

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
MONDAY, AUGUST 13, 2007
7:00 P.M.

Mayor Randolph Voller called the meeting to order. There was a moment of silence.

ATTENDANCE

Members present: Mayor Randolph Voller, Commissioners Max G. Cotten, Clinton E. Bryan III, Gene T. Brooks and Chris Walker. Commissioner Pamela Baldwin was absent.

Other staff present: Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr. and Planner David Monroe.

AGENDA APPROVAL

Motion made by Commissioner Walker seconded by Commissioner Bryan to approve the agenda as presented with the exception of moving item #2 to #14 because they are running late.
Vote Aye-4 Nay-0

CONSENT AGENDA

Motion made by Commissioner Cotten seconded by Commissioner Walker to approve the consent agenda as presented with the exception that hearings for items 4, 5 and 8 be held on September 10, 2007.

1. Minutes of August 6, 2007 special meeting.
2. Request for a Special Use Permit by Morton Matheny at 243 Ross Drive for accessory dwelling unit over detached garage.

Action required: Set a Public Hearing for August 27, 2007.

3. Request for a Special Use Permit by Juan Echeverry to operate a Day Care facility at 280 Hwy 902.

Action required: Set a Public Hearing for August 27, 2007.

4. Request by Ricky Spoon to rezone 1.104 acres located on Hwy 15-501 south of Lowe's Drive from R-12 to C-1.

Action required: Set a Public Hearing for September 10, 2007 and consider Planning Board recommendation.

5. Request by Ricky Spoon to rezone 3.53 acres located on Russett Run south of the Carolina Living and Learning Center from R-A2 to O&I.

Action required: Set a Public Hearing for September 10, 2007 and consider Planning Board recommendation.

6. Request by Chatham Habitat for Humanity to rezone 425 West Street from O&I to C-2.

Action required: Set a Public Hearing for August 27, 2007 and consider Planning Board recommendation.

7. Request by Chatham Habitat for Humanity for Zone Text Amendment to PUD Sections.

Action required: Set a Public Hearing for August 27, 2007 and consider Planning Board recommendation.

8. Request by Chatham Park Investors to rezone tracts of land on Eubanks Road from R-A2 to MUPD for 64 Crossing at Eubanks Road.

Action required: Set a Public Hearing for September 10, 2007 and consider Planning Board recommendation.

Vote Aye-4 Nay-0

CITIZENS MATTERS

None

OLD BUSINESS

PIEDMONT BIOFUELS

Piedmont Biofuels wastewater report– John Poteat.

Mr. Poteat said Piedmont Biofuels had returned their Industrial User Survey; so right now we are in the process of meeting with the State to decide what we need to do from here; what limits we need to give them. There is certain work the plant has to do to find out how much BOD we can give them. Right now they are trying some things in house to get the BOD down, they have gotten it down to around 16,000 but it needs to be around 200 before we can accept it. It could happen within the next two to three weeks. But, right now there is a process we have to go through before we can do that.

Mr. Poteat advised the Board what they had before them is some of the estimated costs:

- \$1434 for 72 hours of overtime by WWTP staff.
- 25 loads of sludge hauled @ \$2,400.
- 30,000 pounds of lime applied to the sludge for stabilization.
- \$1,250 was paid to HydroStructures to remove sludge out of the scum trough and apply it to the drying beds.
- \$680 Mac's septic tank service for 3 loads of sludge from basin #2 to the digester.
- DWQ fines for April, May and June 2007. We have received the fines for April and May. I'm waiting for penalties for June to come in.
- Additional treatment cost to treat the higher BOD and TSS. (Cost to be determined) Until we were back in compliance we had to run all blowers at the plant to keep it from going septic. We normally run the plant on 20 to 40 horsepower per day but we had to run all of our blowers to keep the level to a point that the microorganisms wouldn't die. We had to run our 40hp, 30hp and two 20hp blowers, 24 hours for 2 months. This should result in a substantial energy cost for the additional hp.
- The plant numbers started to get back in compliance after the first week in June.
- Piedmont Biofuels have completed the industrial user wastewater survey and permit application. I will be meeting with DWQ to review this application and discuss the next step in the process of putting them on our pretreatment program. The next steps are as follows but are not limited to:
 - Issue an IUP (Industrial User Permit) to the facility requiring monitoring, limits and a slug/spill control plan.
 - Require the facility to use their oil/water separator to help pre-treat the waste before discharge. We will review this treatment unit and installation, O&M procedures, and issue them an authorization to construct.
 - They will be required to re-pipe their process so accidental spills cannot occur again.

Commissioner Walker said he was the one that asked this be on the agenda. He would like for John to take him back to the beginning. He is a little confused. He said the local paper came out and said that 150 gallons was spilled. He has seen two reports one from HydroStructures saying 5,000 gallons or greater and your report said potentially 15,000 – 20,000 gallons. So what happened; what went on. We need to get this thing clarified.

Mr. Poteat stated to determine the estimate they took the damage of our clarifiers; the amount of gum from the spill and we came up with about 7,000 – 8,000 gallons per clarifier and we have two of them. That is not taking into account how much was throughout the system at that time. That was a rough estimate they came up with. The reason we did it that way is because they had to find a legitimate way to come up with an estimate instead of just looking at it and guessing. We probably dumped with buckets 15- gallons out of our influent before we realized where it was coming from. We were tracing it back by going to manholes and lift stations. That is how we traced it back to Piedmont Biofuels. At that time he called Lyle and told him that we think we are getting a spill from them. Lyle called him back and said yes they had a leak, a valve was turned. I told him I would need a letter from him stating how much he spilled. That is where the 150 gallons came from. That was his estimate. But he had to get some sort of official statement from him (Lyle). He couldn't really tell him how much he thought it was until we did a plant tour, plant inspection and got DWQ involved. Several people have come up with that formula. We knew we were going to be in non-compliance.

Commissioner Walker asked Mr. Poteat if both he and HydroStructures are confident that it is over 5,000 gallons at least. Mr. Poteat said yes and that DWQ feels very comfortable saying that also. Commissioner Walker asked if it was glycol. Mr. Poteat said they got that term from Biofuels. Finding a lab to do glycol is pretty tough. To verify exactly what it is. At one time we received pure biofuel at the plant.

Commissioner Walker asked was this back In May. Mr. Poteat said they noticed it back in April.

Commissioner Walker asked didn't he say we started having issues back in January. Mr. Poteat stated it was late March. The white foam would come sometimes and sometimes it would be nothing. But by looking back at the data from the influent information from January after reviewing it you can pretty much pinpoint when those samples came in, because when we sample we do 24 hour composite sampling on influent coming into the plant and when those BOD levels jumped up, were usually the days we are not compliant.

