

**APPROVED 2/16/2021**

**MINUTES  
ORANGE COUNTY  
BOARD OF COMMISSIONERS  
VIRTUAL SPECIAL MEETING  
JANUARY 05, 2021  
7:00 p.m.**

The Orange County Board of Commissioners met for a Virtual Special Meeting on Tuesday, January 05, 2020 at 7:00 p.m.

**COUNTY COMMISSIONERS PRESENT:** Chair Renee Price, Vice Chair Jamezetta Bedford, and Commissioners Amy Fowler, Jean Hamilton, Mark Dorosin, Sally Greene, and Earl McKee

**COUNTY COMMISSIONERS ABSENT:** NONE

**COUNTY ATTORNEYS PRESENT:** John Roberts

**COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, Clerk to the Board Laura Jensen, and Assistant Deputy Clerk II Allen Coleman (All other staff members will be identified appropriately below.)

Due to current public health concerns, the Board of Commissioners is conducting a Virtual Special Meeting on Tuesday, January 05, 2021. Members of the Board of Commissioners participated in the meeting remotely. As in prior meetings, members of the public were able to view and listen to the meeting via live streaming video at <http://www.orangecountync.gov/967/Meeting-Videos> and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

**1. Call to Order**

Chair Price called the meeting to order at 7:00 p.m., and asked Commissioners to accept a roll call.

Roll Call ensued.

**VOTE: UNANIMOUS**

**2. Introduction of Laura Jensen, New Clerk to the Orange County Board of Commissioners**

Chair Price informally introduced Laura Jensen, the new Clerk to the Board. A formal introduction will take place at the January 19, 2021 business meeting.

**BACKGROUND:**

Over the course of several meetings the Board of Commissioners reviewed a number of applicants to fill the position of Clerk to the Board, a position reporting directly to the Board of Commissioners. Upon interviewing the final candidates for the position the Board of Commissioners selected Laura Jensen to fill the position and Ms. Jensen accepted the offer of employment. Ms. Jensen has thirteen years of progressively responsible local government experience. She has served as Interim Assistant County Manager in Person County and currently serves as the Assistant Finance Director and Budget Manager.

**3. Reconvene the Continued Public Hearing from the December 15, 2020 – Virtual Business Meeting – Item 5-b Zoning Atlas Amendment: Master Plan Development Conditional Zoning District (MPD-CZ) for Efland Station (Formerly Beaver Crossing)**

Chair Price reviewed the following:

**BACKGROUND:**

On August 7, 2020 a Zoning Atlas Amendment application was received proposing to rezone 2 parcels, further identified utilizing Orange County Parcel Identification Numbers (PIN) 9854-16-1576 and 9854-36-3711. Specifically, Buc-ee's Limited is seeking to rezone 2 parcels totaling approximately 104 acres to Master Plan Development Conditional Zoning (MPD-CZ) district. As indicated herein, due to the size of the application, it is available electronically on the County website at: <https://www.orangecountync.gov/1722/Current-Interest-Projects>. This was a continuation of the public hearing on the application from December 15, 2020.

Chair Price reviewed that the Board of County commissioners received the Planning Board/staff recommendation and opened the public hearing at the December 15<sup>th</sup> meeting. The Board was asked to reconvene the continued public hearing, receive public comments, and then continue the public hearing to January 12, 2021.

**RECOMMENDATION(S):** The Manager recommends the Board:

1. Reconvene the continued public hearing;
2. Hear from the scheduled speakers;
3. Continue the public hearing to January 12, 2021 at 7:00 pm; and
4. Remind the public that anyone may continue to provide written comments to all Board members by sending an email to [ocbocc@orangecountync.gov](mailto:ocbocc@orangecountync.gov)

A motion was made by Commissioner McKee, seconded by Commissioner Greene to continue the public hearing from December 15, 2020 and open the floor for public comment.

Roll call ensued.

**VOTE: UNANIMOUS**

**PUBLIC COMMENT:**

Kaye Brown said she is a licensed contractor and horse farm owner close to the proposed Buc-ee's site, and feels that the data presented in the proposal is inaccurate. She said the majority of Buc-ee's business must come from the sale of a large amount gasoline. She said Buc-ee's will also employ people in low wage jobs that typically have high turnover rates. She said residents of Efland are not looking for these type of jobs, as most are older and well educated. She said Efland is a well-established and committed community, made up of many African American homeowners. She urged the Board of County Commissioners (BOCC) to deny the rezoning request.

Melissa Marsh said she has lived in Efland for a long time, and is stunned that the BOCC is even considering the Buc-ee's proposal. She said this proposal is in conflict with the area plan, and urged the Board of Commissioners to deny the rezoning request, based on the possible impact on the community's character due to public safety issues, environmental

effects, and quality of life. She said Buc-ee's will be a blight on the landscape and character of the area, and this is a generational decision that may be the legacy of this BOCC.

Arthur Sprinczeles read from a news article that expressed the positive benefits in communities that have Buc-ee's stores. He cited positive economic benefits to other businesses in the area because of Buc-ee's.

Richard Ward said he is a resident and business owner on Ben Johnston Rd, and expressed that gasoline powered vehicles are not the future of transportation. He said he is frustrated over the review process of the plans by the Planning Department, and said the public was banned from an open meeting, amongst other violations. He opposed this project and urged the BOCC to listen to its constituents and vote no.

Rhonda Parker said she is the former director of Camp Chestnut Ridge, and this land was properly zoned years ago, and specifically prohibits gas stations. She said this zoning should be preserved. She said she looked at the area plan, and finds the Buc-ee's proposal to be in direct conflict with it. She said the Efland community wants to stay unique and any development should be in line with the character of the residents and the desire to preserve the environment, as well as being sustainable for generations to come. She urged the BOCC to wait for a better development opportunity.

Anne Shortliffe read the following comments:

Good Evening. My name is Anne Shortliffe. For the past 37 years, I have lived on Ben Johnston Road, a little over a mile from the proposed Buc-ee's site. I expect change and I understand the need for development in Orange County. However, placing 120 gas handles on a protected watershed is a needless development that harms the current residents and businesses of our county. There are presently 20 different stations and 203 gas handles in the 15 miles of interstate highway between Hillsborough and Haw River. The supply is diverse and stable, and the competition creates some of the lowest prices in the state. If there is no need for further access to gasoline, why would we accept the increased air, water, noise and light pollution created by the traffic chaos Buc-ee's would bring to our local community? Think of the fumes from all the exhaust pipes as cars sit and wait for Buc-ee's traffic lights. Climate change, brought on by fossil fuel consumption, has caused a substantial increase in the frequency and intensity of hurricanes in our state. Ask yourself how Buc-ee's high tech storm water system would handle a Hurricane Florence scale rain event. It won't. Be aware it only takes 1 gallon of gasoline to poison 1 million gallons of water.

The market for transportation in this nation is rapidly moving to hybrid and electric vehicles. Buc-ee's is part of a dying industry in a changing world. The Orange County Board of Commissioners has committed to following the Paris Climate Accord and to switch to 100% renewable energy by 2050. If these commitments are more than mere window dressing, you simply cannot put the largest gas station in the world in our county.

The traffic problems created by Buc-ee's have been spelled out in many letters to the Board, including one from our neighborhood that was signed by 19 residents and 11 businesses. If you haven't read this yet, please do. Buc-ee's 25,000 daily car trips will create chaos at the merge of the 2 most dangerous highways in North Carolina. As someone who uses exit 161 regularly, I can assure you it's already neither easy nor safe. Buc-ee's will make this dangerous situation even worse.

