

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
MONDAY, JUNE 14, 2010  
7:00 PM

Mayor pro tem Pamela Baldwin called the meeting to order at 7:00 p.m. and called for a brief moment of silence.

**ATTENDANCE**

Members present: Commissioners Pamela Baldwin, Gene T. Brooks (arrived at 7:20 p.m.), Clinton E. Bryan, III, Michael Fiocco, and Hugh Harrington.

Absent: Mayor Randy Voller, absence excused.

Staff present: Town Manager Bill Terry, Town Clerk Alice F. Lloyd, Town Attorney Paul S. Messick, Jr. (arrived at 9:20 p.m.), Finance Officer Kay Hamrick, and Assistant Planner Paul Horne.

**AGENDA**

Motion made by Commissioner Harrington seconded by Commissioner Fiocco to approve the Agenda as modified to move Old Business, Items 1 and 2, after New Business, and to add to New Business a presentation by the Grants Committee; and, that a Ceremonial Agenda be added to the Agenda for a Memorial Resolution.

Vote Aye-4 Nay-0

**CEREMONIAL AGENDA**

**1. Memorial Resolution to honor the life of former Mayor Nancy R. May.**

Commissioner Baldwin read a Ceremonial Resolution for Nancy R. May into the record, as follows:

WHEREAS, on the 13<sup>th</sup> day of June, 2010, death ended the life of Nancy R. May, a valued citizen of our community; and

WHEREAS, Nancy R. May, through her zeal for this community earned the affection of the people in the Town of Pittsboro; and

WHEREAS, she served this community well for many years in numerous capacities, including 4 years of dedicated service to the citizens of Pittsboro as Mayor. She also served as a member of the Planning

Board, as the Town's representative on the TARPO Board and as the Town's representative on the Economic Development Board; and

Whereas, service to her community was given with such devotion that it won the respect, admiration and love of all with whom she associated.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Pittsboro, North Carolina, that we hereby express our deep sympathy at the passing of Nancy R. May, our former Mayor.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the permanent minutes of the Town of Pittsboro, and that a copy be presented to the family of Nancy R. May.

Adopted this the 14<sup>th</sup> day of June, 2010.

**A MEMORIAL RESOLUTION HONORING NANCY R. MAY IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 45**

**CONSENT AGENDA**

The Consent Agenda contains the following items:

1. Approve minutes of the May 17, 2010 budget work session.
2. Approve minutes of the May 24, 2010 regular meeting.
3. Approve minutes of the May 27, 2010 reconvened meeting, a continuation of the recessed meeting of May 24, 2010.
4. Approve a Resolution Declaring June 2010 to be Lyme Disease Awareness Month.

Commissioner Harrington noted several corrections to Item 1, minutes of the May 17, 2010 meeting, as follows: page 18 under Powell Bill Fund, 3<sup>rd</sup> paragraph, "Commissioner Harrington asked..." should read "Commissioner Fiocco asked..."; page 18, 5<sup>th</sup> paragraph under Powell Bill Fund, 1<sup>st</sup> sentence, "Commissioner Harrington said he had thought..." should read "Commissioner Fiocco said he had thought..."; page 18, 5<sup>th</sup> paragraph under Powell Bill Fund, 3<sup>rd</sup> sentence, "Commissioner Harrington said he believed..." should read "Commissioner Fiocco said he believed..."; and, on page 21 under Recreation, 7<sup>th</sup> paragraph, "Commissioner Harrington asked what percentage..." should read "Commissioner Fiocco asked what percentage...".

Motion made by Commissioner Harrington seconded by Commissioner Fiocco to amend the Consent Agenda to defer approval of the May 24, 2010 and May 27, 2010 meeting minutes, noted as items #2 and #3 on the Consent Agenda; to amend the minutes of May 17, 2010 as noted; and, to approve the remainder of the Consent Agenda as submitted.

Vote Aye-4 Nay-0

Commissioner Baldwin read the Resolution Declaring the Month of June 2010 to be Lyme Disease Awareness Month into the record, as follows:

WHEREAS, ticks carrying the bacteria *Borrelia Burgdorferi* that causes Lyme Borreliosis, Commonly known as Lyme disease, continues to spread across North Carolina; and

WHEREAS, the North Carolina Division of Public Health now encourages physicians to consider the clinical diagnosis of Lyme disease in residents who may be infected with the bacteria, contracted within NC; and

WHEREAS, the number of reported cases of Lyme disease among residents of North Carolina continues to increase, yet the Centers for Disease Control estimates that on average there are ten missed cases for every case reported; and

WHEREAS, Lyme disease is difficult to diagnose because it imitates other conditions and there is no definitive laboratory test to detect who is infected, which often leads to misdiagnosis; and

WHEREAS, early indicators of infection include flu-like symptoms, characterized by chills, headache, fatigue, muscle and joint aches and swollen lymph nodes; and

WHEREAS, weeks or months later, patients with untreated or under-treated Lyme disease can suffer from serious, permanent and sometimes life-threatening damage to the brain, joints, heart, eyes, liver, spleen blood, vessels and kidneys. For this reason it is imperative that all who develop this disease receive immediate treatment; and

WHEREAS, the best solution to the threat of Lyme disease is to educate people about the seriousness of the illness and the need to practice personal preventive techniques when engaging in outdoor activities, such as frequent tick checks, use of tick repellent and proper tick removal.

NOW, THEREFORE, BE IT RESOLVED by the Town of Pittsboro Board of Commissioners that the month of June 2010, be designated as LYME DISEASE AWARENESS MONTH in the Town of Pittsboro; and

BE IT FURTHER RESOLVED that all citizens are urged to be vigilant in an effort to improve the detection and treatment of suspected cases of Lyme disease.

Adopted this the 14th day of June, 2010.

**A RESOLUTION DECLARING THE MONTH OF JUNE 2010 TO BE LYME DISEASE AWARENESS MONTH WITHIN THE TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 46**

## **REGULAR MEETING AGENDA**

### **Citizens Matters**

Samantha Birchard, 120 Hanks Street, #2, representing the Pittsboro Merchants Association, requested that the First Sunday event in August be held on the first Saturday evening from 4 to 8 p.m. due to the heat expected during that month. She said they were concerned about citizens being exposed to the heat, and stated they would hold the event on the sidewalks so that traffic was not blocked.

Commissioner Harrington asked had she spoken to the vendors about the change. Ms. Birchard said the vendors had been concerned about the heat as well.

Commissioner Bryan asked if the merchants were okay with the change. Ms. Birchard replied yes.

Mr. Terry suggested one way to deal with the request was to have the PMA send a letter requesting the change to the Town Board and the request could be considered at the June 28 meeting. There was no objection from the Board.

Steve Cote, 1109 Rock Rest Road, one of the owners of City Tap, stated that about two months ago he and his partner, Steve Carr, had requested some consideration in regards to the Noise Ordinance as well as the permitting process for live music. He said currently the permitting process required that they obtain weekly permits, and they had requested a permit that would allow them to have live music through the warm weather months, which would be revocable if there were any problems. Mr. Cote said he was here tonight to ask had any progress been made on that request.