Commissioner Walker asked if that was April and May. Mr. Poteat said yes. We should be getting fines for April, May and June. The plant is in compliance now but the first week in June it was not. To give you an idea of what is going out of the effluent at that time, our normal effluent is around 9 (oil & grease) if we have high flow and rain, but we had about 15,000 mgl oil and grease and greater than 300,000 mgl coming into the system at that time and that is with 350,000 – 400,000 gallons of water coming into the system. That is a lot of grease and oil.

Mr. Poteat stated the BOD limit at the plant is about 5 and we were getting fines for BOD levels of 70-80 to 1000.

Mayor Voller asked how much effluent we were treating on an average daily flow from January to June. Some of it is rainy season some was not, so what was our average.

Mr. Poteat stated the average per day is about 350,000 to 400,000 per day. When we get high flows into the plant it doesn't affect your bottom line normally because you may get a million gallons in one day but when you average that with 200,000 for 30 days you still get below the limits.

Mayor Voller said so you can get 1,000,000 gallons per day. Poteat said yes, if we have a storm event. Mayor Voller stated that would be infiltration. Poteat said yes stormwater infiltration. Mayor Voller said so do we know what the chemicals are coming into the plant through infiltration? Mr. Poteat stated you don't get many chemicals coming from rain water and it is so diluted you won't even notice it. Mayor Voller asked what if it is washing things off the road like oil and grease. Mr. Poteat stated that is normal occurrence, which is never an issue at the waste water treatment plant. The big issue when it rains is you are hydraulically overloaded not organically overloaded. Mayor Voller asked how we manage to handle that? Mr. Poteat said when you get rain events you just have to run the plant. Normally the levels will go up but your average will be within range.

Mayor Voller asked if we get 1,000,000 in per day and we can only treat 750,000 what happens to the 250,000. Mr. Poteat said it is treated along with the 750,000. Mayor Voller said but if it all happened in a one day period how can we treat what we can't treat. Mr. Poteat stated that's what you need to understand. You can still get treatment even though you get a million in. Your treatment is not as effective as when you are getting 200,000.

Mr. Poteat stated even after the 150 gallons they reported we continued to get the slug in after that date. About 15 more sample events came through the system. We are talking about one event with 150 gallons – one day – but it continued to come through until we had our meeting out there. Mayor Voller stated so what you are saying is it was a cumulative effect (the total amount). Mr. Poteat said yes it was a cumulative effect and a slug effect. It pretty much killed the plant (he referred them back to the estimated cost to Piedmont Biofuels). They had to run all the blowers just to give it air so micro organisms wouldn't die. Commissioner Walker asked if we lost any micro-organisms. Mr. Poteat said yes, that is where some of the hauling events came in at. They did not have to reseed the plant or we would be looking at a much larger total cost.

Mayor Voller what should have happened is that they have a pre-treatment protocol at the plant. Mr. Poteat said yes. Mayor Voller asked what the optimum situation is. Mr. Poteat stated we have to give them limits to discharge just like DWQ gives us. We have to look at what the general public discharges to the system and subtract that and come up with a number that we can allow them to discharge to us and that will be their limit. If they go over the limit we surcharge it and also if they go over the limit there can be fines involved.

Mayor Voller stated it is an unfortunate situation but they do have a system set up that is supposed to work, correct. Mr. Poteat said yes, but the samples that have come off that

system so far is 16,000 parts per million and we have to have it to get down to 200 before we can even consider it. Mayor Voller said if it had gone into Robeson Creek it could have been a lot worse. Mr. Poteat said it did. Mayor Voller said I thought it went in the digester first. Mr. Poteat said you can't get rid of all of it.

Commissioner Brooks stated he would assume the spill did a lot of damage to our filters. Mr. Poteat said yes it was in the filters and agitated sludge – but the walls of the filters were coated. Commissioner Brooks said he would assume that it had a very negative effect on our enzymes. Mr. Poteat said yes, that is the micro-organisms. Commissioner Brooks stated given that Robeson Creek is the poster child for impaired streams he is just so amazed that there has been so little in the news media. There has been almost no interest from our environmentalist friends. Mr. Poteat said they walked the stream and went all the way down and checked to see if any of this substance was accumulated in the streams, they did find some in the streams but it wasn't enough to hurt anything.

Commissioner Brooks asked what is the State doing to us. Mr. Poteat said right now we are being fined.

Commissioner Walker asked how much the fines are. Attorney Messick said approximately \$3,500 for April and May.

Mr. Poteat said we will probably get between a \$1,000 and \$1,500 fine for June. The second week in June everything went back down to normal.

Commissioner Walker asked about the damage to the clarifier. He stated just looking at the totals here. We are up to \$10,754. Is there a cost to repair the clarifiers?

Mr. Poteat stated the damage was the aggravated sludge in the clarifier. The clarifier still has some of this coating on there. Commissioner Walker asked is there still a chance we can have more fines off what is still in the system. If he is not mistaking this was a direct discharge into the sewer system and the lines underground. Do you think it has been pushed through the plant or do you think there is more out there? Mr. Poteat said they are sure there is more in the lines. The sewer manholes and lines are coated with this. Commissioner Walker asked if he thought we could get another fine on down the road. Mr. Poteat stated only if we get sewer overflows because of it. What will happen is the lines, are coated with it if it breaks apart in chunks it could clog the line and cause sewer overflows. That is what they are planning on doing now is going through with the jet machine we just purchased and start cleaning those lines real good.

Commissioner Walker said the estimate also mentioned 30,000 lbs of lime, how much did that cost? Mr. Poteat stated he does not have the price on that yet but he is thinking about \$6,000. Commissioner Walker so now we are up to about \$17,000.

Jay Johnston said what came to the plant was pure chemical and he would distinguish that between I/I event during a storm which is just very diluted waste. They are two very

distinctive events. The spill was a very damaging event to the plant and should not be taken lightly.

Lee Fuller works for Piedmont Biofuels. One thing he wants to clarify is the 150 gallons versus the other amounts. John came down to the plant with a sample and said we think this came from your plant and said does this look familiar? They said it did look familiar. They did some homework and talked to the folks operating the plant at the time and sure enough there was 150 gallons of glycerin which was released due to a faulty valve. So they wrote a letter to that extent. What happened from when they started producing until the day it happened? John came out with Stephanie from the State when they had been discharging their wash water. They make biodiesel and they clean it with water and what gets cleaned out is primarily soap. There is also a small amount of glycol in there which brings that BOD up. It is wash water, it is over 99.9% water but it does have some high BOD to it.

Jay Johnston said what they were getting at the plant was floating product they could dip it right off the water.

Lee Fuller said he brought some other samples down that were biodiesel which was stuck in the soap and had floated to the top. Before they ever discharged a drop of this stuff they spoke with John at the WWP and said here is what we are dealing with and is it okay to discharge this material. The answer was yes, go ahead but limit it to a couple hundred gallons per day, when the plant can handle it which is around 3 pm. That became their procedure. They did that for a couple of months and checked back in and said how is it going and would it be okay if they discharge a little more. The word was go ahead and discharge a little more so they started doing that. Staying within the limits that were set for them. Then the 150 gallons glycerin came through that was different, it was brown in color so it was very noticeable. That is what got noticed. That is what triggered the State coming out. They were told to stop discharging to the plant so they did that. They have been shut down and have been pumping and hauling that wash water ever since. They have done a lot of work on their pre-treatment system. They have gotten their BOD levels down but not well enough, but they are working on that.