Buc-ee's claims to pay up to \$15 per hour for entry level jobs, but these are dead end jobs. Buc-ee's clearly states that management positions will be filled by residents of Texas. We need jobs that offer career development oriented to the future. Scrubbing toilets at Buc-ee's prepares you to scrub toilets somewhere else. Forward-looking development, such as the light industry, office, and retail activities that are permitted under current zoning regulations, also create substantially less disruptive traffic patterns.

Finally, the current UDO specifically calls for the retention of Efland's rural character. It is hard to imagine a development that is in greater contradiction of that goal than Buc-ee's. I am counting on the Commissioners, to be faithful to the past promises you have made to this county and your constituents.

Alison Jones said she is a life long resident of Orange County, and lives near the proposed Buc-ee's site. She expressed concerns about the size of the project, as well as the possible environmental impact, which has not yet been completely studied. She cited the impact on the Eno River. She urged the BOCC to deny the rezoning request.

Tim Spruill said he is a hydrologist, and has lived in Efland over 20 years. He said the current zoning specifically prevents a travel center, such as the one proposed. He said he is concerned about the negative impact on the water supply, and the review process from the Planning department. He said this project is irresponsible and wrong for Orange County. He cited the BOCC's commitment to the Efland/Mebane area and to curbing climate change, and said voting to approve would be in violation of those commitments. He urged the BOCC to keep the current designation, and vote no to rezoning.

Megan Doherty said she is a sustainable studies student at UNC, and a resident of Chapel Hill. She said she is stunned and disappointed by the proposal. She said North Carolina is known for two good universities, Duke and UNC, and does not want to add Buc-ee's to that list. She said the State is committed to the Paris climate accord to curb climate change, and this proposal is not aligned with that commitment. She urged the Board to stand with the residents expressing that the proposal be denied.

Asher Skeen said he lives in Carrboro, and urged the BOCC to vote no the rezoning request. He discussed the poor working conditions at Buc-ee's for its employees. He said the company has sociopathic numbness towards Buc-ee's employees, with shifts lasting 10 hours and no true breaks. He said work life balance does not exist, there are no raises, and managers bully and bash on staff members. He quoted several reviews from Buc-ee's employees and asked that the proposal be denied.

Hope Horton said she is resident of Cheeks Township, and this proposal stands in the way of the kind of development the County needs and deserves. She quoted various positions that members of the Board of Commissioners have taken on economic development being in line with environmental stewardship and the culture of the community. She said this proposal violates many of these statements, and is not worth what Buc-ee's is asking the County to sacrifice: clean water, sustainable future, quality of life, etc. She urged Commissioners to vote no on the proposal.

Mary McLaughlin said she is a newer resident of Mebane, and moved here due to an attraction to Orange County's commitment to the environment and its residents. She said she is concerned that Buc-ee's focused more on the number of cars that travel through the area, rather than the community and character of the area. She said it makes no sense to disrupt the community and traffic patterns, for the sake of underground gas tanks. She said she uses Ben Johnston Road, and the traffic changes proposed will make her ability to travel home more difficult, and she will have to use the highway more to get to and from work. She urged the BOCC to consider the impact to the Efland community when making its decision.

Bill Riley said he is a 30-year resident of Efland, and does not support the rezoning request. He said he attended the Orange County Planning Board meeting in November 2020 on the proposal, and felt there was no discussion between the board and the applicant and that public input was merely tolerated and not incorporated into the process. He said the speed of the decision made him feel that the attendees' concerns were not listened to. He said the BOCC should postpone any decision until neutral parties can do greater research, and the experiences of other communities that have hosted Buc-ee's can be considered. He said this is a decision to make substantial changes to a fragile area in a rural community.

Lamar Proctor said he is an attorney, and lives 5 miles from the site in Efland. He said he did a deep dive into all pertinent County documents pertaining to this proposal, and sought to give the Buc-ee's application a fair shake. He quoted a portion of the ordinance that relates to the development, and said the application is very problematic regarding the ordinance, especially as it pertains to water. He said the water usage cited by the Applicant is not accurate. He said there are other issues as well, including traffic. He said his parcel will be developed, but the County can do better. He urged the BOCC to deny the rezoning request.

David McDuffie said he is speaking on behalf of the Environmental Ministry Committee of the Episcopal Diocese of NC, who opposes the development of Buc-ee's. He said the proposal will violate the desire to protect the environment and be good stewards of God's creation. He said this project will effect the water supply, damage air quality, wildlife habitat, drastically increased impervious surfaces, etc. He said this project is also simply not needed, as there are sufficient fueling stations in the area already. He said gasoline is not a part of the future. He said he is also a resident of Orange County, and this project does not represent the character of the community, and will offer short-lived economic gain at too great a cost.

Margret Mueller said she lives off of Mt. Willing Road, and regularly travels in the area near the proposed project. She said she has enjoyed listening to the comments of others, and the community is better if we listen to a wide range of voices. She said she was moved by a comment made by a lifelong Efland resident in a previous meeting that expressed support for the proposal. She said it caused her to consider how her position is related to her privileges, and to focus on what may be a better way to develop the land, as opposed to just voicing dissent to this plan. She said Buc-ee's is a regressive and shortsighted development, but she does not want the BOCC to ignore Efland's cry for help. She said development is necessary, and asked the BOCC to consider what type of development meets the needs of the community and can be respectful. She said the BOCC is committed to moving away from fossil fuels, and this project is simply not the best use of this property.

Tom Allison said he is a lifelong resident of Efland, and agreed with many of the comments of previous speakers. He said the BOCC is the only arbiters for the Efland community, and he urged the BOCC to not overlook the potential problems. He said Eno River and Seven Mile Creek, both of which will be impacted by water pollutions, border the proposed site. He said extra revenues from Buc-ee's will not outweigh the revenue losses to other area businesses.

Benny Cecil said he is speaking on behalf of the Efland community, and in support of the Buc-ee's development. He said Buc-ee's has complied with the regulations and will bring in \$2 million in local revenue, including \$30,000 in revenue to the Efland fire station. He said area churches and business will get free advertisement due to Buc-ee's. He said he is concerned that those who do not live in Efland are the ones protesting against the development. He urged the BOCC to approve the rezoning request, due to the benefits to travelers and local residents.

Lucy Lewis said she is a lifelong Orange County resident, and opposes the rezoning proposal due to the unhealthy impact to the community and the watershed. She said working conditions at Buc-ee's are horrendous, and she opposes continued reliance on fossil fuels. She said she stands for the kind of community in which residents want to live and work. She said she supports development, but encouraged the Economic Development office to attract a better proposal for this area.

Heather Smith said she has lived in Efland for 5 years, and expressed support for existing zoning that protects both the community and environment. She said corporations with no connections to the area cannot dictate a community's future. She said this type of development displaces residents and renters, and existing zoning helps to protect residents from predatory developments. She said the community is being quite literally gaslit by development plans. She said she does not want Orange County to be collateral damage, and rejects tokens like the Efland name going on the sign.