Mr. Terry said the Town Board had already agreed to change the permitting process, but it was one of those things that fell under Planning and they no longer had a Town Planner.

Commissioner Harrington said he believed changing the permitting process would not be complicated and should be easy to do, but understood that changing the ordinance may take some time.

Mr. Terry said the Town had a contract planner to provide planning services, and they could certainly have them do that as a priority.

Mr. Cote asked was there someone he could contact with the Town to follow up on their request. Mr. Terry invited Mr. Cote to call ahead and make an appointment to talk with the contract planner.

Commissioner Fiocco asked if there was a regular schedule that the contract planner would be at the office. Assistant Planner Paul Horne responded generally the hours were Monday, Wednesday, and Friday from noon to 5 p.m.

Steve Cote stated as far as amending the Noise Ordinance, he believed it would make the Pittsboro Police Department's job easier as far as enforcement. He said there was only one person who complained about the noise coming from City Tap, and they shut the music off much earlier than the permit allowed. Mr. Cote said if the Noise Ordinance was amended, then the Police would not have to respond to that person's home every time a complaint was made. He said it could be explained to the complainant that City Tap was not violating the Ordinance or their permit and that further calls to the Police were not necessary unless there was an emergency.

Commissioner Fiocco asked was it true that every time Officer Troy Robinson had come to City Tap to measure the noise that no violation had been found. Mr. Cote said that was correct, noting they operated within their permit and within the Ordinance. He said he and his partner

had requested that the language in the Ordinance be better defined as far as how decibel levels were measured.

Dr. Kristin Hicks, 54 Quartz Hill, Pittsboro, stated she was Chair of the Citizen's Grants Committee, an instructor in Soil Science at CCCC, and volunteered as the grants and research advisor of the recently created Greater Pittsboro Community Development Corporation (GPCDC). She said that 3 weeks ago Dr. Louis Circeo, a Principal Research Scientist and Director of Plasma Research at Georgia Tech Research Institute was invited to Pittsboro to inform local community leaders and governmental representatives from Pittsboro and Chatham, Orange, Wake, and Durham Counties on modern Energy Recovery from Waste technologies. Dr. Hicks stated that landfill disposal of waste was an expensive and ultimately unsustainable strategy for addressing waste streams. She said the discussion addressed one of the most cutting edge energy recovery technologies: gasification by plasma arc. Dr. Hicks said that gasification plants could convert a range of waste streams including municipal solid waste into energy gases and reusable end products. She said those technologies were used in Europe, Asia, and the United States and were EPA supported strategies for reducing atmospheric emissions and producing local renewable energy sources.

Dr. Hicks said currently members of the Pittsboro and Chatham communities were engaging in open discussions about sustainable strategies for addressing long-term waste and energy challenges. She said they had wanted the Town Board to be aware of that ongoing dialogue among their constituents and of their commitment to work with the Town to identify workable and forward-thinking approaches that would promote the economic, environmental and social prosperity of their residents. Dr. Hicks asked that the Commissioners consider the GPCDC as a resource for current information on the state of energy recovery from waste technologies.

## **PUBLIC HEARING**

### ~~1. Piedmont Biofuels Rezoning Request at Lorax Lane.~~

The public hearing on the rezoning request by Piedmont Biofuels was deferred at the request of the applicant.

## **NEW BUSINESS**

### **1. The Case Against Plasma Arc Waste Incineration (Louis A. Zeller, Science Director, Blue Ridge Environmental Defense League).**

Mr. Terry stated that Louis Zeller, Science Director of the Blue Ridge Environmental Defense League, would offer a presentation concerning the Plasma Arc Gasification, just talked about by Dr. Kristin Hicks.

Commissioner Brooks arrived at the meeting at 7:20 p.m.

Louis Zeller provided the following information regarding plasma arc waste incineration:

- For the past 26 years they had studied many types of waste disposal models, and every few years another plasma arc proposal was made but always came up wanting.
- Plasma arc is a form of matter. It was not a solid, not a gas, not a liquid, but was typically at temperatures of 10,000°F or higher and also responded to magnetic fields. It was used in industrial uses for the conversion of many types of chemicals.
- The plasma arc gasification process was explained using a color chart, beginning with the waste receiving, storage, and handling process. The waste moved downward through the gasifier and through that process created a synthetic gas, which was withdrawn from the gasification unit and then burned to produce steam for turbines which drove the electric generator.
- Every plasma arc proposal for waste processing includes combustion and a smokestack.
- St. Lucie County, Florida had applied for a draft permit for a Geoplasma Facility. That proposed facility, which would burn 686 tons of municipal solid waste per day, would be a major source of hazardous pollutants as well as a major source under the Clean Air Act of air pollutants. Because that plant would be so large, it would be subject to the National Emissions Standards for Hazardous Air Pollutants under the Clean Air Act. It would emit high levels of hazardous air pollutants including hydrochloric acid and mercury through the smokestack and out into the atmosphere, with slag left over.
- Annual air pollution from the St. Lucie facility was estimated at 92,600 pounds per year of carbon monoxide, 100,000 pounds of nitrogen oxides, and 76,000 pounds of particulates with 75,200 of that total in ultra-fine particles smaller than 10 microns in diameter and were the particles that were the most dangerous and sometimes carried toxic compounds. Also noted was 35,200 pounds of sulfur dioxide, 68,200 pounds of volatile organic compounds, 37,800 pounds of hydrochloric acid, 700 pounds of lead, and 10.2 pounds of mercury. Those pollutants totaled 410,510 pounds of pollution every year of operation coming from that smokestack.
- This type of unit was touted as being an alternative to landfills and as a pollution-free, green source of energy. But, the facts did not bear that out.
- Plasma arc incinerators were starved air units that created a fuel gas known as gasification, as opposed to excess air combustion units that were conventional mass burn incinerators. When the levels of air were reduced in starved air units to as low as 2% you still saw high levels of dioxins which was one of the most toxic substances on earth being emitted from the smokestack. In fact, according to the EPA starved air combustion units similar to the St. Lucie unit produced 83% higher levels of dioxins than the typical mass burn incinerators.
- Metals such as cadmium, chromium, and mercury would pass through the pollution control devices and be emitted into the atmosphere.
- Similar units in Australia and Germany were closed because they failed to meet the emission standards of those countries.
- As of today, no municipal scale waste disposal facility had been constructed, noting that considerable technological and budgetary uncertainties remained.
- The St. Lucie facility would not allow the combustion of sewer sludge, but would rely entirely on municipal solid waste with a large percentage of that being tires.

Mr. Zeller said the decision to pursue any waste disposal technology must be reviewed and analyzed, and he understood the GPCDC had already initiated an investigation. He said that

plasma arc technology despite the limited industrial uses was typically used at refineries or chemical operation facilities in order to convert solid waste into some other material at high temperature. Mr. Zeller said there was no municipal solid waste, sewer sludge, or other waste incinerators operated by plasma arc anywhere in the world today. Therefore, he said, he would request that the Board of Commissioners adopt a one-year moratorium on waste incinerators including plasma arc technology in order to gather comprehensive information.