Commissioner Walker said he is a little confused, they are talking about chemicals and you are talking about soap water. Someone needs to answer the question where the chemicals came from. He asked Mr. Fuller if they had this stuff on their property. Mr. Fuller said yes they have glycerin on the property. Commissioner Walker stated that is what was at the plant.

Jay Johnston said it was reported to him as glycol.

Mr. Poteat stated he wanted to clarify something too. 150 gallons of wash water was fine but what they noticed coming into our system was much more.

Commissioner Walker asked if this was a series of direct discharges over a period of time. Mr. Poteat said yes. Commissioner Walker stated somehow we went from soapy

water coming through the system to glycerin. Lee Fuller said it was a one time event. Commissioner Walker said it doesn't appear that way to him after talking to our engineers.

Mr. Poteat stated additional came in since the initial amount. He has received two calls of it coming into the plant on Saturday's. They logged it in the log book. The State witnessed it also and they think it was much more.

Lee Fuller stated their wash water has a high BOD. The glycerin slug was an accident. Commissioner Walker asked if it could happen again. Mr. Fuller said no it can't happen again. The pre-treatment process they put in includes an oil and water separator. This is a device that would catch that material. Commissioner Walker asked what caused it not to catch it the first time. Mr. Fuller said they did not have it in place. The wash water they have been discharging at three o'clock is mostly water. The methanol and soap and the bit of product (biodiesel) that was stuck in there with the soap is what made the BOD level high. Commissioner Walker asked you said your biodiesel went through the system. Mr. Fuller said yes.

Mayor Voller stated glycerin is the issue here. Commissioner Walker asked who pays the fines and fees.

Attorney Messick stated the Town pays the fine. Commissioner Walker asked can you pass them on to the company. Attorney Messick said yes and they will not be allowed to reconnect to the system until all the costs the Town has incurred have been paid.

Commissioner Walker asked Mr. Poteat to keep the board informed if he sees more of this coming to the plant.

Commissioner Walker asked Mr. Fuller if they got hooked back up, could he guarantee it wouldn't happen again. Mr. Fuller said it wouldn't happen again and they are not going to do anything until everyone is on the same page on this.

Commissioner Walker asked Catherine Deininger if this was a concern. She said yes, it bothers her. All she knew about this was that Lyle had told her about a month ago that the bugs had been killed at the plant. She is disturbed because of the aquatic critters which the creek is impaired for.

Mayor Voller questioned if we could have industrial property hooked up to our system.

Mr. Poteat said as long as they are given a portion of our allocation and make sure they don't exceed their portion. That portion will be in relations to what the normal public uses and the extremely high number. We may be able to give them more because they are the only industry in Town since Hydro Tube is gone.

Commissioner Walker asked so what they have to do is get their BOD down, right. Mr. Poteat said yes and we have to start a sampling program. Every six months or so we have to sample them and they have to do a self monitoring program.

Commissioner Cotten said he did see a sample of the materials and it was terrible.

NEW BUSINESS

PRESENTATION – WATER QUALITY TOWN LAKE FEASIBILITY STUDY BY KAREN HALL

NCSU Water Quality Group Town Lake Feasibility Study Report.

Ms. Karen Hall went over this following power point presentation:

Background

- Impoundment of Robeson Creek
- Approximately 15 acres(upper and lower lakes)
- Impaired for aquatic weeds (Parrot feather)
- Former water supply reservoir for Pittsboro
- Public concern for declined state of upper lake (water quality, aesthetics)

Study

- Historical data
- Water quality analysis, substrate analysis, and hydrogeomorphic survey of the lake
- Restoration alternatives for upper lake

Results

- Approximately 40,000 cubic yards of sediment accumulated in upper lake
- Phosphorous levels high
- Aquatic weeds infest entire upper lake
- Earthen dam in need of maintenance
- Spillway in need of repair
- 6 restoration alternatives suggested

Alternatives

- No Restoration
- Aquatic Weed Management

- Dam and Spillway Repair (only)
- Upper Lake Dredging with Dam and Spillway Repair
- Active Restoration
- Passive Restoration

Recommended Alternative:
Passive Restoration

- Conversion of upper lake to a more natural ecosystem with a channel, associated wetland floodplain, and diverse native vegetative community
- Continued recreational use (fishing, etc.)
- Improved water quality and habitat
- Minimal dam repair/retrofit
- Likely funding sources
- Estimated Cost: \$345,000

Other Alternatives

No Restoration

- Not recommended
- Cost: No short term costs

Aquatic Weed Management

- Recommended with all other alternatives
- Cost: Variable (potential funding available)

Dam and Spillway Repair (only)

- Repair earthen dam and broken spillway of upper lake only
- High analysis, design, and construction costs
- Continued sediment, water quality, and aquatic weed problems
- Unlikely funding sources
- Estimated Cost: \$960,000 and \$1,235,000

Upper Lake Dredging with Dam and Spillway Repair

- Combines dam and spillway repair of upper lake with various dredging options
- Minimum dredging: 15,000 cubic feet
- Maximum dredging: 60,000 cubic feet
- Increased lake depth, sediment capacity
- Higher costs
- Unlikely funding sources
- Estimated Cost: \$1,060,000 and \$2,135,000

Active Restoration

- Similar to passive restoration

- Conversion of upper lake to a more natural ecosystem with a channel, associated wetland floodplain, and diverse native vegetative community
- Earthwork is required to reconfigure the channel of Robeson Creek
- Improved water quality and habitat
- Minimal dam repair/retrofit
- Likely funding sources
- Estimated Cost: \$412,500

Summary

- Passive restoration approach recommended by NCSU
- “No Restoration” not recommended
- Repair/Dredging most expensive alternatives
- Aquatic weed management recommended
- If no alternatives are selected, dam and spillway will eventually have to be fixed

Commissioner Brooks stated Dr. Jacques is very concerned about the potential for Avian Flu.

Commissioner Cotten stated he is concerned about the mosquito problem.

Ms. Hall said earthen dams are not regulated by NC Dam Safety but the lower dam is regulated by NC Dam Safety. Right now Dam Safety is not going to come in and say you need to do this.

Commissioner Walker asked what percent of funding you are seeking.

Ms. Hall said 100% funding. She said if the Board is in agreement NC State can start looking for funding. They can start with the design process. NC State will do the design. They can work with the Town during the design process to incorporate items like Commissioner Brooks was talking about regarding dredging.

Motion made by Commissioner Brooks seconded by Commissioner Walker to move forward on this restoration as presented by Ms. Hall.

Attorney Messick stated unless you are absolutely positive you want to do the Passive Restoration you might want to let the public have input during the process. A stream is not a lake.