Andrea Riley said most of the arguments in favor of the Buc-ee's proposal are for increased tax revenue and more jobs in the Efland area. She said the quality of the employment offered is not worth it. She quoted several Buc-ee's employees frustration with the employment practices, noting many of the employees are college students. She said gas stations are not allowed in this area, due to the current zoning. She said Buc-ee's is sweetening the deal by suggesting their presence will bring a hotel, bank and other features to the site, but these are not guaranteed, and cannot be required. She said the only guarantee is that Buc-ee's will be built. She said 50% of existing Buc-ee's are surrounded by open land, and no other businesses. She said most Buc-ee's are in Texas, where there is a lot more land.

Michelle Pope said she is a resident of Efland, and supports the rezoning request. She said Buc-ee's fuel tanks are double-walled, and Buc-ee's has a fuel water separator before fuel and debris meet the watershed. She said current gas stations in the area are not this advanced. She said the traffic impacts will not affect most of Efland, and Buc-ee's is paying for traffic improvements. She said Buc-ee's will support the community and local vendors, and offers multiple types of fuel and electronic vehicle charging stations. She said Buc-ee's will assist in getting better internet for the area. She said there are no regulations on development in a high quality water area, as long as regulations are met, and Buc-ee's has agreed to the meet those regulations.

Lorri Drozdyk said she has lived in Northern Orange County for 29 years, and asked the BOCC to deny the rezoning request. She said a gas station of this size is not needed for the community, and it is inconsistent with many positions of the County. She urged the BOCC to represent the County and not Buc-ee's. She said she is concerned about added traffic congestion, but the greatest concern is those residents who live nearby, and the County as a whole. She said Buc-ee's size is absurd, and this is not the type of business these residents need. She said she has grave concerns with nearby residents with wells, and problems happen even with the best design. She urged the BOCC to be good stewards of the land, community, and values and oppose the rezoning.

Blake Tedder said he is a 17-year resident of Orange County, and lives in Hillsborough. He said he is opposed to the rezoning proposal, and Buc-ee's will not help the community, and compared it to South of the Border. He said fossil fuels are a bygone era, and Buc-ee's will make Orange County look like hypocrites in the future when it takes any action to protect the environment. He said the western doorway into Orange County will be known as the "Buc-ee's exit" leading to litter and tacky advertisements on the interstate for hundreds of miles around. He urged the BOCC to vote no to rezoning.

Barney Caton said he serves on the Hillsborough Tourism Board (HTB), and read a letter from this board. He said the HTB is interested in the project and finds potential opportunity. He said the HTB would like to work with Buc-ee's to attract customers to Hillsborough for dining and shopping opportunities. He thanked the BOCC for its thoughtful consideration of the project.

Ronnie Pope said he is a lifelong resident of Efland, as well as a business owner. He said he is in favor of the proposed project, as it offers sustainable jobs, and is a sustainable company that grew in the awful year that was 2020. He said Buc-ee's has no reported gas leaks, and carefully monitors environmental impacts. He said many projects have been proposed for this area over the past 20 years, but have moved on elsewhere. He said most of Orange County's businesses are in Chapel Hill, and this business is willing to invest in a different part of the County, and is willing to meet all necessary requirements.

Margo Lakin said she is opposed to the rezoning request, and quoted statements from Commissioners' campaign websites about commitment to the environment. She said Buc-ee's is in direct conflict to such a commitment to the environment. She said Buc-ee's monitoring systems only monitor and warn, they do not prevent environmental damage, and anyone should expect answers for these concerns. She highlighted several questions about how Buc-ee's will

prevent and respond to failures. She urged the Board to demand better, sustainable, and intelligent development for the constituents. She said this is wonderful land, and not worthless.

Paul Pepin said he lives in rural Orange County near the Cane Creek Reservoir. He said he has witnessed progressive actions to protect this area, and discussed previous efforts to protect watersheds in Orange County. He said well owners depend on Orange County to protect the water. He said the rezoning proposal is the equivalent of 10-15 gas stations in one area, and even small spills by consumers add up every day. He said clean water is priceless, and contamination takes years to remediate. He said the contrasts between Orange County's efforts to protect water in Chapel Hill and Carrboro versus Efland is noticeable, and wondered why there is such a disparity.

Chris Smith said his home is 350 feet away from landscaped border of the proposed property for development. He said Buc-ee's is a mirage, and does not make sense economically, environmentally, or aesthetically for Efland. He said he fails to see how the proposal meets the desire to lessen the impact of climate change on the community. He said noise, light, and visual pollution are inevitable. He showed climate change maps to the Commissioners, and cited studies of how gasoline runoff affects water supply. He urged the BOCC to deny the rezoning, and said costs to mitigate climate change will be on residents, not Buc-ee's. He said Orange County can do better than a Buc-ee's.

Diana Montgomery said she has been an Efland resident since 1997, and is a science educator. She said current zoning was thoughtful, and well informed by the public. She said this proposal does not provide needed services, does not adhere to ideals, and does not lift people up, but rather brings them down. She asked if the BOCC will provide information to the Commission for the Environment, and who will investigate Buc-ee's employment practices. She said Buc-ee's own application cannot be the only assessment tool. She said this gateway to Orange County could be a model for sustainable development, and become an important regional transit hub for the area.

John Preyer said he lives on Orange Grove Rd. He said he chooses to live in Orange County because he loves it, as it a uniquely diverse place where all share a love for the area. He said the worries about the proposal are misplaced, and would hope residents can have an open mind. He said he works in environmental and permitting compliance, and learned of Buc-ee's 12 years ago when working in Texas. He said he has never seen an environmentally sensitive watershed located between a highway and a railroad bed. He said he visited a Buc-ee's in Texas, and described the quality of Buc-ee's stores. He said he visited several locations around Texas, and the reason he kept going was how consistently clean the stores were and how fun it was to walk around inside of them. He said it is hard for people who have not been in the store to appreciate this. (At this point the commenter's video feed stopped, and he restarted his comments later in the meeting).

Dr. Bob Lee said he has been a Cedar Grove resident for 25 years, and asked the BOCC to deny the rezoning request, due to health and safety concerns. He said water supplies for Hillsborough and Raleigh could be affected. He said the elimination of the highway exit could be detrimental to the community. He said improvements to the highway exit would be helpful, with a true braiding design of the ramps. He said the proposed stoplights will back up traffic, and make it more difficult for public safety vehicles to travel. He said the current zoning allows for all that is needed, without changing it. He urged the BOCC to vote no to Buc-ee's.

Janine Zanin said she has lived 1.7 miles from the proposed Buc-ee's site for 15 years. She said the benefits of the recent Medline project outweighed the costs, but this proposal does not. She said the two sources of potential revenue are property tax and sales tax, but she questions if Buc-ee's numbers are accurate. She referred to Denton, Texas, where Buc-ee's did not meet its expected tax valuation. She said she does not believe this development will meet property tax projections, and questions if sales tax projections are accurate. She asked the BOCC to read a letter submitted by her husband.

Del Ward said he is a 26-year-old musician who has lived on Ben Johnston Road for almost his entire life. He said he is absolutely baffled that Orange County is considering this development. He said there are many concerns with this project, but his greatest concern is the traffic projections. He said 25,000 new car trips will be added to area each day with the development. He said there are concerns about safety with the increased number of cars, as well as delays associated with increased cars to buses, commuters, and public safety vehicles. He said Efland residents daily use the highway exit that will be closed. He expressed frustration with the Planning Department's process for review of project. He said Buc-ee's will put the lives of Orange County constituents at risk, and urged the BOCC to deny the rezoning request.