Commissioner Harrington said then the one-year moratorium would mean the Town would not consider such a process. Mr. Zeller said that was correct. Commissioner Harrington asked was Mr. Zeller before the Board because he had heard some discussion from the GPCDC regarding plasma arc gasification, and he was present tonight to provide an alternative opinion. Mr. Zeller said that was correct. Commissioner Harrington said the GPCDC was an unofficial, self-appointed group that operated without any official connection with the Town whatsoever. He said because of that group's name there may have been some perception that the Town was somehow involved, but that was not the case. Commissioner Harrington said the GPCDC had invited persons to come into the community to speak on modern energy recovery from waste technologies, but the Town had not been involved in that. He said he could assure Mr. Zeller that the Town of Pittsboro was not considering such a process.

## **2. Establishment of a No Parking Zone on Millbrook Drive.**

Mr. Terry stated that the ordinance under consideration would establish a no parking zone on the north side of Millbrook Drive from its intersection with Cobble Ridge Drive to its intersection with Powell Place Lane. He said during the discussion of the recently approved Powell Springs project, concerns were expressed that the street was not adequate to handle expected traffic volumes from the new development and that on-street parking may inhibit access by public safety equipment and vehicles. Mr. Terry said it was his recommendation that the Board approve the ordinance.

Motion made by Commissioner Harrington seconded by Commissioner Bryan to adopt the ordinance to establish a No Parking zone on the portion of the north side of Millbrook Drive from its intersection with Cobble Ridge Drive to its intersection with Powell Place Lane.

Vote Aye-5 Nay-0

## **3. Parks and Recreation Advisory Board Appointments.**

Motion made by Commissioner Bryan seconded by Commissioner Fiocco to reduce the Parks and Recreation Advisory Board membership from 8 to 6 members, and to reappoint Charles "Chuck" Gillis, Nanishka Albaladejo, and Megan Bolejack to two-year terms to expire in 2012.

Vote Aye-5 Nay-0

#### **4. Grants Committee (added item)**

Beth Turner, Vice Chair of the Grants Committee, stated that the Grants Committee's term had ended on June 11, and they were requesting that the Town Board extend the term for one year. She said they had been effective in moving grants forward, noting there were grants in process and grants yet to be identified that they wanted to pursue. She said if the term was extended, they also were requesting that the Town advertise for new members to replace members who had left the Committee.

Commissioner Fiocco said he believed the Committee had done a very good job and were an asset to the community, and the Town would benefit from their continued service.

Commissioner Baldwin asked if the motion would include advertising for new members. Commissioner Fiocco responded he believed that was reasonable.

Mr. Terry said if the Board extended the term of the Grants Committee, then staff would advertise for new members just as they would for any other advisory board, so that did not need to be made a part of the motion.

Motion made by Commissioner Fiocco seconded by Commissioner Harrington to extend the term of the Grants Committee for one year.

Vote Aye-5 Nay-0

### **CAPITAL PROJECTS REPORT**

#### **1. Manager's Update on Capital Projects.**

Mr. Terry provided the following update on Capital Projects:

- Disinfection Byproducts Reduction Program – Shoreline Construction has begun installation of the permanent storage tanks to accommodate their use of ferric sulfate as their primary coagulant. When work was completed they would be able to switch operations from the temporary equipment installed for the ferric sulfate trials to the newly installed permanent tanks and feed system. They have begun to use powdered active carbon on a trial basis from temporary equipment. Water plant staff did the second quarter testing for TTHMs and passed, noting this was the first time in 5 years they had experienced passing numbers during warm weather months.

Commissioner Harrington asked were those numbers gathered before the use of powdered activated carbon. Mr. Terry said he did not know the date the testing of samples had begun, but they had been using powdered activated carbon for a few weeks.

Commissioner Fiocco said that would be great news to share with the community.

Mr. Terry continued his update:

- Wastewater Treatment Plant Wet Weather Flow Improvement Project – Change Order #4 in the amount of \$2,994.93 was approved to add an 8 inch drain line and valve for directing water to the plant drain to avoid interference with the hydraulics from the plant’s filters. Work continues on schedule.

Commissioner Fiocco asked if that money was in contingency. Mr. Terry said the project budget did contain contingency funds to cover that. Mr. Terry continued his update:

- Pittsboro Southern Park (formerly 3M Park) – They have advertised the RFQs and interested firms have begun to make appointments for site visits. The deadline for submission of Statements of Qualifications was June 24, 2010. The RFQ was posted on the Town’s Website and was included with the FYI items in tonight’s packet.
- Rock Springs Park – They are in the final inspection and punch list phase of the project. The grass on the general purpose field is now about 4 inches tall and the contractor is hand seeding bald spots as part of the punch list project. They expect to achieve final completion within the next few weeks.

Commissioner Fiocco stated he had toured the park last week and it was an absolutely fantastic park. He pointed out that he had visited just after a heavy rainfall and had noticed that the gravel walkway at the top of the steps appeared to have an issue that would need a permanent solution.

Mr. Terry continued his update:

- Improvements on 15-501 at Springdale Drive – They have received a draft contract agreement from Voller Realty and Construction. Samir Bahho provided the Town Manager with updated construction drawings for the work required by NCDOT.

Commissioner Fiocco said one of the key components of that was the cost of the improvements, and the cost estimate they now had in hand was from 2009. He suggested that cost estimate should be updated, or the Town should obtain an estimate on its own.

Commissioner Harrington said he believed Mr. Voller had provided them an estimate of about \$50,000, and asked was that what he was saying it would cost to do the work. Mr. Terry said that estimate was just for the work on 15-501. He said he had taken the plan to Jay Johnston and could ask Mr. Johnston to refresh the estimate. Commissioner Harrington said he believed they needed to get an independent review of Mr. Bahho’s estimate versus the actual drawings that had been approved.

Commissioner Fiocco said that Commissioner Brooks brought up the issue of the waterline that was running down the shoulder of the roadway, and in his experience NCDOT would want that waterline replaced from underneath their asphalt. He said he did not know if that was a condition of the permit that was issued, but from his experience that was not something that was beyond their purview to request during the course of construction after the contract was let. Commissioner Fiocco said that was something they should consider because it would be expensive. Mr. Terry agreed, noting the cost would be an issue. He said he would check with Mr. Johnston, but believed that was one of the elements of the Downtown Water System Improvement project.

Commissioner Brooks said the Town's population was 5,000, and unless the statute had been changed the State would normally pick up the cost of replacing pipes because of their low population. Mr. Terry said he would check into that, but that would be a Town project and not an NCDOT project. Commissioner Brooks said it was his understanding of the statutes that if something was done that affected the water or sewer line then NCDOT would pick up the cost. Mr. Terry said he was not sure that would be true in this case, but it was worth a phone call.

Mr. Terry continued his update:

- Downtown Area Water System Improvement Project – Work continued on refining the USDA application documents. They were adjusting their expected application submission date to mid-June, 2010.