Commissioner Brooks stated we have the experts here. We need this done. Commissioner Walker stated he didn’t know if we had to have a public hearing but he would like to see the different option available to the public here at Town Hall.

Commissioner Walker asked how much will it cost for NC State Engineers to design the project. Ms. Hall stated engineers from NCSU will be doing the design at no cost to the Town.

Commissioner Brook stated the sooner we get a design the sooner we can apply for a grant. Ms. Hall said yes.

Vote Aye-4 Nay-0

MAGNETIC SEPARATION OF SOLIDS

Request for a Demonstration Project at the Wastewater Treatment Plant involving magnetic separation of solids.

Information submitted to the board regarding the process:

MagSep Demonstration Project
Pittsboro, NC

Introduction

The Town of Pittsboro owns and operates a wastewater treatment system which is currently treating approximately 450,000 gallons per day (GPD) of wastewater. During heavy rain events the flow will increase to over 1,000,000 GPD making treatment very difficult in terms of solids removal. The Town is currently considering an addition or expansion to the wastewater treatment system.

The MagSep Process is a system which removes solids efficiently and at a very fast rate thereby allowing solids removal at even very high wastewater flow rates. The Town is interested in evaluating the use of the MagSep Process at their wastewater treatment plant to determine if it may allow them better treatment at high flow rates and reduce their overall construction and operating costs. The following is a discussion of the MagSep Process and the proposed approach for a demonstration project at the Town's wastewater plant.

MagSep Process

The MagSep technology is an innovative and efficient high rate clarification method to separate solids from liquids. It is based on the process of seeding water with a non-toxic material that has ferromagnetic properties, attaching the wastewater solids to the magnetic seed material and then magnetically removing the combined seed and wastewater solid particle. Magnetic seeding is a proven technology and has been used in municipal wastewater and drinking water applications in the US, Australia, and Europe.

The MagSep system has significant advantages over other magnetic seeding technologies. For example, the Comag technology which has undergone extensive pilot testing and is now being installed in Concord, MA for wastewater treatment (4 MGD), relies on an electromagnet for the final collection of ferromagnetic flocs.

The electromagnet limits the solids collection thereby requiring the use of a pre-clarifier for solids removal. In addition, the system can not operate continuously as flow through the final collector has to be interrupted for cleaning.

Magnetic seeding has also been used in Australia for almost 20 years for drinking water applications and now is being modified for use in wastewater treatment applications. The Sirofloc process is similar to MagSep process but the Sirofloc process does not have a final magnetic collector and the magnetite is chemically cleaned with caustic.

The MagSep concept is similar to other ballast seeding technologies like Actiflo. The main difference is Actiflo uses microsand which acts as a ballast to allow rapid settling of the flocs while MagSep uses magnetite which acts as a magnetic seed. The magnetite (a ferromagnetic iron oxide), is added to the water and pollutant particles are attached to the seed material with a known and accepted flocculating polymer used in many water clarification applications. The flocs, which now have ferromagnetic properties (meaning they are attracted to a magnetic field), are removed from the water stream by a final permanent magnetic collector.

The flocs containing both magnetite and pollutant particles are sheared to separate them so the magnetite can be collected and reused. In this way, magnetite is not lost from the system and does not contribute in any significant way to more sludge or to adversely affect the properties of the sludge.

The advantages of magnetic seeding are size and cost. The residence time for the MagSep system is several minutes versus hours as required in a traditional circular clarifier. Also, the operation of the MagSep system is unaffected by floc floating or floc size.

Size and cost advantages make the MagSep system ideal for large flow municipal water treatment (wastewater and drinking water) applications.

Independent lab tests have been performed on the mixed liquor of the activated sludge system aeration tank for removal of suspended solids. These test results showed a reduction in solids concentration from 3,025 mg/l to 6 mg/l in less than 15 seconds of mixing. This is a solids reduction of over 99.8%.

Pilot Goals

The City of Pittsboro has agreed to participate in a pilot testing program to demonstrate the effectiveness of the MagSep system in solids separation and improving overall plant performance for consistent compliance with NPDES permit limits. The MagSep technology is suitable for most all water liquid/solid separation applications. Specifically, the MagSep technology will be tested for different applications in the wastewater treatment process performed at the Pittsboro Waste Water Treatment Plant (WWTP).

The City of Pittsboro operates a wastewater treatment facility that is capable of treating between 300,000 and 400,000 gallons of municipal wastewater a day. Originally, the facility was designed to process about 750,000 gallons per day when the discharge limits were less stringent. It is the goal to bring the plant capacity back up to the original design and permit limit.

The facility is a tertiary wastewater treatment system that includes initial screening, aeration for biological treatment, clarification, and final sand filtration. Presently, an engineering study is being conducted to modify the process to increase the treatment capacity to handle infiltration/inflow during wet weather events and to allow for future population growth. This study proposes modifying the present aeration process to increase the biological treatment capacity of the facility by converting the present secondary clarifiers to biological treatment and adding two new secondary clarifiers. Use of the MagSep technology is compatible with the present draft plan to increase the biological treatment capacity of the Pittsboro WWTP. However, the advantages of the MagSep approach are that the treatment capacity of the Pittsboro WWTP can be increased with little or no increase in footprint. This will save valuable space which currently will be used by the two new proposed clarifiers. It will also make it possible to further expand the capacity of the facility to meet future growth needs by modifying the present biological treatment process with advanced treatment methods.

Therefore the main goals of the Pilot project are to:

1. Evaluate the effectiveness and efficiency of wastewater treatment at different locations in the wastewater treatment process. The three locations are: (a) pre-aeration tank for influent wastewater, (b) downstream of the aeration tanks for total suspended solids removal, and (c) downstream of the secondary clarifiers for total suspended solids removal and improved tertiary filter performance.
2. Compare the results against the operation of a circular clarifier.
3. Determine the size of equipment needed for a permanent installation.
4. Determine the most suitable location of the technology in the process.
5. Estimate operating costs.
6. Evaluate MagSep in terms of performance, footprint, cost, flexibility and ease of operation.

Pilot Details:

Location: The pilot unit will be located at the Pittsboro WWTP and will be positioned near the head works. Water will be pumped from various locations in the process and returned back to the head works by gravity so that there is absolutely no impact on the ability of the Pittsboro WWTP to process sanitary wastewater. Temporary pumps and hoses to transport water to and from the MagSep system will be used. A sketch of the facility and the location of the MagSep system are attached.

Duration: The duration will be determined by the variability of the water quality at each location. The main influence on water quality will be wet weather events that will both increase the wastewater flow and dilute the wastewater strength. Therefore, it is proposed to operate for one week at each location during normal dry weather flow to establish a performance baseline. Then, the MagSep system should be operated during wet weather storm events that should last for about one day at each location.