Miriam Thompson said she is an Orange County resident, and a strong supporter of Voice for Efland. She urged the BOCC to pay close attention to the comments, letters, and testimonies citing concerns on traffic, revenue impacts, environmental issues, developer's history of workforce abuse, etc. She said community groups have ideas that more readily align with County's visions and plans.

Nicholas Trombetta said he is opposed to the proposal by Buc-ee's, and reacted with shock and horror to hear that world's largest gas station might be built in Efland. He said Governor Cooper has made commitments to reduce gas emissions, and approving a gas station would show that Orange County has made false promises to reduce emissions. He said Efland is a small town, and this is a large-scale operation. He said Efland does not have the infrastructure to support such a development. He urged the BOCC to pursue development that will bring lower traffic, but greater pay.

Patricia Roberts said she moved to Efland in 1996, and she is really excited by the idea of Buc-ee's. She said land near the interstate is where this type of development should occur, so that people do not have to drive further into the countryside for these services. She said Orange County is not using its interstate exits well, and Buc-ee's would be a good use of interstate space.

John Preyer (continued comments from earlier in the evening) said people that have never been to a Buc-ee's cannot understand, because there is nothing else comparable. He said he wants to see Orange County's quality of life protected, but he wants to make a point to his neighbors, that criticizing the quality of Buc-ee's jobs is pretty easy when one has a steady job. He said these jobs would be a Godsend to folks looking for work right now. He said some people might benefit from these jobs more than you might think. He said he does not work for Buc-ee's, and gives his opinion voluntarily.

A motion was made by Commissioner McKee, seconded by Commissioner Hamilton to continue the public hearing on this item to January 12, 2021.

Roll call ensued.

**VOTE: UNANIMOUS**

**RECESS**

A motion was made by Commissioner Fowler, seconded by Commissioner McKee to recess the special meeting at 9:10 p.m., and reconvene on Tuesday, January 12, 2021 at 7:00 p.m.

Roll call ensued

**VOTE: UNANIMOUS**



**CONTINUED VIRTUAL SPECIAL MEETING  
JANUARY 12, 2021  
7:00 p.m.**

The Orange County Board of Commissioners met for a Continued Virtual Special Meeting on Tuesday, January 12, 2020 at 7:00 p.m.

**COUNTY COMMISSIONERS PRESENT:** Chair Renee Price, Vice Chair Jamezetta Bedford, and Commissioners Amy Fowler, Jean Hamilton, Mark Dorosin, Sally Greene, and Earl McKee

**COUNTY COMMISSIONERS ABSENT:** NONE

**COUNTY ATTORNEYS PRESENT:** John Roberts

**COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, Clerk to the Board Laura Jensen, and Assistant Deputy Clerk II Allen Coleman (All other staff members will be identified appropriately below.)

Due to current public health concerns, the Board of Commissioners is conducting a Continued Virtual Special Meeting on Tuesday, January 12, 2021. Members of the Board of Commissioners participated in the meeting remotely. As in prior meetings, members of the public were able to view and listen to the meeting via live streaming video at <http://www.orangecountync.gov/967/Meeting-Videos> and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

**1. Call to Order**

Chair Price called the meeting to order at 7:00 p.m. and asked Commissioners to accept a roll call.

Roll Call ensued.

**VOTE: UNANIMOUS**

**2. Reconvene the Continued Virtual Special Meeting from January 5, 2021**

Chair Price asked for a motion reconvening the continued virtual special meeting from January 5, 2021.

A motion was made by Commissioner McKee, seconded by Commissioner Fowler to reconvene the special meeting from from January 5, 2020, and open the floor for public comment.

Roll Call ensued.

**VOTE: UNANIMOUS**

**3. Reconvene the Continued Public Hearing from the December 15, 2020 Virtual Business Meeting and January 5, 2021 Virtual Special Meeting – Item 5-b – Zoning Atlas Amendment: Master Plan Development Conditional Zoning District (MPD-CZ) for Efland Station (formerly Beaver Crossing)**

Chair Price reviewed the following:

**BACKGROUND:**

On August 7, 2020 a Zoning Atlas Amendment application was received proposing to rezone 2 parcels, further identified utilizing Orange County Parcel Identification Numbers (PIN) 9854-16-1576 and 9854-36-3711. Specifically, Buc-ee's Limited is seeking to rezone 2 parcels totaling approximately 104 acres to Master Plan Development Conditional Zoning (MPD-CZ) district. As indicated herein, due to the size of the application, it is available electronically on the County website at: <https://www.orangecountync.gov/1722/Current-Interest-Projects>. This was a continuation of the public hearing on the application from December 15, 2020.

Chair Price read the following: the Board of County Commissioners (BOCC) received the Planning Board/staff recommendation and opened the public hearing at the December 15<sup>th</sup> meeting. The Board continued the public hearing on January 5, 2021, received public comments, and recessed the public hearing until January 12, 2021. The Board is asked to reconvene the continued public hearing, receive public comments, and then close the public hearing.

**RECOMMENDATION(S):** The Manager recommends the Board:

1. Reconvene the continued public hearing;
2. Hear from the scheduled speakers;
3. Close the public hearing; and
4. Remind the public that anyone may continue to provide written comments to all Board members by sending an email to [ocbocc@orangecountync.gov](mailto:ocbocc@orangecountync.gov)

A motion was made by Commissioner Bedford, seconded by Commissioner McKee to reconvene the continued public hearing from December 15, 2020 and January 5, 2020 and open the floor for public comment.

Roll call ensued.

**VOTE: UNANIMOUS**

**PUBLIC COMMENT:**

Rachel Heller said she is a 27 year resident of Orange County, and strongly opposes the proposed rezoning for the Buc-ee's project. She said it offers nothing to meet community needs, and would create air, water and 24/7 light and noise pollution, taking Orange County in exactly the wrong direction. She said a fossil fuel based, car centric, economic model work will not work, and the County must focus on a sustainable model. She said she is shocked that this proposal has gotten this far. She said the BOCC adopted a resolution to transition to renewable energy by 2050, and must keep this promise. She said she does not understand how the County can even consider this proposal without an impact study. She said the project will use so much water, and she wonders if the County will have to fight for water with Buc-ee's. She said she is very concerned about the inevitable traffic complications, of which Buc-ee's has a history. She said Buc-ee's also has a history of indentured servitude jobs, with very poor conditions for its workers including a "moment" break. She said this seems illegal.

Kevin Brooks said he is the current chief of Efland Volunteer Fire Department. He said the Efland Fire Department does not endorse candidates, projects, or any other issues. He said, as the chief, he wrote a letter expressing his support of the Buc-ee's project, which remains true. He said he wanted to address some of the things that have been said about the Efland Fire Department, including the alleged acceptance of a \$30,000 bribe, which is absolutely horse hockey, and plain not true. He said if the Buc-ee's proceeds, the fire

department will receive revenue from the fire tax, as it does from all other businesses. He said the traffic issues that will allegedly interfere with response times are also untrue. He said the fire department is modern and can respond effectively. He said he cares deeply about this community, and is disappointed that people are questioning his integrity. He said the fire department has served its community well, and will continue to do so. He said he supports the project, as it will bring development near the highway, allowing the rural areas to remain rural.

Hannah Adelman said if the request to rezone this site is approved, the citizens in Efland will have no further voice in how the town of Efland develops, and neither will the BOCC. She said Buc-ee's is not the right development for Orange County, and it will harm residents. She said the potential commuter headache that Buc-ee's will cause will slow down residential development. She urged the County to pursue sustainable development.