Commissioner Fiocco said it seemed like they were supposed to submit that in April or May. Mr. Terry said that was true, noting that Becky Smith had been working on it and it had undergone several iterations. He said that application was an onerous undertaking, noting it contained numerous enclosures and attachments that were time consuming. Commissioner Fiocco asked what the fee structure was for the work. Mr. Terry stated the project had a fixed fee but they had already had a change order for the design.

Mr. Terry completed his update:

- Horton Booster Pump Replacement – The contractor took delivery of the pump but the delivered item was not what had been ordered and had been returned. They anticipated a delay of about 6 weeks as a result of that error. Expected completion was now sometime in late July or early August.

Commissioner Brooks said a citizen had contacted him some time ago who had been interested in naming the park at Powell Place for the late Mary Hayes Barber Holmes whose family had worked that property. He said a few days ago someone else had contacted him and made the same request. Commissioner Brooks said he understood that the park had been Rock Springs Park because of the church in the area, but wondered if the Board would be willing to change that name and accommodate the request. He said that Ms. Holmes had worked hard on a lot of projects in the community and had died several years ago, and believed it would be a good thing to do.

Commissioner Bryan said it was his understanding that the family had donated the land for that park.

Commissioner Harrington said he had been contacted as well, and believed the family had donated that land for the park. He said he believed it was a reasonable request that the park be named after a family member, but did not know if it would be a big deal to rename the park since it had not yet been officially dedicated. Mr. Horne said they did have signs being made, noting the park could remain Rock Springs Park but the signs could also say "in memory of" someone to recognize their contribution.

Commissioner Bryan said a member of that family had contacted him today asking if he would put that issue on the agenda for the Board's next meeting.

Commissioner Harrington said perhaps they could get some recommendations from staff on options the Board could consider. Mr. Terry said he would do some research to confirm who had donated the land and when.

Mr. Horne said he had actually talked to the family about naming the park some time ago but they had never gotten back to him.

Commissioner Brooks said that was essentially what happened, but noted it needed to be mentioned that there was a small plant there that Ms. Holmes' father had established to make small engines. He said the family had owned a lot of land out there and believed it would be appropriate to name the park after someone who had been so involved in developing that area.

Commissioner Bryan said he had been approached several months ago by someone who had said they were going to approach the family, but he had not heard anything else about it. Mr. Terry said he would do some research and bring a report back to the Board at its June 28 meeting.

Commissioner Fiocco said if it was not too late they should stop the production of the signs. Mr. Terry said they would look into that.

Commissioner Harrington said the person that spoke with him said they would reimburse the Town for any signs that had already been produced.

Commissioner Fiocco said in regards to the sidewalk on the NC 87 roundabout, he recalled that there was one easement they were not able to get and that affected their ability to build the sidewalk. Mr. Terry said there had been an exchange between Becky Smith and Mr. Messick, and believed that NCDOT had been involved, and they had worked all of that out. Commissioner Fiocco said he would like a follow up on the outcome. Mr. Terry said it was his understanding from an email he had received that the issue had been resolved, and he would try to locate that email and provide it to the Board.

Commissioner Bryan asked if the sidewalk would be placed on the east side of NC 87. Mr. Horne responded that was correct.

## **RECESS**

Motion made by Commissioner Harrington seconded by Commissioner Bryan to take a 10-minute recess.

Vote Aye-5 Nay-0

## **RECONVENE**

Motion made by Commissioner Brooks seconded by Commissioner Fiocco to return to open session.

Vote Aye-5 Nay-0

## OLD BUSINESS

### 1. **Manager's Recommended Budget for Fiscal Year 2010-2011.**

Mr. Terry stated that after the budget work sessions he had incorporated the changes into the budget document requested by the Board. He said he had also researched the impact on contributions to the Fund Balance and to General Fund revenues, and believed the Board would want to discuss those tonight. Mr. Terry said the table on the first page of the agenda report showed the authorized changes and the total increase to both the General Fund and the Enterprise Fund, with an increase of \$157,191 to the General Fund and \$22,631 to the Enterprise Fund.

Mr. Terry said as far as the impact on Fund Balances, in the General Fund the total amount needed to balance the budget had changed from \$123,592 to \$239,371, an increase of \$115,779. He said in the Enterprise Fund the increase was smaller, increasing from \$23,294 to \$45,925, an increase of \$22,631. Mr. Terry said in terms of what that meant to the tax rate, the General Fund would require a tax rate increase of about 5.85 cents to balance the budget, but a tax rate of that magnitude was probably not sustainable in this economy. He said as well, it was probably not necessary in view of the fact that the Town had a healthy General Fund Balance on the order of \$2.2 million, and a portion of the cost of adding a Town Engineer position would be off-set by an increased contribution from the Enterprise Fund in the form of payments for administrative support. Mr. Terry said a tax rate increase of 2.5 cents would generate about \$102,018 and reduce the budget revenue shortfall to about \$137,353. He said the Board could consider a lesser tax rate increase to close the gap or no tax increase at all.

Mr. Terry said with respect to Utility Rates, the only change recommended was to add \$1.00 to the basic service charge for both water and sewer service. He said that would generate an additional \$41,500 and would reduce the necessary contribution from Fund Balance to \$4,425. Mr. Terry said he recommended that rate increase in view of the fact that ongoing and future capital improvement projects were expected to place additional demands on those funds. He said even if they were successful in pursuing grant funding for Utility capital projects, they should expect that matching funds would be required which would impact the Enterprise Fund Balance and utility rates.

Mr. Terry said the next area was the Solid Waste Services rates, noting he expected solid waste revenues to fall short of projections by about \$25,000 this year and solid waste expenses to exceed the budgeted amount by about \$35,000. He said he was recommending a 5% increase in fees for residential and commercial solid waste services which would generate about \$20,000 in additional revenues for the General Fund. Mr. Terry said that 5% increase would close most of the gap between solid waste revenues and solid waste expenses and reduce the General Fund contribution to balance the budget by \$20,000.

Mr. Terry stated he could not bring forward a budget for approval tonight because he first needed to have the Board's responses to his recommendations. He said once the Board's position was known, he would bring back the final recommended budget to the Board's June 28 meeting.

Commissioner Fiocco asked if they were under contract with Waste Management Industries. Mr. Terry said the contract would expire on June 30 and they were in negotiations now. He said the contract had been extended for 90 days, but Waste Management had been told that the Town would advertise for bids. Mr. Terry said they may find a vendor at a lower cost, but the bids could well be higher than Waste Industries. Commissioner Fiocco asked when the last time was that service had been put out to bid. Mr. Terry said he believed it was almost 20 years ago based on the records, although Waste Management disputed that and said it had been about 10 years ago and they had again won the contract.

Commissioner Brooks and Commissioner Bryan both said that was their memory as well.

Commissioner Fiocco asked how the Town would go about negotiating a new contract with Waste Management. Mr. Terry said it was difficult to talk about in an open session because negotiations were ongoing and he believed they needed to respect the confidentiality of those negotiations since potential bidders should not be privy to that information. He said Waste Management was interested in keeping the Town's business and the offers made to date were very good. Commissioner Fiocco stated it was a substantial contract, and believed it was an industry that was very competitive. He said this may be an opportunity to reduce the Town's costs.