Data Collection: Since the MagSep system is a high rate clarification technology, the most important data collected is the clarity of the water which is measured by total suspended solids (TSS) and turbidity. Therefore, during the test periods, the influent flow and the TSS and turbidity of the influent and effluent will be monitored to determine hydraulic and solids loading rates used in the sizing of the permanent MagSep system. Polymer usage, magnetite usage, and electrical power usage will also be monitored and evaluated for each loading condition to determine operating costs.

A test plan will be prepared, reviewed with plant personnel, and then finalized before the demonstration project begins. The test plan will list the samples to be collected and estimated frequency of sampling needed to develop the data.

Pilot Design:

The Pilot Unit is composed on one flocculation tank that contains components for the flocculation of seed material, final collection of ferromagnetic floc, and cleaning of ferromagnetic seed material. It is rated for a nominal capacity of 200 gpm but the actual capacity will be determined by the demonstration project. The unit has a 4' x 5' footprint and is 6' tall. It can be located on any flat surface that can support a total filled weight of about 4 tons. Under normal operation, water flows by gravity into and out of the unit but during the pilot test, pumps will be necessary to remove water from the existing system and after treatment, the water will flow back into the existing system by gravity. An auxiliary tank and dose pump will be needed to feed flocculating polymer into the process. The MagSep system contains three 230 volt, three phase motors that have a load of less than 10 amps.

Responsibilities: An agreement will be reached between Sulmet and the Town of Pittsboro to assign responsibilities along the general lines presented below.

A, Set up and break down of equipment - Sulmet

Data collection and analysis - Pittsboro

Financial – Sulmet/Pittsboro

System operation - Pittsboro

Final report preparation – Sulmet

Facility Access: Sulmet, LLC and TPT Coatings Inc. employees, regulators, and invited guests will be allowed free and easy access to the Pittsboro WWTP during normal operating hours of after hours as approved by the Utilities Manager to observe the operation of the Pilot Unit.

Vernon Tyson and Steven Cortes were present.

Mr. Tyson stated he has meet with the Mayor and Mr. Messick over the last two months concerning some new technology in North Carolina. He is requesting the board authorize them to bring in a couple small magnetic separating units at the sewer facility. The cost to the Town is zero. They will be working with the State of North Carolina to compile data.

He stated the information pulled out of the system is verified back to the Board. A lot of this technology is very far advanced. The first part is going in doing water clarification on the sewer side of the application. On the drinking water side it can cut down on TTHM's. He stated for every one gallon you can process today you would be able to process over 200 gallons for the same length of time. They have about 25 cities across the Piedmont area that are extremely interested in coming to your plant to look at what's going on.

They have also met with John and went in detail with him.

Even when they set up they will have to work with the State of North Carolina and make sure the data meets everyone's requirement.

Mayor Voller said we can take Pittsboro from where we have historically been with the water and wastewater process, to the cutting edge. What will you do for the Town of Pittsboro if we let you tie in to do testing?

Mr. Tyson said it seems favorable. They will have to build assembly plants for the technology. They are looking at the possibility of training people on this technology and doing some of the assembly in this area. It is so new they won't say they have all the answers because they don't. They will have scientists coming in from all over the world monitoring the sample. The cost will be very inexpensive. They think they can give us the capacity.

Mr. Tyson said if you approve this, the first box is already completed and the second one will be finished in about a week. If they meet all the legal requirements they could be up and running within the next two weeks and you can come down and see it for yourself.

Commissioner Brooks asked if he planned to do a program with the water plant as well. He said no not yet. They have talked with Siler City. They need to prove the program to the State.

Mayor Voller stated the bottom line is you need us to stick this box on our system to get this data to prove to the rest of the world that it works. What will you do for the Town of Pittsboro if we stick the box on our system and be the early adopter of this program? Mr. Tyson said probably we will lease you the box at cost which would be near to nothing. He wished he knew how much it was worth. Until they have tested it at the plant to get data and get approval from the State we can't give you a final answer.

Commissioner Walker stated he assumes you are talking about leasing the box after the demonstration. Mr. Tyson said yes. Commissioner Walker asked if his system would help with oil and grease and bio diesel. He stated this is a biological treatment problem and clarification problem. Their technology is mostly on clarification. They are a portion of the solution. Commissioner Walker asked what are the chances of you messing up our sewer system, and would you be willing to post a bond.

Mr. Tyson stated he understands the concerns, he has been in risk management. They would not do anything to disrupt the water coming into your system. All they want to be able to do is take the water on the front end and put it back in the clarifier system.

Commissioner Walker stated he would be for it if we could work out the details. But he feels we need some assurance/guarantee.

Steven Cortes said Randy asked what was in it for Pittsboro. He said the technology gives you a small way of treating a large volume of water.

Mayor Voller stated so the board can understand they have been meeting with him, John and Frank Efirm at the water plant. He was referred to Mr. Messick awhile ago. It has been six or seven months of discussion before bringing it to the board.

Attorney Messick stated if the board is interested in pursuing this he thinks they should coordinate the study with John, Town Staff and Town Engineers and that they indemnify the Town with adequate security for any loss or damage as a result of the study being done. Previously they agreed to all that. Mr. Tyson said they do.

Motion made by Commissioner Brooks seconded by Commissioner Walker to move forward with the provisions that Mr. Messick outlined. That the study be coordinated with John, Town Staff/Engineers and they indemnify the Town with adequate security.

Vote Aye-4 Nay-0

Motion made by Commissioner Walker seconded by Commissioner Bryan to take a five minute break.

Vote Aye-4 Nay-0

Motion made by Commissioner Walker seconded by Commissioner Cotten to go back into the regular meeting.

Vote Aye-4 Nay-0

Motion made by Commissioner Walker seconded by Commissioner Brooks to move #14 as the next item of discussion.

REQUEST FROM CHATHAM COUNTY FAIRGROUNDS

Request from Chatham County Fairgrounds Association to close Thompson Street for parade.

Ms. Margie Ellison was present to request that Thompson Street be used for the parade Chatham County Fairgrounds Association is planning to have on September 11, 2007, the opening day of fair. They are also going to use this time to honor Fire, Police and EMS. It will be to honor those who serve. It will begin at 6:00 p.m. and last approximately one hour.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to approve the parade route for Chatham County Fairgrounds Association and that Springdale Drive be temporally opened up doing the parade because they would not have any other access.

Vote Aye-4 Nay-0

COMMERICAL SITE PLAN KFC/TACO BELL

Request for approval of a Commercial Site Plan for KFC/Taco Bell at Bellemont Station (out parcel in front of Lowe's Home Improvement.

Planner Monroe stated the Planning Board reviewed the application of Luihn Food Systems to locate a fast food restaurant on the .71 acre Outparcel B in front of Lowe's Home Improvement. The Board examined the issues noted in his memo and noted that the applicant had replied affirmatively to them. They are listed below:

There are a number of changes and clarifications which should be made before the Board considers a recommendation of approval.