Rob Golan read the following comments:

Good Evening Commissioners. My name is Rob Golan and I'm a long-time Efland resident who is opposed to Buc-ee's, but in favor of thoughtful growth that will benefit everyone. For the last couple of months, we have all received a steady stream of information warning of the negative impacts a Buc-ee's travel center could have on our community and beyond. Of course, it's all about money in the end. Is Efland being seen by government as a convenient, inconsequential, and compliant cash cow for all of Orange County?

When my property tax notice came in yesterday, I thought about how much money my wife and I have put into the county till over the last 25 years. Though we're just middle class folk, the total amount we have paid in taxes is considerable when added up. All Orange County households that pay their property taxes deserve a big fat "thank you" for their steadfast support of local government and its programs. But, those of us in Efland, despite our support of the county, might instead be gifted an obscene mega gas station that will do nothing to lower existing tax bills while possibly lowering our property values. We have literally invested in Orange County for decades and, as concerned citizens, we request that you really listen to us, your constituents, in turn. It has been argued that Buc-ee's will solve unemployment in Efland. After all, \$15/hr. jobs with benefits are a mighty tempting carrot for the unemployed regardless of work conditions. I struggled with under-employment years ago, living in fear and under constant stress. I know life on the edge only too well. People without work want work. Our neighbors in need deserve a future without built-in boundaries. Let us seek responsible development that will bring in jobs that won't close the door on real advancement. The unemployment rate in our country is below the state average and a better future for Orange County is certainly possible without Buc-ee's in our midst.

There has been a lot of talk about Orange County's resources lately and, commissioners, I would suggest you consider one asset that remains woefully un-tapped: the people of greater Efland. I have been blown away by the talent, knowledge, compassion, and energy of the folks fighting Buc-ee's and its self-described "invasion" of our state. Here in Efland, there is an incredible pool of potential board members, policy-makers, and, indeed, future county commissioners. These people are passionate about the well being of Efland in particular and our state as a whole. Orange County's governing bodies and advisory boards would do well to collaborate with these remarkable citizens who have demonstrated energetic and informed leadership during the present crisis. Please vote a resounding "NO" to Buc-ee's, work with the people, and help bring us all a better future.

Kevin Brown said he has lived in Orange County for 27 years, and is lead IV pharmacist at Duke Regional hospital. He said Orange County is a forward thinking county, and petroleum based fuels are not part of the future. He said building a huge gas station near a protected watershed is a remarkably bad idea. He said the Buc-ee's promise to improve the highway exit is frankly rubbish. He said there will be a great increase in traffic at the highway interchanges

due to Buc-ee's, and he is concerned the federal highway commission may deny necessary requests to accommodate Buc-ee's. He said previous speakers have referenced the poor working conditions at Buc-ee's. He said one issue that has not been pointed out is the vulgarity of the Buc-ee's mascot, a Beaver, which is a vulgar and misogynistic euphemism for a vagina. He said he does not want to have to explain this to his grandchildren. He urged the BOCC to vote no.

Matt Cartmill said he owns a small horse farm near Efland, and wants to discuss phase two promises, on which Buc-ee's supporters dwell. He said there are claims of hotels, medical offices, etc. He said the word gasoline is not mentioned for some time on the Efland Station website, but 2/3 of Buc-ee's money is made by selling gas. He said Buc-ee's is about selling gas, and phase 2 is an aspirational dream. He said he surveyed existing Buc-ee's sites using Google aerial maps, and 48% of Buc-ee's have no neighbors. He said those that do have neighbors, have fast food drive-thrus. He said decent development in the area does not happen, because people do not want to locate next to a giant gas station. He said restaurants etc., are already allowed on this land under the current zoning, but gas stations are not. He urged the BOCC to vote no to rezoning.

Jared Cates said he is very concerned about the roughly 37 thousand gallons of fresh water Buc-ee's will use daily. He said this estimate is not based on actual use, but rather typical uses, and he thinks actual use will be much higher. He said 12,000 people per day will use an estimated 21.6 thousand gallons of water just for flushing toilets and hand washing. He said the UDO limits Industrial water use to less than 10,000 gallons a day, which Buc-ee's will obviously exceed. He said the BOCC should look closely at this issue, and wonders if there is an attempt to hide the water usage. He urged the BOCC to vote no.

Kathy Kaufman said she serves on the Orange County climate council, and is a retired Air Quality specialist with the EPA. She thanked the BOCC for asking the CFE to evaluate the proposal. She asked if Buc-ee's represents what Orange County wants its future to look like. She said this area serves as a public water supply for Hillsborough residents, and the usage by Buc-ee's will have critical impacts. She said there are high risks of leaks and spills, runoff into ground water, and high carbon emissions. She said this project will make a mockery of Orange County. She said Buc-ee's jobs only pay \$15 an hour, with poor working conditions, and the BOCC should look at Buc-ee's record in Texas. She said there is no commitment to build anything but a travel center, and asked if Buc-ee's is the best Orange County can do.

Jon Lorusso said he lives in Hillsborough, and wants to voice his opposition to the Buc-ee's proposal. He said he spoke two months ago about his opposition to RTLP, and he has similar concerns with this project. He said he understand the County needs tax dollar revenue, and the impacts of the pandemic are not fully known. He said Buc-ee's is a Texas company that is interested in taking money back to Texas. He said Orange County needs to think about itself and invest in local business owners. He said Buc-ee's will not care about the pollution it will cause in NC, but a local business owner will care about the environment, the impact to their neighbors, and a sustainable economy. He urged the BOCC to vote no.

Kim Piracci said she serves on the Planning Board, and the Planning staff and Developer did a really good job selling this project to the Planning Board, and she voted in favor of the application. She said since that time, she has heard an outpouring of concerns. She said at the November Planning Board meeting, the Developer stated this project was not in the upper Eno critical protected watershed, which is true, but the Developer did not say this property has two tributaries that empty into the 7 mile creek, which serves as a water supply for Hillsborough and ultimately Raleigh. She said research shows that small spills, less than 40 gallons, do not need to be reported to local agencies or the State. She said when she connects these dots, multiple small spills could add up to a lot of gasoline spilling into Hillsborough drinking water. She said Buc-ee's has never had a reportable fuel spill, which she now knows is not the same

thing as never having a spill. She said she wishes she could rescind her affirmative vote, and urged the BOCC to vote no.

Gerri LaPlaca said she was shocked as she read the details about this proposed project. She said Buc-ee's is an ugly addition that could destroy the unique aspects of this area. She said the world is at a critical time period in history, and the County must commit to reducing fossil fuels. She said the light, noise, air and water pollution will have severely negative impacts. She urged the BOCC to explore sound development, and vote to deny this request.

Carol Stanton said the Buc-ee's project goes against the Orange County commitment to sustainable development. She said this tract of land is large enough to accommodate mixed uses: affordable housing, shops, offices, perhaps a drive in movie theater or roller skating rink. She said the Buc-ee's gas stations are huge eyesores, and do not benefit those who live in Orange County. She said this land should not be sold to out of state people who are litigious, with poor employment conditions. She said Buc-ee's has the "soul of a 7/11 and the footprint of a Walmart". She highlighted many concerns stated by previous speakers. She said she moved to Efland 20 years ago, and she hopes to live out her life here without seeing a Buc-ee's from Texas. She urged the BOCC to please vote no.