Commissioner Baldwin stated she was not in favor of a tax increase at all, and had hoped there was some other way they could fund the cost of a Town Engineer without a tax increase. She said she would support the recommendation to increase the Utility rates.

Commissioner Fiocco said the debt payment of \$62,000+ for the Wastewater Treatment Plant grant/loan that may be due in May 2011 was not in the budget numbers, so that could be something they would be obligated to pay that they were not prepared for at this time. Mr. Terry said that May 2011 was the very earliest that would be due, and he had made the decision to include that payment in the following year's budget. Commissioner Fiocco said he believed the contract completion date was estimated as late October, which seemed reasonable. Mr. Terry said he believed they would make that based on the progress. Commissioner Fiocco said then that debt payment of \$62,000 may be something they would have to deal with in the upcoming budget.

Commissioner Brooks said he had read in a recent memo from Mr. Terry that they might have to do something next year in regards to the Utility rates because of the debt being incurred with the Sewer Plant. Mr. Terry said that was correct. Commissioner Brooks said he believed that Mr. Spoon and Mr. Steele had on several occasions offered to cover some of those costs and in return they wanted a commitment on sewer capacity. He said he believed the Town had given them a significant increase in sewer capacity, and had thought their contribution would be taking care of that debt payment.

Commissioner Fiocco said that Mr. Spoon and Mr. Steele had agreed to make a deposit of \$200,000 each for that sewer commitment, which was due December 14, 2010, or they would forfeit their allocation.

Commissioner Brooks said he would not want to have to increase water and sewer rates a great deal if it could be avoided. He said as a broader discussion, he believed that 18% of the residents of Pittsboro were below the poverty level, and raising taxes would hurt that population. Commissioner Brooks said he understood that they had fiscal needs if they were going to provide good services, but he had a real concern about raising taxes. He said that Pittsboro also had a large elderly population with many of those on a fixed income, and they would be affected by a tax increase as well. Commissioner Brooks stated he had begun to feel more hopeful about the economy, but believed the massive oil spill in the Gulf may affect that. He said they had to start looking at what their citizens could withstand financially and not do something to worsen the situation. Commissioner Brooks said everyone knew you had to spend money to accomplish things, but they needed to always remember the people who were paying that price. He apologized for what he referred to as his sermon.

Commissioner Harrington said it was a sermon he wished more people would hear.

Commissioner Fiocco said he believed it would be a very good thing for the Town to hire an Engineer because they needed those services. He suggested they defer hiring a Town Engineer until January 1, 2011 in order to reduce the costs in the coming year's budget. Commissioner Fiocco said that would give them an additional 6 months to get a better handle on how the cost structure was playing out, and by then they would know whether the promised \$200,000 each from Mr. Spoon and Mr. Steele would be forthcoming. He said for him, it was a question of whether to commit to placing half of the cost in the budget now, and then if the Town did receive some money at the end of the year it would make the decision on hiring a Town Engineer much easier. Or, he said, not getting the money at the end of the year would help them make the decision not to hire a Town Engineer. Commissioner Fiocco said he believed it would be a much harder decision to spend the money if they did not put it in the budget now than it would be to not spend the money. He said he would lean towards pulling the money from Fund Balance and budgeting to hire a Town Engineer as of January 1, 2011, but revisiting that decision at the end of the year before making the hire.

Commissioner Brooks said there was a lot of logic in that. He said when he had first become a member of the Board the Town had negligible reserves, and they had worked very hard to get that Fund Balance up to its present balance. But, he said, he was haunted by the pipes under the ground and the condition some of them were likely in, and he could see their Fund Balance being wiped out overnight if they had a mile of bad pipe that had to be replaced. Commissioner Brooks said he believed Commissioner Fiocco's suggestion was a good idea, but they had to somehow hold on to as much of their reserves as possible because they never knew what they may have to face. But, he said, they did know that sooner or later they would have infrastructure issues to address.

Commissioner Baldwin said she did not want to touch Fund Balance at all. She said if the Town received the funds from Mr. Spoon and Mr. Steele in December, would they be able to do a budget amendment at that point to cover the cost of a Town Engineer. Mr. Terry said the way the Town Engineer was budgeted now was 50% funded from the General Fund and 50% funded by the Enterprise Fund, noting that the entire cost could not come from the Enterprise Fund which was where the funds expected to be received in December would be deposited.

Commissioner Brooks asked if the Town had its own engineer as opposed to having several contract engineering firms as they had now, how much would this save the Town. Mr. Terry said that was a hard discussion to have because he did not know that it would avoid any costs. He said what they would gain by having a Town Engineer was not that they would save costs they were spending now; the gain would be how much better they could manage large projects. Mr. Terry said as well, they would have less site plan review farmed out to contractors and less inspection of utility structures farmed out. He said the person would work a 40-hour week and there was much work to be done, so there would still be the need to occasionally have a consulting engineer perform some work. Commissioner Brooks noted he appreciated Mr. Terry's candid answer.

Commissioner Baldwin said in the detailed justification that had been emailed to the Board, under Planning, account 40, he had estimated \$53,000 for FY 2009-2010, and asked was that how much the Town had paid for professional services. Mr. Terry responded that was correct, noting a large part of that amount was what they had paid Hydrostructures for engineering services.

Commissioner Harrington said then if a part of that was site plan reviews, those reviews would be handled by the Town Engineer rather than by Hydrostructures. Mr. Terry said that was correct, but if they were to get a major project such as a MUPD then that might require some outside help. He said simple site plan reviews like a restaurant or a small subdivision would be handled in house.

Commissioner Baldwin said then that professional services cost would be reduced. Mr. Terry said that was correct, but until they had a year or so of experience to go by he could not say by how much.

Commissioner Fiocco said they had had some questions about whether they were actually invoicing developers for that plan review, so there could be some lost revenue there that was not reflected in the budget. Mr. Terry said he believed it was more accurate to say that what the Town was charging people who submitted plans was not covering the cost of the review of those plans. He said in some cases the contract engineers may have been a little more thorough than was necessary which caused the cost to be higher.

Commissioner Fiocco said there had been a line item in the budget that said that engineering plan review fee under the Zoning heading was \$90 an hour, so if Hydrostructures was reviewing a site plan for 5 or 6 hours, the fee being charged to developers should cover Hydrostructures fee. He said if it was not, then those figures needed to be brought into line so that the Town was at least breaking even. Mr. Terry said Commissioner Fiocco was correct that the Town's procedures were likely not in line with the actual cost, but there had been so little development lately it had not been a subject that came up very often. Commissioner Fiocco said if they translated that to an in-house Engineer, there was likely a big difference. He said that was one way in which the cost differential occurred, and inspections were another way. Mr. Terry said an example of other services they had contracted out was that the Town had paid \$13,000 to Sterns & Wheler because the new Jordan Lake rules had required them to prepare a Wastewater Treatment Plant

Optimization Plan. He said that was a project that likely could have been done in-house had they had a Town Engineer on staff.