- The notes referencing the FEMA Flood maps should be revised to refer to map number 3704209752J, with an effective date of July 13, 2005.
- The notes referring to Watershed should identify the tract in the WS IV PA and subject to the overlay district conditions thereto.
- Note 14 on all pages should be amended to indicate that three (3) copies of "As Built" drawings shall be submitted to the Town Planner before an occupancy permit is sought.
- The northwestern-most parking space encroaches on the adjacent parcel. This feature should be correct or an encroachment agreement with the adjoiner should be filed with the town.
- Note 7 on sheet C-2 indicates that the page contains asphalt pavement detail, but it does not; this should be corrected.
- Note 3 on page C-2 indicates that a white stripe separates traffic in the drive through lane and the adjoining access lane. The plan would benefit by narrowing the throat of the vehicle access to 12 feet, curbing the arc to stacking space 5 and vegetating the area formerly shown as driveway.
- Note 8 refers to the need to provide a masonry screen to the dumpster area. Visual profile details should be provided to demonstrate that the masonry screen coordinates with the building design and that the building design conforms to the visual aspect of the outparcels at Bellemont Station.

- Note 11 indicates that curbing is intended on the west side of the parking area in front of the building, details of the curb design should be included on the plan.
- Topographic detail provided is insufficient to assess the stormwater management plan. There is no identification of how this site will function in relation to the stormwater management system in place on the Belmont Station property. This information will need to be clarified before a building permit is released.
- There is no indication of the amount of impervious surface proposed by this plan and that must be corrected.
- No loading space is shown; the application must identify how deliveries will be handled.
- The first floor finished elevation is not identified; this must be rectified.
- Water main detail is not identified and the location of the nearest hydrant is not shown; these details must be added.
- Gas, Power and Telephone details are not shown; this information should be supplied to the town before a building permit is sought.
- A Lighting Plan must be submitted to the town before a building permit is sought.
- A Soil Erosion, Sediment Control Plan must be approved by the state before a building permit is released.
- There is no landscaping shown between the parking lot and Highway 15-501; this detail could be improved. In fact, the entire landscaping plan could be enhanced to the benefit of the property and the business.

There was some discussion about the appearance of the building with the intention of having it visually relate to the Lowe's and Mr. Spoon's building. The applicant agreed to provide elevations to him for approval before trying to obtain a building permit.

There was also some discussion about the desire to see landscaping provided adjacent to the Hwy 15-501 right of way in order to soften the view. The applicant agreed to incorporate landscape details and to provide assurance that any planted materials would be maintained in a living condition.

The Planning Board recommended approval conditioned upon revising the plan and satisfying the conditions in his memo.

The site plan that was in the agenda packet has been revised to reflect all of the conditions required by the Planning Board with the exception of the note seeking a revision of the layout of the drive thru lane with the installation of a curbed arc to vehicle spot 5 and a reduction to the throat of the driveway.

Commissioner Walker asked about the screen. Planner Monroe stated the trees will be 10 feet tall when they are planted.

Mayor Voller asked about the traffic light. Planner Monroe stated it would be installed late August or early September.

Planner Monroe is to get the building plan before he issues a building permit.

Motion made by Commissioner Walker seconded by Commissioner Cotten approve the Commercial Site Plan KFC/TACO Bell subject to the note seeking a revision of the layout of the drive thru lane with the installation of a curbed arc to vehicle spot 5 and a reduction to the throat of the driveway. Vote Aye-4 Nay-0

CREDLE STREET BASIN REHAB PROJECT

Request to approve Credle Street Basin Rehab project

Jay Johnston stated he has put together a good turnkey project with a cost of \$224,000 for the Town. This is \$24,000 more than previously committed. He would like to ask the Town to approve \$235,000 (to include \$11,000 for contingencies).

Motion made by Commissioner to approve as defined by Jay Johnston seconded by Commissioner Walker.

Commissioner Walker asked if we have the funds and asked how much we have put into sewer rehab. Mr. Johnston said about \$400,000.

Attorney Messick stated that he and Ms. Lloyd would make that determination this week.

Vote Aye-4 Nay-0

POLICE VEHICLES

Request from the Chief of Police to purchase two police vehicles.

Chief Collins was present to request approval to purchase two new police vehicles. He received two bids one from Pittsboro Ford in the amount of \$31,312.00 and one from Phillips Ford in the amount of \$29,646.12; they both include a 5 year/99,000 miles maintenance agreement.

Chief Collins stated it has been great working with Phillips Ford and would recommend that the new vehicles be purchased from them as the low bidder.

Motion made by Commissioner Cotten seconded by Commissioner Brooks to approve the purchase from Phillips Ford with the maintenance agreement.

Vote Aye-4 Nay-0

REIMBURSEMENT AGREEMENT WITH NCDOT FOR PHASE 11A OF THE US 64 CORRIDOR STUDY

Request to approve Reimbursement Agreement between the Town of Pittsboro and NCDOT for Phase IIA of the US 64 Corridor Study.

Planner Monroe stated last fiscal year the Board agreed to participate in the Phase 2 study for the 64 Corridor between US 1 in Wake County and 15-501 in Pittsboro. DOT is about to execute a contract with the consultant and wishes the parties to adopt the agreement. He has represented the town in the Phase 1 study and was part of the selection team which picked the consultant.

Motion made by Commissioner Walker seconded by Commissioner Cotten to approve the agreement with NCDOT. Vote Aye-4 Nay-0

Copy of Agreement:

THIS AGREEMENT is made and entered into on the last date executed below, by and between the NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, an agency of the State of North Carolina, hereinafter referred to as the DEPARTMENT, the CITY OF RALEIGH, acting on behalf of the CAPITAL AREA METROPOLITAN PLANNING

ORGANIZATION; hereinafter referred to as RALEIGH; the TOWN OF CARY, hereinafter referred to as CARY; the TOWN OF APEX, hereinafter referred to as APEX; the TOWN OF PITTSBORO hereinafter referred to as PITTSBORO; WAKE COUNTY; and CHATHAM COUNTY.