Edna Tan's daughter spoke against the Buc-ee's development, saying it is a bad idea to have Buc-ee's, as it will be bad for humans and animals. She said animals play a big role. She said she and her siblings visit their aunt and uncle every year in Efland to study salamanders: counting egg nests, and observing salamanders in their natural habitat. She said she and her siblings get to hold the adult salamanders and learn about their skin, and can only use their eyes at a museum. Her brother said children need to experience animals in their natural habitats, and salamanders are very important to an ecosystem, and to humans as pest control. He said salamanders are beautiful creatures, at risk of extinction. He said humans are not the only species on this earth, and we are charged to respect our environment. He urged the BOCC to protect the environment, children's opportunities to learn, and to please vote no to 120 gas stations.

Erica Cartmill thanked the BOCC for listening to all comments. She urged the BOCC to vote no to the rezoning proposal. She said the area around the Seven Mile creek serves as an animal corridor. She said her family's farmland backs up to the site, and it feels like paradise. She said she sees animals like salamanders and owls, which are disappearing at fast rates. She said the creek is a lifeline for species. She said the Commission for the Environment voted no on this project, and the risks of this project are too great. She highlighted several of these risks, and urged the BOCC to find more creative and sustainable possibilities for the site.

Linda Smith said she is a new resident of Orange County, and moved here for the rural environment, pasture land, and the beautiful night sky. She said she and her husband plan to keep a small footprint on this environment. She said pollution is an insidious thing, and it easy to miss its harmful changes, until it is too late. She said Buc-ee's will cause damage: contamination, light pollution, sleazy images around the Beaver logo, density of automobiles, and loss of lovely grassland and trees in the Mt Willing Rd area. She said traffic congestion will increase in the already hazardous interstate area. She urged the BOCC to keep Buc-ee's in Texas, and vote no on the rezoning request.

Christine Peckman said she has lived in Efland for 20 years, and 5-6 days a week she visits the post office, buys animal feed in Efland, goes to Missy's for milk shakes, and other local businesses. She said the Efland shopping market is more of a convenience store, and a full grocery store would be wonderful. She said she is invested in Efland, and is not anti-growth. She said Buc-ee's would literally be adjacent to the town, which has the potential to be a quaint vibrant town. She asked if the BOCC would want to live next to such an unpleasant development. She said Buc-ee's will increase crime rate, and become a haven for drug and sex trafficking. She said it will be hard to limit parked tractor-trailers, and responsibility to enforce will fall to local law enforcement. She said if the BOCC chooses to rezone, it will throw the

residents under the bus. She said revenue can be generated by other businesses, and she argued that this project would never be contemplated if it were being proposed at a Chapel Hill or Hillsborough exit. She said the residents would not stand for it. She said there are many commercial opportunities to benefit Efland, but this is not one of them.

Hope Thompson said she is a resident of Chapel Hill, studying Environmental Health at graduate school at UNC. She said she has lived in Durham and Orange counties her entire life. She said she is opposed to this rezoning request, and urged the BOCC to deny it. She said the health and environmental implications have been understated, and will prove harmful to the surrounding residents of Efland.

Bonnie Hauser read the following comments:

Good evening commissioners. Thank you for hearing the voices who know and care about Efland. I'm Bonnie Hauser. I sit on the boards of Orange County Schools and United Voice of Efland. Tonight, I am speaking for myself. I have been involved with the Efland community for a long time and join the community in its support for the rezoning proposal for Efland Station.

Efland Station advances plans that community leaders and county planners have been working on for a long time. Those plans established this site as industrial because it sits between a busy interstate and an active rail line. Your board invested \$4 million to bring sewer service to the site in order to attract businesses just like this. According to your planners, the project complies with county's strict lighting and noise ordinances, and exceeds your requirements for impervious surface and stormwater management. I'm not a hydrologist, but it appears that the project adds controls that will be better for the watersheds than doing nothing at all.

Planners never imagined a large travel center on this site. That's why you are being asked to consider this new use and whether it works with the intent of the planners and your investments. I believe it does. But there are questions. You will need to resolve conflicting information that you are getting about hydrology and risk. There's also the strategic question. How does Buc-ee's plan to transition as cars eventually move away from fossil fuels? They are already planning 10 EV charging stations. Certainly they can't sell gas if no one is buying it.

How many people in our County are already working as cashiers or custodians but not being paid a living wage? Please appreciate that opportunities like this don't come to Efland. Buc-ee's wants to invest \$50 million in this small community. The project is estimated to generate over \$1 million a year in local taxes, of which \$350,000 will flow directly to our schools. That's in addition to nearly 200 living wage jobs in a small community that hosts two Title 1 schools. Buc-ee's has done everything you've asked and is not asking for any incentives. This is a big deal and the Efland community deserves their shot. Please approve this rezoning. Thank you.

Jessica Sheffield said she is the Executive Director of the Eno River Association (ERA), which is opposed to the proposal in front of the BOCC that would allow for damaging impacts to Seven Mile Creek. She said the development would threaten what the State has already found to be a sensitive water way. She said Orange County must be careful what it allows to be built on this land. She said ERA is not anti-development, and seeks good development that preserves the environment. She said she has spoken to the developer and engineers involved with the project, who hoped she would support the project, but she cannot do so in good conscience. She said she must speak up for the neighbors, and to maintain the wild and open spaces to be resilient to climate change. She said ERA is concerned about sediment and heavy metals, which will be deposited. She said this project will not improve the community, and should not be permitted. She urged the BOCC to vote no.

Laura Streitfeld said she is the Executive Director of Preserve Rural Orange, a grassroots nonprofit dedicated to sharing vital information about plans that would have a negative impact on rural communities. She said the organization brings citizens and leaders together to shape outcomes that protect the environment and citizen health. She read the following comments:

First, welcome to new Board members Hamilton and Fowler and to the new Board Chair and Vice Chair, Commissioners Price and Bedford. We're looking forward to your leadership and vision in charting Orange County's future and upholding the public interest. Preserve Rural Orange stands with communities opposing rezoning for the proposed Efland Station, a 140-acre project that would store a quarter of a million gallons of gas underground in the Upper Eno Protected Watershed. I'm asking you tonight to reject this project in its entirety. The developer's Environmental Assessment (EA) raises more questions than it answers. It is unclear how Planning staff concluded the project is in the public interest when there are significant questions about threats to existing local businesses and residences, pollution, stormwater runoff, groundwater contamination, massive water use, traffic and light pollution. Despite the project's incompatibility with surrounding land uses and a long list of potential negative impacts, the Developer's EA claims a Finding Of No Significant Impact. If this board does consider approving any part of this project, we ask you first to require an Environmental Impact Statement (EIS). More comprehensive than an EA, an EIS would require exploring in detail all alternatives to this project, including the option of not developing the property at all, as well as examining the secondary and cumulative impacts into the future. And if you consider approving this project, know that the Master Plan Conditional Zoning would benefit the developer to the detriment of Orange County citizens. A blanket, expedited approval process removes key safeguards needed to protect communities from damaging impacts. The developer's application grossly understates direct, secondary and cumulative impacts likely to occur, and we urge each of you to deny the rezoning request and reject the proposed Buc-ee's travel center.