Commissioner Fiocco asked would that funding come from professional services in the Planning budget or would it have been allocated somewhere else. Mr. Terry said they had paid that out of the Wastewater Treatment Plant's professional services account through a budget amendment. Commissioner Fiocco said then the \$50,000 noted for the new budget year was primarily to cover engineering costs. Mr. Terry said that was correct.

Commissioner Baldwin said then there was some room for savings. Mr. Terry replied there was a potential for savings, but until they had a Town Engineer on board and they knew exactly what that person's job description would be they could not estimate any potential savings.

Commissioner Fiocco stated they needed to watch those costs very closely, and delay hiring an Engineer until January.

Mr. Terry asked was there consensus among the Board to delay the hiring decision until January, noting if they did that they would likely not have anyone hired until April 1 so they would only be budgeting for that position for 3 months instead of 9 months. He said they could leave the budget as it was and just not hire anyone and return the unused funds at the end of the year, or he could go back and take out six months of the cost, or he could take it all out and they could then go back and do a budget amendment when the decision was made to fill the position.

Commissioner Brooks said if they were going to do it he would like to see the cost put into the budget.

Commissioner Harrington said then was the Board in agreement to slash the funding by half.

Commissioner Fiocco said it would not be quite half because they would still need to provide office equipment and a vehicle. Mr. Terry said that was correct, noting only the salary cost would be reduced and not the fixed costs. He said the purchase of the vehicle could be delayed until later in the year when the Board made its hiring decision.

Commissioner Brooks asked had the Manager thought more about his suggestion to share the County's engineering facilities and equipment with the County Engineer and making a contribution to the County for that. Mr. Terry said he had talked with David Hughes with the County about the possibility of co-locating the Town Engineer in his office, but he had been noncommittal. He said Mr. Hughes was actually moving out of his current space and relocating across the street in the Flamingo, and he did not know how the space allocation would work out or if there would be any space available to share. Mr. Terry said the idea had not been discarded, so he would make sure that Mr. Hughes would be comfortable with such an arrangement before he approached the County Manager. He said if the Flamingo's floor space was 100% committed, then an alternative plan would be to perhaps try to rent the current space occupied by the County Engineer once their move was completed. Mr. Terry said another idea was to locate the Engineer in the Planning Department with the two Planners, but that would result in

overcrowding. He said they could also consider moving the Planning Department to another location and put the Town Engineer in that space.

Commissioner Brooks said he knew the County was strapped for space, but it bothered him that citizens had gone door to door to collect the funds to build the library building. He said the Town had built the old library and maintained it for years and believed that they should pressure the County to return that building to the Town once the library moved to its new facility. Commissioner Brooks said that would provide them the space for such things as the Town Engineer's office. He said the reason the Town had turned the building over to the County was because it had complicated the interlibrary loan process for books to be exchanged between the different libraries and it made the process smoother to consolidate. Commissioner Brooks said at the very least they should make the inquiry.

Commissioner Brooks suggested that the Board either consider a motion or at least agree to write to the County Commissioners individually and explain that the citizens of this community had constructed that building and ask the County to consider returning it to the Town once the library moved into its new facilities.

Commissioner Fiocco asked how the County had acquired the building from the Town.

Commissioner Brooks said the Town had turned it over to the County because of the interlibrary loan process as well as the Bookmobile, noting they were in a 7-County exchange program and by consolidating they had the resources of all those other libraries. He said at the time it had made that process less complicated, noting it was an attempt to provide more services and more materials to citizens. Commissioner Brooks said at the time no one had ever thought it would turn out to be a County office building, and if it was to remain a library he would not even consider asking that the building be returned to the Town. He said because that building would no longer be used as a library he believed it should be returned to the Town. Mr. Terry said he could craft a letter to the Chair of the County Commissioners and to the County Manager and make that request. He said he understood in the short term the County would be using that building for courtroom space, but when that need had passed he could suggest that the building be returned to the Town. The Board agreed by consensus to have Mr. Terry prepare the letter.

Mr. Terry said in regards to the Town Engineer, he would like to have some direction from the Board so that it could be included in the recommended budget.

Motion made by Commissioner Fiocco to defer hiring a Town Engineer until January 1, 2011, and that the issue be revisited at that time before a hiring decision was made; and, that funds be allocated in the FY 2010-2011 budget for that position.

Mr. Terry said they could leave the funds in the budget as it was now proposed which was for 9 months, noting once a hiring decision was made any funds not expended would be returned to Fund Balance at the end of that fiscal year.

Commissioner Harrington said if they did not allocate funding now then if the Board decided to hire then the funding would have to come from Fund Balance, and what Mr. Terry was suggesting would avoid that.

Commissioner Fiocco amended his motion to include 120 days worth of salary in the upcoming budget for the Town Engineer's position, to remove recommendation A in the Manager's report which was the ad valorem tax rate increase of 2.5 cents, and accept recommendations noted as B, C and D in the Manager's report.

Commissioner Harrington said to justify cutting recommendation A out; they would need to cut the budget in some way. Mr. Terry said they were balancing the budget by taking money from Fund Balance, and reiterated that they had a healthy Fund Balance. He said the State required that they maintain Fund Balance as a percentage of budget at 8%, and last year they had 102%. Mr. Terry said based on current estimates they would be at 85% at the end of the current fiscal year.

Commissioner Bryan said then basically they were using funds from their savings, or Fund Balance, to operate. Mr. Terry said with a Fund Balance that large they could safely do that for some time, although it was not sustainable forever. He said making a decision to use Fund Balance carried with it considerations to either increase revenues through growth or perhaps a tax increase next year should the economy improve.

Commissioner Harrington said he did not mind using Fund Balance during hard times and that they might have to have some plan or expectation to increase revenues later on. He said his problem was that should they not receive the funds due in December, then they would have dipped into their savings without any plan to offset it.

Commissioner Fiocco said they did have the choice not to hire a Town Engineer and to not spend those funds.

Commissioner Harrington said the issue was that they would have to hire a Town Engineer at some point, but even without that cost they would still have to use Fund Balance to balance the budget. He said with the Town Engineer included they were \$280,000 short, so they could totally remove the \$124,956 for the Town Engineer position. Mr. Terry said the revenue enhances noted in recommendation C and D would go to the General Fund, so that would enhance that figure.

Mr. Messick arrived at 9:20 p.m.

Commissioner Brooks stated that Commissioner Fiocco had a motion on the floor that had not been seconded.

Commissioner Harrington seconded the motion for discussion purposes.

Commissioner Harrington said what they were considering was delaying a decision on hiring a Town Engineer until it was determined in December whether additional funds would be

received. He said if that happened, then that would mean the Board would need to consider what would be happening over the next several years which would mean there was a definite need for an Engineer. Commissioner Harrington said he would say that if they did not see that revenue stream come forward, then he did not believe they could afford to dip into the Fund Balance to fund that position. He said he would be inclined to say that they could plan to budget for it but if they did not see that money coming in December then they would not move forward with hiring an Engineer, even though the expected funds would not all be dedicated in that way.