WITNESSETH

WHEREAS, the parties hereto have determined the need to conduct transportation corridor planning study of US 64, generally between US 1 in Wake County and the Pittsboro Bypass in Chatham County. The purposes of this study are development, for implementation, of a prioritized and detailed transportation plan sufficient to meet the existing and anticipated future travel demand needs in this area that is in agreement with the recommendations of the US 64-NC 49 Corridor Study – Phase I Report and the DEPARTMENT's Strategic Highway Corridor initiative. This study will serve as the basis for coordinating land development and transportation policies and activities; and,

WHEREAS, the parties hereto have agreed in principle to jointly participate in funding the cost of retaining a mutually selected qualified consultant firm, URS Corporation – North Carolina, to conduct this corridor study and develop the detailed transportation plan; and,

WHEREAS, the parties hereto have agreed in principle that this study shall be funded in an amount not to exceed \$550,000.00 (Five Hundred Fifty Dollars), specifically at the participation levels stated in paragraph 3 below; and,

AND, WHEREAS, the parties hereto have agreed that the DEPARTMENT, in its role as the State's transportation agency, shall serve as the lead for coordination and oversight of the development of the plan in accordance with the provisions hereinafter set forth.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of each other as herein provided, do hereby covenant and agree, each with the other as follows:

1. The DEPARTMENT, acting on behalf of RALEIGH, CARY, APEX, PITTSBORO, WAKE COUNTY, and CHATHAM COUNTY, shall execute an agreement with URS Corporation –North Carolina. The total amount of this agreement shall not exceed, \$550,000 (Five Hundred Fifty Thousand Dollars), and shall be for the purpose of preparing a coordinated detailed transportation plan, suitable for implementation by the study sponsors and others as appropriate. This plan shall reflect and support the development objectives of the corridor's individual communities, the US 64-NC 49 Corridor Study – Phase I Report, and the DEPARTMENT's Strategic Highway Corridors initiative.
2. All tasks shall be performed in accordance with Departmental, state and federal policies, procedures, and specifications. All tasks shall be performed as specified in the attached Scope of Work established by the parties to this Agreement. The projected completion date shall be December 31, 2008.
3. The DEPARTMENT, RALEIGH, CARY, APEX, PITTSBORO, WAKE COUNTY, and CHATHAM COUNTY shall each participate in and make payment for its share of the US 64 Corridor Study – Phase IIA cost at the following participation levels:

DEPARTMENT Dollars)	-56.36%; \$310,000 (Three Hundred Ten Thousand maximum
RALEIGH Thousand	-33.64%; \$185,000 (One Hundred Eighty Five Dollars) maximum
CARY maximum	-2.73%; \$15,000 (Fifteen Thousand Dollars)
APEX	-4.55%; \$25,000 (Twenty Five Thousand Dollars) maximum
PITTSBORO	-0.91%; \$5,000 (Five Thousand Dollars) maximum
WAKE COUNTY	-0.91%; \$5,000 (Five Thousand Dollars) maximum

CHATHAM COUNTY

-0.91%; \$5,000 (Five Thousand Dollars) maximum

4. The DEPARTMENT will invoice each party to this Agreement based on the actual cost of the study as outlined in the participation percentages defined in paragraph 3 of this Agreement. Invoices will be sent quarterly (April, July, October, January) to each party based on work completed during the previous quarter. A final invoice will be sent upon the completion of study. Each invoice shall be based on expenditures by percent of the participation levels defined in paragraph 3 of this Agreement. Unless the Agreement is amended by the above parties, the cost of the study shall not exceed \$550,000 (Five Hundred Fifty Thousand Dollars).

- a. The DEPARTMENT will bill RALEIGH, CARY, APEX, PITTSBORO, WAKE COUNTY, and CHATHAM COUNTY by submitting an itemized invoice, along with proper supporting documentation. Reimbursement to the DEPARTMENT shall be made within 30 days of receipt and upon review and approval of said invoice by RALEIGH, CARY, APEX, PITTSBORO, WAKE COUNTY, and CHATHAM COUNTY.
- b. Reimbursements shall be submitted to the DEPARTMENT at the address indicated on the invoice within 30 days of receipt.
- c. In the event the Municipality's and/or County's fail for any reason to pay the DEPARTMENT in accordance with the provisions for payment hereinabove provided, North Carolina General Statute 136-41.3 authorizes the DEPARTMENT to withhold so much of the Municipality's share of funds allocated to said Municipality's and/or County's by North Carolina General Statute, Section 136-41.1, until such time as the DEPARTMENT has received payment in full.
- d. In accordance with OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations" (www.whitehouse.gov/OMB/circulars/a133/a133.html), dated June 27, 2003 and the Federal Single Audit Act Amendments of 1996, the MPO shall arrange for an independent financial and compliance audit of its fiscal operations. Upon request, the DEPARTMENT shall furnish RALEIGH, CARY, APEX, PITTSBORO, WAKE COUNTY and CHATHAM COUNTY with a copy of the independent audit report within thirty (30) days of completion of the report, but not later than nine (9) months (March 31st) after the MPO's fiscal year ends.

5. The DEPARTMENT shall maintain all books, documents, papers, accounting records, and such other evidence as may be appropriate to substantiate costs incurred under this Agreement. Further, the DEPARTMENT shall make such materials available at its office, for inspection by RALEIGH, CARY, APEX, PITTSBORO, WAKE COUNTY and CHATHAM COUNTY, at all reasonable times during the contract period, and for five (5) years from the date of final payment under this Agreement. The DEPARTMENT shall furnish at least two (2) copies of the

final corridor study report to RALEIGH, CARY, APEX, PITTSBORO, WAKE COUNTY and CHATHAM COUNTY.

6. To the extent authorized by state and federal tort claims statutes, each party shall be responsible for its respective actions under the terms of this Agreement and shall save harmless the other parties from any claims arising as a result of its actions.

IT IS UNDERSTOOD AND AGREED that the approval of the US 64 Corridor Study—Phase IIA Engineering Services Agreement with URS Corporation — North Carolina is subject to the conditions of this Agreement and that no expenditure of funds on the part of the DEPARTMENT shall be made until the terms of this Agreement have been complied with on the part of the DEPARTMENT, RALEIGH, CARY, APEX, PITTSBORO, WAKE COUNTY, and CHATHAM COUNTY.

**NC PARKS AND RECREATION TRUST FUND CONTRACT PO8082
FOR PITTSBORO RECREATION COMPLEX**

**Request to approve NC Parks and Recreation Trust Fund Contract PO8082 for
Pittsboro Recreation Complex.**

Motion made by Commissioner Cotten to table this item until the September 10, 2007 meeting. There are a number of discrepancies in the contract. Seconded by Commissioner Brooks. Vote Aye-4 Nay-0

MODULAR BUILDING

Consideration of Proposal to Purchase Modular Police facility.

Motion made by Commissioner Cotten to approve the purchase of the modular facility. He checked with the Company and the price is good for 6-8 weeks. Commissioner Brooks seconded the motion to get it on the floor.

Commissioner Cotten stated we are outgrowing this building and the Police Department needs adequate space.

Commissioner Brooks stated this would not be his first choice but it sounds like something we can afford.

Commissioner Walker stated he is not in favor of it.

Mayor Voller stated he thought this was on hold until we had a Manager.

Commissioner Cotten stated he did not think they will extend the price again.

Vote Aye-2 Brooks/Cotten
Nay-3 Bryan/Walker/Voller

RECREATIONAL FACILITIES AT JORDAN LAKE

Presentation by Commissioner Brooks on Recreational Facilities at Jordan Lake

Commissioner Brooks made a presentation on the recreational facilities at Jordan Lake and handed out brochures to the board and attendees.

After Commissioner Brooks presentation he made a motion to send a Resolution to the County strongly urging them that Jordan Lake be included in their New Recreational Master Plan and that they make every effort to utilize these facilities and that it be sent to EDC, seconded by Commissioner Walker.

