentally sensitive or are located beyond the anticipated utility service area of the Town. Minimum lot sizes in these areas are typically one acre or greater. Agriculture and forestry uses are common. They are not taking into account how many houses are on Benjie Williams Road. Six. They are saying don't worry about that land, there's nothing there. There is something there, I'm there. I moved here to finish out my life and you're saying I'm not here, but I am here and I'm going to be in here for the long term.

Betts continued: It future goes limit impacts of development repeatedly. They are talking about the environment, and this is my backyard where I play with my dog, and I cut my grass. And you want to put a 200-foot mega site up to my border. That's repulsive. Then it goes minimum lot size zero, minimum lot width 100, average setback twenty-five feet, and height limitation 200 feet. That's anywhere from eighteen to twenty-five stories that you want to put in my back yard. That's repulsive. It also says AR height limitation is forty feet. Under that it says the board should consider the entire range of permitted, special, and conditional zoning uses for the existing and proposed zoning district as listed in the table and uses. In my mind and any homeowners mind, a two-hundred-foot mega chip site with ear shot and eyesight or my home is improper. You have 453 acres. When this goes to the appellate division, the first thing that's going to be ask is couldn't it go somewhere else. Why do you need these eight four acres. Someone is going to have to say we couldn't put it anywhere else. You have 2500 acres on the other side of that are available. Why are you coming after 87 acres of residential property up to my property line. That's going to be a tough question for you all to answer when it goes to trial. And that's going to shoot you down. They only have to move one inch west. But they wanted to come 85 acres east to my house. That's repulsive. In closing, the mayor said I should have brought this up last week. There was nothing. They said you don't do it at that one, you do it at this one. I asked for the minutes, so we could thoroughly go through what happened. Not by what is hearsay, but the minutes aren't available. Why aren't the minutes available. Again, it's a process to opuscule what's really going on. At that hearing last week they had two items on the agenda. Cutting down a few trees at the golf course so some grass can grow. They spent forty minutes talking about the trees and the grass and when these eight four acres comes up, they had a few questions, which Jack made some response to then they did one of these. I will be able to show it to a reasonable plat, they just turned a blind eye and with a wink and a nod, they rubber stamp this to you people. Where are the minutes, why are we hiding the minutes from last week. We have the empathies to get us here, but we don't have the meat and potatoes. Why are we hiding that. How long does it take to do the minutes. I'm not going away and you're going to remember me. We are going to see each other a lot. Counsel, I'm going to put you on my Christmas list, how do you like your Roloids. Again, given these atrocities, no cell service and internet and these trucks pull in from DH Griffin and I'm knock out of service. We all are. That's the information highway. I'm a cancer patient. I'm stuck in house. I went out and I got sick and I'm wearing a mask here, so I don't get sick further. You guys just want to kill me. You just want me to die. You don't care about me or the other residents.

Mayor Price stated that he takes offense at his comments. No one on the board wants to kill you.

Betts continues: Your honor when you won't let the full record come in that makes me feel that way. Thank everyone for letting me vent. And I hope that you will let me live and die in my house in Staley that I bought with bulldozers and truck when they could have moved one inch further to the west and you're going to have to answer to that in the appellate division. Thank you

Patrick Lineberry, 400 Bellemeade Street, Suite 800, Greensboro, NC 27401

We represent G5 Investments the owner of the site. We pray for you and your health and wish you a full recovery. I am here tonight about the quality of life for this community. This is a 450-acre mega site, and the anticipated use is Wolfspeed. The portion of the site is part of the five-billion-dollar site that Wolfspeed has invested in Chatham County. As the owners we wanted to get this property rezoned for the use. There's a plenary site plan. We are very excited about the investment and quality of life. We support this rezoning application.

Mayor Price closed the public hearing at 7:22pm.

***A motion to approve the ordinance amending the official zoning map of ~81.049 acres from Agricultural-Residential (A-R) to Heavy-Industrial (H-I), the subject properties are located along the northern boundary of US 64 West (west of Benjie Williams Rd.) and are identified as parcel # 12553, 12551, 63971, 12552, 78171; and approve that the action is inconsistent with the adopted future land use map because future uses within and adjacent to the Chatham-Siler City Advanced Manufacturing (CAM) Site area are intended to develop in a homogeneous manner to enhance the highest and best use for this area and to mitigate conflicting or incompatible uses and development, this area is suitable for a variety of uses, including but not limited to manufacturing, assembly, research and development, warehouse, distribution, and planned business park, continue to support and enhance the deliberate and orderly industrial development of the Chatham-Siler City Advanced Manufacturing (CAM) Site, encourage the development of concentrated, contiguous and compatible manufacturing uses, promote the Chatham-Siler City Advanced Manufacturing (CAM) Site as a growth area and provide it priority for utility extensions, identify adequate land for future industrial development, identify properties adjacent to the Chatham-Siler City Advanced Manufacturing (CAM) Site that can be rezoned to an industrial zoning district; and approve the ordinance amending the adopted future land use map; and approve the proposed amendments are reasonable because the Chatham-Siler City Advanced Manufacturing (CAM) Site is identified as a large-scale heavy industrial manufacturing area, encourage and attract diverse industrial, manufacturing and industrial-support-related uses, compatible with the Chatham-Siler City Advanced Manufacturing (CAM) Site that will stimulate the local and regional economy was made by Commissioner Fadely, seconded by Commissioner Brown, and unanimously approved.***

#### OLD BUSINESS

none

#### NEW BUSINESS

##### Financial and Budgetary Policies

Town Manager Hank Raper stated that Town Staff has created a Financial and Budgetary Policy document to establish compliance with statutory requirements. This document is to provide direction from the Board of Commissioners for financial matters. (Incorporation by reference as if fully set forth herein Schedule H)



***A motion to approve the Resolution Establishing the Financial and Budgetary Policies as presented was made by Commissioner Fadely, seconded by Mayor Pro Tem Haiges, and unanimously approved.***

**MANAGER'S REPORT**

Town Manager Hank Raper shared the following with the Board of Commissioners:

- City Hall Improvements and Renovation Project
- Ethics Training on Monday, September 26
- Seven public hearing on October 17
- Finishing up the purchasing policy

**TOWN ATTORNEY INFORMATION**

none

**GOVERNING BODY COMMENTS**

Commissioner Fadely stated that he had received a complaint about speeding on 6<sup>th</sup> Avenue near the greenway.

**CLOSED SESSION**

none

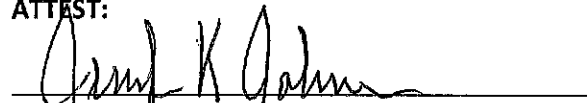
**ADJOURNMENT**

With no further business the Board of Commissioners adjourned at 7:33pm.



Thomas K. Price III, Mayor

**ATTEST:**

  
Jenifer K. Johnson, Town Clerk