Commissioner Bryan asked wasn't that money just a prepayment of tap fees. Mr. Terry responded yes, but it was still revenue.

Commissioner Harrington said they may have to pay those funds back under certain conditions, if Mr. Spoon and Mr. Steele were to decide not to build. So, he said, the payment of those fees was just an indication of intent to build, not a commitment to build.

Commissioner Bryan said if those developers were to actually make the payment, where would that money go. Mr. Terry said because it was not a sure thing he had not reflected that in the budget, but should it be received it would be reflected in the Enterprise Fund.

Mr. Terry stated that in regard to making a decision about assessing revenues, the first meeting in January might not be the best time to do that because taxes came due at that time and they did not really see what their ad valorem tax collection success was until the end of January and into February.

Commissioner Fiocco said another feature or service the Engineer would provide was working with the Planning staff to work through long range planning issues, because a key issue with Planning would be consultation with Engineering. He said they would either be subcontracting that out or providing that service in-house. Commissioner Fiocco said he believed there were several very valid reasons why the Town needed to hire an in-house Engineer, so he was in favor of stretching themselves somewhat to get that accomplished.

Commissioner Baldwin said she was not much in favor of that. She said she agreed there was definitely a need for a Engineer, but she wanted it funded some other way that through Fund Balance.

Commissioner Brooks asked could they reach some agreement that they would look at those issues at the end of January, that they recognized the need for a Town Engineer, and that at the end of January if funds were available then they would move forward with recruitment.

Commissioner Baldwin said that sounded reasonable to her.

Mr. Terry said then in January or February the Board would revisit the hiring of a Town Engineer and that funding for that position would be included for 120 days of salary. He said at that time the Board would make the decision to move forward or to return the funding to the Fund Balance.

Commissioner Brooks called the question.

Vote Aye-5 Nay-0

Commissioner Harrington said if they did do vehicle financing, would they just have to budget for the Debt Service or would they still have to count the obligation against the budget. Mr. Terry said in the expense budget of the department that would buy the vehicle they would still put in the full cost of the vehicle, but in the revenue side they would put the proceeds of a loan and then another line for Debt Service payments. He said the interest rate on a 5-year loan would be around 5 to 6 percent.

Commissioner Harrington said it seemed that they could finance that to improve their cash flow and they had even talked about taking the extra funds from the Police Department and purchasing another Police vehicle with those funds. Mr. Terry said the excess revenue was in the Enterprise Fund.

Commissioner Brooks said he had a few suggestions for small cuts in the budget. He said he could not bear the thought of privies on Main Street at First Sunday events or for any other reason. He said that was a \$4,000 expense, and believed they should just remove that. Mr. Terry said that some of that cost was for labor, noting the Town had agreed to set up the stage used for street fairs for the PMA's use. Commissioner Brooks said he did not believe the Town should be spending any money on that. Mr. Terry said the Board could make any decision it wanted, but reminded them that the first First Sunday event had already occurred with the Town's help so the PMA believed that help was an approved item. He said it was certainly within the Board's purview to strike that funding. Commissioner Brooks said they had to look at the financial realities, and even though it was not a lot of money he did not believe those funds should be spent in that way.

Commissioner Harrington said he could certainly see his point.

Commissioner Brooks stated it also bothered him quite a bit that the Police Department budget was over \$1 million, noting he understood there was grant money included in that total and that all of the budgeted funds did not come from ad valorem taxes. He said the Police budget lacked \$87,000 equaling every penny collected from ad valorem taxes in the Town, and that was a lot of money.

Commissioner Brooks said surely there were some things that could be done to bring that budget down, and one of the things he had suggested was to sit down and negotiate with the Sheriff's Department about how much they would charge to cover the Town's needs. He said in his opinion the Police Department's budget was much too large for a town of Pittsboro's size. Commissioner Brooks said that idea may be too extreme, but he believed there were things that could be done. Commissioner Brooks said he continued to believe that allowing officers to drive vehicles home should not be allowed. He said if he had figured it right, those cars had between 150,000 and 200,000 miles put on them and that mileage could have been reduced had the officers not been driving them to and from home. Commissioner Brooks said regardless, the Town did not need to suffer the additional maintenance and fuel costs. He said he was pro-

Police, noting he had a son-in-law that was a SWAT officer in another city, but he was also pro-citizen and they were spending a lot of money on Police protection. Commissioner Brooks said there had to be some way to trim that budget.

Commissioner Bryan said it would not hurt to get a proposal from the Sheriff's Office.

Commissioner Baldwin said she believed the idea was a little too radical to consider, but said if the Board believed the Police budget was an issue they could look at ways to reduce it.

Mr. Terry said as an observation of the Police budget, \$866,000 of that budget was personnel expenses and 3 of those positions were funded by grants. He said cutting positions would be problematic because when the Town accepted the grants they agreed to create the position to be funded by the grant, and there was usually verbiage in the grant agreement that required those positions to remain through the life of the grant.

Commissioner Brooks said as an example they were spending \$13,000 to prepare a vehicle so a dog could ride in it. Mr. Terry said that was not just to accommodate the dog but included emergency equipment such as radio equipment, camera, sirens, decals, and other equipment.

Commissioner Brooks said he still wanted to know why some of that grant money was not spent on cameras instead of 4-wheelers and golf carts and other items. He said he believed those same issues bothered the citizens as well, noting he wanted cameras in all of the vehicles and did not understand why those grant funds had not been spent on cameras instead of a Mustang which they did not need. Commissioner Brooks said there were nowhere inside the city limits you could get a car up to 150 mph. He said he understood that money came from a grant, but wondered if it had to have been spent in that way. Mr. Terry said they had actually saved money on that because they had purchased a used car from a local dealership.

## **2. Off-premise Signs.**

Commissioner Fiocco said he was missing pages 2 and 4 of the staff report. Others agreed they were missing those pages as well. Commissioner Fiocco suggested they table the issue until the complete report could be presented. Mr. Terry apologized for the error and noted he would put the issue on the agenda for the Board's next meeting.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to table the issue of Off-premise Signs until the June 28 Board meeting.

Commissioner Brooks said he had talked with Planning Board Chair Kenneth Hoyle and believed the Town was fortunate to have the services of such an intelligent and articulate person. He said he believed they had let the Planning Board down in they were an advisory board but he sometimes got the impression that the Planning Board believed they were suppose to make a decision and then send it to the Town Board for agreement. Commissioner Brooks said that was not their role, and if they did not understand that it was because the Town Board had not explained it. He said having said that, the Planning Board was to advise the Town Board by providing technical advice, but it was the Town Board who had to make the decisions for better

or worse. Commissioner Brooks said when Powell Place was being considered that process had become convoluted for whatever reason, and it appeared that the off-premise sign issue was heading in that same direction.

Commissioner Harrington said he absolutely agreed.