Please consider adding the following actions to the Board's agenda this winter: 1. Increase and strengthen limits on development in the protected watershed in Orange County's UDO. 2. Take this opportunity to review how environmental assessments reach a Finding Of No Significant Impact. 3. For projects applying for zoning changes or special use permits, widen the notification area from 1,000 feet to either township-wide or within a two-mile radius, to include affected neighbors in rural communities. Fortunately, Efland citizens have gathered information in record time to respond to this alarming proposal that would irreparably transform their community. In a series of recent development decisions, we've heard that it's too late to stop plans and that lessons learned will prevent similar mistaken approvals in the future. Please stop this project before it starts. The proposed Buc-ee's travel center is out of step with Orange County's commitment to sustainability and goal to reduce fossil fuel use. Thank you for taking the time to allow for full public input before making this important decision.

Laura Doherty said she is opposed to the rezoning request on environmental grounds. She said the Sierra Club Executive committee has submitted comments. She said the Committee is opposed to the travel station, as it does not reflect values of community. She said the project would be detrimental to water and air quality. She said 240,000 gallons of gasoline will be stored underground, on top of the drinking water aquifer. She said there will be increase sedimentation on Seven Mile Creek. She said Orange County already has air quality issues, due to gasoline emissions, and the travel station would only make this worse. She said the County must move to renewable energy, not gasoline, when there is a climate crisis.

Margaret McAdoo said she is a community advocate in Efland. She said she grew up in Efland, but moved away after graduation, as there were no jobs for people who looked like her. She said Efland has digressed instead of progressed. She said Efland was once a thriving

community, but it has faded over the years. She said she supports the Buc-ee's travel station because of their outlook for the community, fire station, and will bring money for schools, which is a blessing. She said money is not flowing in and out of Orange County, and there has been a lot of misinformation. She said many who have spoken do not live in Efland, and do not know the realities of the need. She said she served on the Efland small area committee, and every time a builder would come in with a plan, it was rejected. She said there must be young people living in Orange County for it to grow. She urged the BOCC to please vote yes to the rezoning request.

Avra Janz said she wants to express concerns for how this gas station will contribute to climate crisis. She said Buc-ee's will lock the County into a dangerous status quo. She highlighted several examples of the impacts of climate change such as Hurricane Florence and hotter summers, which will harm farmers and reduce produce. She said Orange County residents deserve better, and Buc-ee's represents the precise opposite of what Orange County needs. She said to build the largest gas station in the world in the midst of a climate crisis will have grave consequences, and would make Orange County complicit in harmful climate change. She urged the BOCC to vote no.

Amelia Brady said she is a resident of Hillsborough. She said she is a young person facing a future of decimated natural resources, water resources, and the sixth mass extinction. She urged the BOCC to set the County on the side of the environment, by denying the zoning request. She said a behemoth gas station is not a valid choice for the County, whose future will be snuffed out if this gas station is allowed to poison it. She echoed previous comments about Buc-ee's as pertains to poor employment, traffic issues, and vulgar billboards. She asked the BOCC to strive for better than meager crumbs and to prevent this terrible stain by voting no. She said Orange County is better than this and deserves so much more than this.

Amy Halberstadt thanked the BOCC for listening so well, and reiterated the concerns raised by previous speakers. She said when the use of gas goes down, Buc-ee's will go down with it, despite claims of having 10 electric opportunities for cars. She said Orange County will end up with the blighted land, damaged water, no jobs and no money. She said she knows, and agrees, that the County needs revenue, and are jobs for her neighbors. She said there is an argument that other development may be even worse than Buc-ee's, and another company could come in with more impervious services and more light pollution. She sees this as the wrong way to look at this, and would rather focus on what this land could be from a positive lens. She urged the Board to vote no on Buc-ee's and rather rezone the land MPD-CZ.

Terra Proctor said she has lived in Efland her whole life, and sees Buc-ee's as a place that will destroy the environment. She said her family lives on well water, which could be polluted by Buc-ee's. She said the traffic will get worse, and she does not want the place she live in to be known for a gas station that sells plastic trash. She said Buc-ee's will not help the people or the environment, and will just be a pit stop, for filling cars and going to the bathroom. She said she does not want Efland to be known for this.

Holly Reid said she lives in Hillsborough, serves on the board of the Eno River Association, and previously worked for the EPA. She said she submitted a letter to the BOCC on December 15, and highlighted key points. She said Buc-ee's will be no ordinary development, and is a massive gas stop, with thousands of hourly stops. She said such a project invites air quality degradation, noise and traffic issues, and sewage disposal. She referred to the 2030 comprehensive plan, chapter 2 principles, which represent the Board's values. She said Buc-ee's violates at least 3 of the 8 principles: #3 encourage energy efficiency and lower energy consumption, and renewable energy; #6 protection of water resources; and #8 preservation of community character. She said Buc-ee's does not Orange County's principles, and would have the biggest carbon footprint in the County. She said Orange is a forward thinking place, and Efland Station does not fit.



Tehila Rosenblatt implored the BOCC to vote no. She said she lives in rural Hillsborough, and does not want this eyesore where she lives and works. She said she does not want the area to be reduced to a pit stop. She said she does not want to worry about her well water, and sitting in congested traffic. She said she wants to continue loving to living here. She urged the BOCC to think of the future, and to use the land for the betterment of the County and State.

Brooke Bauman said she is a resident of Chapel Hill, and urged the Board to deny rezoning request. She said she grew up in the Triangle and visited biodynamic farms in Cedar Grove as a child. She said Buc-ee's will create an eternal traffic jam and damage the environment. She said North Carolina has a very different climate and land than Texas. She said unlike the travel centers in Texas, Buc-ee's Efland Station will be surrounded by residents who do not want to live next to large travel center. She said \$15 an hour is not a reasonable living wage. She said if Buc-ee's built on a protected watershed, and pays poor wages, Orange County cannot be proud.

Carol Staton said she lives 4 miles from the proposed Buc-ee's site, and is opposed to the rezoning being approved by the BOCC. She said exit 160 is not a problem, and does not need to be improved. She said exit 161 is a more dangerous ramp and is likely to cause greater problems if Buc-ee's is allowed to proceed. She said trucks will fill up the short exit ramp. She said Buc-ee's has gone too far to pull the wool over the County's eyes. She said it has contested the property value. She highlighted all previous environmental concerns, and said she supports developing the land, but urged the BOCC to wait for a better offer. She said the land has been available for 30 years, but the infrastructure necessary to attract business is fairly new, and she is certain a better development project can be found.

Lindsley Bowen said she is against the proposed Buc-ee's project. She said she is a business owner in downtown Hillsborough, and believes Buc-ee's will route people out of downtown Hillsborough.

Victoria Casey thanked the BOCC for its service. She showed the BOCC the fresh, clean water from her well. She said she lives within 1 mile of the proposed Buc-ee's site, and fears her water will be contaminated. She improved the Board to look closely and to do the right thing. She said she lives on Ben Johnston Rd, and it is a little piece of heaven. She said she is a nurse working with seniors in their homes, and sometimes has to get to their homes quickly. She is concerned potential traffic changes will impact her work. She said democracy will only work if elected officials have integrity. She said Buc-ee's is like the coronavirus, and the BOCC is elected to protect the community from it.

Emily Sutton read the following comments:

I am the Haw Riverkeeper with Haw River Assembly. I don't live in Efland. I don't work in the Eno River watershed. But I care about my friends and neighbors that live here. However, this project would likely have far reaching impacts to the region, including the Haw River watershed. There are reasons that Orange County has strict zoning, and it has had significant benefits including watershed protection, land conservation, and open spaces. People want to live here.