Commissioner Brooks said they needed to somehow move towards solutions in a timelier manner, noting too many issues were being placed “on the back burner”. He said he believed at times there was a lack of clarity, and the Board needed to not let the Manager, the Attorney, the Planning Board, or anyone else prevent the Board from moving forward on issues that should not be delayed. Commissioner Brooks said perhaps the Town Board needed to be clearer about the roles all the different parties played, noting in the case of the off-premise signs the Board had asked the Planning Board to consider the issue and offer the Town Board options, and not to try to make a decision itself.

Commissioner Harrington agreed, noting that issue had been sent back a second time with the message to not give the Town Board an opinion as to whether or not they wanted it, but to provide the Town Board with information about what the signs might look like.

Commissioner Brooks asked Mr. Terry how to accomplish that, and asked Mr. Messick what State law said they could or could not do. He said it seemed that sometimes such issues were taking far too long to be resolved.

Commissioner Harrington stated that they should talk about the sign ordinance in detail when the off-premise sign issue came back at the next meeting.

Commissioner Brooks said he appreciated Commissioner Harrington’s support of his statements.

Commissioner Baldwin called the question.

Vote Aye-5 Nay-0

## **Mayor Updates**

As the Mayor was not present, no updates were provided at this time.

## **Commissioner Concerns**

Commissioner Fiocco stated that at the corner where Elizabeth’s Pizza was located, the parking lot had been torn up and repaved and the corner was now mud. He said that needed to be covered up with grass or some kind of landscaping. Commissioner Fiocco said that corner had been left bare and that was the main north/south corridor through Town, and believed there was some obligation for the owner to repair the area that they had disturbed.

Commissioner Fiocco said there was a task force meeting to discuss rebuilding of the courthouse, and the County had put out an advertisement of a meeting on June 29<sup>th</sup> at the high

school. He said he would like to put that information on the Town's Website and have it prominently displayed so that people would be encouraged to attend and voice their opinions of what should be done. Commissioner Fiocco said anyone that had an opinion should attend, and believed they should use the Town's Website to spread the news.

Commissioner Brooks said just for information there was a smaller committee working on trying to produce a proposal for a documentary on the courthouse. He said that group would be meeting again on June 28<sup>th</sup> to form some kind of plan.

Commissioner Bryan said several months ago the Board had expressed concern about the Hardees sign, and asked if there was an update on that. Mr. Terry said they had taken it down several times and had been soundly chastised by NCDOT for taking down signs without proper authority. He said NCDOT had a program where business could pay to have those signs put up and Hardees had paid for that sign, and the Town had apparently exceeded its authority by taking it down. Mr. Terry said in his opinion such signs detracted from the historic appearance of the downtown, and all of the signage around the traffic circle were obtrusive in his opinion.

Commissioner Harrington said in regards to moving forward and not letting things slip by, a couple of things had come to his mind. He said one was the Noise Ordinance which had not been done, another was the sidewalk by Dollar General which had not been done, and another was the areas of Town that had cloudy water such as at Bynum. He said he would like to have something like a "Commissioners Hit List" so that the Board could keep up with what had and had not been addressed. Commissioner Harrington said if something had not been addressed then there should be a good reason, such as some other priority. He said another issue that had come up just recently was the old abandoned mobile homes across from Northwood High School, and those needed to be addressed. Commissioner Harrington said the Board talked about those issues and then they just seemed to fade away, and he wanted to do a better job of addressing those issues, deciding that they could or could not address them or they could or could not afford it, or that they just could not do anything. But, he said, it seemed that they never got to that point.

Commissioner Harrington said to make sure they were all paying attention and keeping up with things, he wanted to begin a list of issues that had been brought up, where those issues now stood, could they be resolved and if so, when, and any cost involved. He said he was curious about the sidewalk by Dollar General and if anything had been done about it. Mr. Terry said that John Poteat had been working with the Attorney to draft a letter to the owners to give them a certain date that they would complete that or the Town would take over the project and complete the work. He said there had actually been a contractor out there and there were now some concrete forms installed, but because nothing else had been done he was concerned that that had been a delaying tactic.

Commissioner Bryan said the owner of the property had assured him that he was taking care of that issue.

Commissioner Brooks said there were at least 6 if not 7 people who lived in the area who were in wheelchairs and were having to go out into the street to get around that area.

Commissioner Harrington said looking at the bigger picture, just as they had a capital project list perhaps they could have a “to do” list so things did not slip past without action. He said he would also like to have Mr. Poteat come to the Board and relay any information he had about the cloudy water issue, what had been done to address it, what was causing it, and what it would take to fix it. Commissioner Harrington said if it was determined that the solution was extremely expensive then at least they would understand what the problem was and what it would take to address it. He said water that was so bad that it damaged clothing was a big deal and people were being charged for that water, and something needed to be done about it. Commissioner Harrington said he would like Mr. Poteat to advise the Board about that and any other water issues they became aware of.

Commissioner Brooks said he thought the lines in Bynum were County lines, and asked Mr. Terry to check on that.

Commissioner Harrington said if that was true then that was something the Board needed to know was well. Mr. Terry said he could have Mr. Poteat attend the next meeting and provide the Board an update on areas that were problematic. Commissioner Harrington said that would be good, but more than that he would like to know what Mr. Poteat thought it would take to address the problems.

Commissioner Harrington said he would definitely be asking about progress on the Noise Ordinance at the next meeting, so he would like to have an update on that. He said another issue was water rates, and asked what the first tier was. Mr. Terry said zero to 2,000. Commissioner Harrington said if someone used 2001 gallons, what they would be charged. Mr. Terry replied when the tier system was created it had been his intent that once a customer went over the threshold then they would pay the higher rate for all of the water they used. But, he said, the computer system would not support that so what happened was that that customer would pay the tier one rate for the first 2000 gallons and if they exceed that they would pay the higher rate for anything over that. Commissioner Harrington said that was what he had thought they were doing and was what the Town Board had voted on, but he had talked with a person who had been very convinced that he was being charged a higher rate for all water used if he went over the threshold. He said he had not checked that but believed Mr. Terry was right. Commissioner Harrington said he only wanted to be sure that if someone used an extra gallon over the threshold that they were not all of a sudden paying a much higher rate for water. He said the way the computer system was doing it was the way he believed they had agreed to do it. Mr. Terry said he would double check that tomorrow, but was fairly certain that was the case. Commissioner Harrington said he hoped Mr. Terry was right.

## **FYI**

1. Request for Qualifications for the Design of the Pittsboro Southern Park.
2. North Carolina Wildlife Resources Commission Letter of April 12, 2010; RE: 2011 Urban Archery Season.

3. NCDENR Letter of May 1, 2010; RE: Renewal of the Upper Cape Fear River Basin Association Memorandum of Agreement.
4. Mayor Voller Letter of May 15, 2010; RE: Wilson, NC Green Light Broad Band Project.
5. Widening of 15/501 at Springdale Drive cost estimate.

### **ADJOURN**

Motion made by Commissioner Brooks seconded by Commissioner Fiocco to adjourn the meeting at 10:05 p.m.

Vote    Aye-5    Nay-0

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Pamela A. Baldwin  
Mayor Pro Tem

ATTEST:

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Alice F. Lloyd, CMC, Town Clerk