By allowing an exception of this scale, with such a blatant disregard for zoning, this Board is inviting other similar projects to request more variances and zoning exceptions. This project poses to store 6 underground storage tanks, holding 240,000 gallons in fractured shale and bedrock. This is being proposed on the heels of one of the largest underground storage tank spills in a decade in Huntersville, NC. Colonial pipeline was required to excavate contaminated soil after 354,060 gallons of gasoline leaked from an underground fuel line. Firefighting foam, a forever chemical known to cause cancers and long term health risks when it contaminates drinking water supplies, was used to limit flammable vapors. Since the Underground Storage Tank program began in 1988, there has been nearly 33,000 reports.

These incidents happen regularly. Even in the last decade, with improved monitoring and enforcement, there has still been an average of nearly 70 per month across the state. With a project of this scale, it will not be a question of if there will be an incident, but when.

When a leak occurs, Orange County will spend resources on enforcement and staff, but it will also have jeopardized the health of thousands of residents through groundwater contamination. Contamination could also include AFFF or firefighting foams, which have proved to be impossible to remove from groundwater and can only successfully be filtered out through costly reverse osmosis treatments. Unfortunately, there are several examples in our state to demonstrate how difficult it is to sell property with contaminated wells. With 70 acres of impervious surface, stormwater runoff will be a significant issue. Not only will volume, velocity, and warmer temperatures have detrimental impacts on the surrounding streams and aquatic life, but that stormwater will carry toxins from leaking gasoline and surfactants from the car washing stations.

Lastly, I'd like to remind the board of the environmental injustice issues this project would pose. This area of Efland is on the cross sections of two census blocks. In one block, approximately 51% of the population is a minority, in the other, 66%. This is a majority minority community. In terms of income, one block is classified as approximately 56% low-income. This same community has already been burdened by 3 other underground storage tank incidents, possibly contaminating their water supply and health. The project threatens the health of the surrounding communities and the environment, and should not be approved.

Avery Gall said she is opposed to the Buc-ee's Efland station. She reiterated concerns raised by previous speakers. She said this station will pollute Orange County water and air, and opposed Orange County's own stated values. She urged the Board to find more sustainable options, and please vote no.

Mindi Ramsey said she is a medical professional, mother of 2, and lives less than a mile from proposed development. She said the project will offer a short term gain at the cost of long term losses. She raised environmental concerns, and said the only way to guarantee the water supply is to not put anything in it. She said Buc-ee's here violates commitments made by Orange County, and will cause integrity into questions. She said she is also concerned about the reduction of resident control and voice, should the zoning be changed. She said this is a Texas based company that has no interest in supporting NC. She said she is also concerned about traffic. She said she is a proponent of development, but Buc-ee's is not the answer. She urged the BOCC to vote no to rezoning.

Amelia Covington said she is a field organizer with Climate Action NC, and is speaking in opposition to the rezoning request. She said if Orange County is committed to fighting climate catastrophe, it needs to transition from fossil fuels, and this is a proposal of the past. She said there would be immediate environmental implications of this gas station, due to placement near Eno watershed. She said the cost to local habitats and communities is not worth it, and urged the BOCC to Listen to the concerns of nearby residents.

Kim Tesoro said there is an extremely limited job base in Efland, and the opportunity to be employed locally at \$15/hour, with benefits, is life changing. She said it is an opportunity to earn an Orange County living wage, and the County should hold these jobs as important. She said the Efland Station project includes 5 charging stations and a comfortable area to wait. She said Buc-ee's has built a strong following around its brand, and is known as a clean family oriented place to stop. She said Buc-ee's offers the opportunity to present local artisans on its shelves, encourages overnight visitors, and is exactly the opportunity the Chamber of Commerce seeks. She said the existing laws and restrictions will address all previously mentioned concerns, and she urged the BOCC to vote yes to the rezoning request.

James McAdoo II said he is a lifelong resident of Efland, and his family has had land here for over 100 years. He said he raised a family here, and Efland has not changed in 48

years. He said Buc-ee's will be a welcome change. He said he has served as volunteer fireman and EMS, and commutes 20 minutes to work each day. He said there are not a lot of jobs in Efland that pay \$15 an hour, and Buc-ee's is the kind of change needed for this area. He urged the BOCC to vote yes to the rezoning request.

Alexandra Griffin related a story a medical emergency that her daughter experienced; when emergency personnel took a long time get to her house in Efland. She said this happened 27 years ago, and can only imagine how much worse a similar situation would be now if Buc-ee's were developed. She said the land around her is beautiful, it renews her, and must be protected. She said she has autism, and cannot provide another home for herself. She urged the BOCC to vote no.

Nelson Campbell said he understands the need to generate tax revenue and to create jobs. He said he is the founder of two organizations locally: Plant Pure and Plant Pure Communities. He said he is an entrepreneur, and understands the economic power from the creation of dynamic new businesses. He said there are so many ideas for this land that would create far greater long-term economic impact, and the County can do much better than Buc-ee's. He said Buc-ee's is a horrible idea for economic development, and it makes no sense. He said the community is overwhelmingly against the proposal. He urged the BOCC to think strategically, and to vote no to Buc-ee's

Kenneth Woods said any development project has pluses and minuses, and is important to consider which ones carry the most weight. He asked if there will be anything better for Northern Orange. He said other projects have been rejected, and have gone to neighboring counties, forcing residents to leave the County and spend money elsewhere. He said Walmart pays less than \$15 an hour, and no one is trying to run Walmart out. He said people are concerned about well water, but most residents drink bottled water. He said Orange County revenues rely heavily on property taxes, and Orange County taxes are higher than many other counties in the State. He said Buc-ee's will even out the taxes, and urged the BOCC to vote yes to the rezoning request.

Chair Price said staff has several other speakers waiting, but the identities of the speakers are unknown. She asked if the BOCC wants to afford these speakers the opportunity to talk. She said she is inclined to deny the speakers based on the lack of identification.

Commissioner McKee concurred with Chair Price, and said the BOCC was clear on the requirement to sign up to speak.

The Board agreed by consensus.

**4. Close the Public Hearing for Item 5-b from the December 15, 2020 Business Meeting and authorize the acceptance of written comment(s) via e-mail to the Board at [ocbocc@orangecountync.gov](mailto:ocbocc@orangecountync.gov) or by delivery to the Planning Department's office at 131 West Margaret Lane, 2nd floor, Hillsborough, North Carolina 27278, until 9:00 a.m. on Thursday, January 14, 2021**

A motion was made by Commissioner Dorosin, seconded by Commissioner Greene to close the public hearing for Item 5-b from the December 15, 2020 Business Meeting and authorize the acceptance of written comment(s) via e-mail to the Board at [ocbocc@orangecountync.gov](mailto:ocbocc@orangecountync.gov) or by delivery to the Planning Department's office at 131 West Margaret Lane, 2nd floor, Hillsborough, North Carolina 27278, until 9:00 a.m. on Thursday, January 14, 2021.

Roll Call ensued.

**VOTE: UNANIMOUS**

**5. Adjourn the Virtual Special Meeting**

A motion was made by Commissioner McKee, seconded by Commissioner Hamilton to close the public hearing at 9:13 p.m.

Roll Call ensued.

**VOTE: UNANIMOUS**

Renee Price, Chair

Laura Jensen  
Clerk to the Board