Vote Aye-4 Nay-0

TENNIS COURT USAGE AND SCHEDULING POLICY

Consideration of Pittsboro Tennis Court Usage and Scheduling Policy.

Commissioner Cotten stated he would also like to suggest another revision to see how the board feels about it. He would suggest that we put in a rule no tournaments or classes will be taught on Saturday or Sunday because that is when the working people will be using the tennis courts.

Commissioner Walker asked what is the definition of “children”. It was the consensus of the Board that it a child would be under 12.

Motion made by Commissioner Walker seconded by Commissioner Bryan to approve the Tennis Court Usage and Scheduling Policy dated 6/07 to include that a child under the age of 12 should be accompanied by an adult. Vote Aye-4 Nay-0

TAX COLLECTOR’S SETTLEMENT

Tax Collector’s Annual Settlement.

Percentage of Collection:

Real & Personal Property	98.65%
Public Utilities	100.00%
Registered Vehicles	89.78%
All groups	97.92%

Motion made by Commissioner Brooks seconded by Commissioner Bryan to send a letter of appreciation to Ms. Frances Wilson and Staff for the good job in collecting our taxes.

Vote Aye-4 Nay-0

REQUEST FROM CATHERINE DEININGER

Consideration of a request from Catherine Deininger to be recommended for attendance on behalf of the Town at DWQ Stream Identification Class on behalf of the Town.

Motion made by Commissioner Brooks seconded by Commissioner Walker to recommend Catherine Deininger attendance on behalf of the Town at DWQ Stream Identification Class.

Commissioner Cotten asked how many slots we are entitled to. He feels a town employee should also go. Planner Monroe stated there will be other opportunities for town staff to attend.

Vote Aye-4 Nay-0

Mayor Updates

- EDC – meeting tomorrow
- RPO
- Solid Waste
- Fairground Association
- PMA/Downtown

COMMISSIONER CONCERNS

Commissioner Cotten stated he has prepared a final report of the review of files from Mr. Misenheimer's office. The report is as follows:

FINAL REPORT – REVIEW OF MISENHEIMER FILES

I have completed the second review of the files. In addition to items previously reported, the following findings were made:

1. An amendment to contract with Toll Brothers prepared by HUA was found. It was not acted on by Toll Brothers nor was it presented to the Board of Commissioners.
2. I prepared one hundred forty-four files which I felt the new manager might need sometime in the near future.
3. Four folders were turned over to Mr. Messick because of potential legal matters.
4. During the second review I put in two green recycling boxes the following:
 - a. Duplicate copies of agenda items.
 - b. Numerous e-mails generated by and received by Mr. Misenheimer which would have no meaning to anyone else. My favorite was "shall we get together for coffee?"

c. Multiple copies of agenda items and advertising.

These boxes are still in the office for review by any of you. I suggest if you are going to do this you do it soon so they can be removed prior to the arrival of the new manager.

Commissioner Brooks acknowledged the letter from Carolyn Elfland.

Mayor Voller stated he think the letter should be made public. He would like it placed on the website.

Commissioner Brooks stated we should invite the Professor from Chapel Hill to come see the Pilot program that we approved tonight.

Mayor Voller stated he has received concerns from residents in Potterstone Village about the smell given from some chemical at the Chicken Plant. They have called EPA. They also have concerns regarding speeding.

Attorney Messick stated Commissioner Cotten had requested that Pittsboro Place be on the agenda for tonight but since we have not approved the minutes from the public hearing and Commissioner Walker was not present for the second one (although he could listen to the tapes), he did not know the wishes of the Board. He asked if they would like it on the next agenda since there are going to be so many other things on it, or put it on the September 10 meeting.

Commissioner Cotten stated he would like to see it resolved as quickly as possible.

Mayor Voller stated there are no time requirement involving zoning cases.

Commissioner Cotten stated one of the reasons he wants it resolved is because of emails and phone calls.

Attorney Messick stated the developer would like to have it on the agenda also.

Mayor Voller stated it is his feeling if we are going to put it on the agenda it should be held in the Superior Courtroom because you are going to have interested people wanting to attend.

Commissioner Cotten stated we are not going to have people speaking at that time.

Mayor Voller stated he thinks the vote should be in front of the public.

WORKSESSION

Attorney Messick stated he had gotten some responses for the work session with Hobbs and Upchurch. The Board agreed on August 29, 2007.

FYI

- Jordan Rules Comment Period Extension
- Letter from Carolyn W. Elfland
- 2009-2015 State Transportation Improvement Program Project Requests
- Letter from Governor Easley regarding LUCA program

Copy of letter from Ms. Elfland:

Dear Mayor and Commissioners:

I am writing with regard to the water quality issues with the Town of Pittsboro's potable water, specifically the high trihalomethane (TMH) levels and the discussion of changing from free chlorine to chloramine for disinfection to remediate the TMH problem.

I work for the University of North Carolina at Chapel Hill, and one of my responsibilities is the utility systems, including potable water. You may have heard of the recent problems with high levels of lead in the water in four new or newly renovated buildings on the campus. I was responsible for leading the University's response to this problem.

In summary, the problem on the campus was caused by lead leaching from new brass plumbing fixtures and fittings, and was related to OWASA's use of chloramine rather than free chlorine for disinfection. This phenomenon (leaching of lead in the presence of chloramine that does not occur in the presence of free chlorine) was discovered only about 4 years ago. Chloramine can affect not only brass in plumbing systems but also lead solder and lead service lines. The impact is not predictable, and varies widely from one water system to another depending upon other factors in the water such as the underlying source of the water, the pH, and the corrosion inhibitor(s) used. The only prudent course of action to protect human health is to have an experienced consultant conduct tests utilizing brass, lead solder on copper, and lead pipe and the local water utility's own raw water treated with various combinations of chemical constituents. Traditional testing using lead pipe only will not reveal the problem with brass and lead solder.

In one city that switched from free chlorine to chloramine for disinfection, lead levels in the drinking water in some homes were measured in the 20,000 to 40,000 ppb range. By contrast, the EPA action level for lead is 15 ppb, and over 5,000 ppb is considered hazardous waste. In other cities, lead levels have more commonly been elevated up to 300 ppb. Children have been poisoned in many locations, including in cities in North Carolina.

I don't know if the Town of Pittsboro has had a program to remove all lead piping or not. Clearly there are homes in Pittsboro that were constructed when lead solder was used, and clearly there are homes in Pittsboro with new brass plumbing fixtures. I urge you not to inadvertently trade a borderline THM problem for a serious lead problem by

making the switch to chloramines without appropriate advance testing by qualified consultants familiar with this relatively new phenomenon.

I would be happy to talk with any consultant the Town of Pittsboro retains to manage the change from free chlorine to chloramines, if that would be useful. You can find much of the information regarding the University's problem on the Department of Environment, Health, and Safety's website: <http://ehs.unc.edu/healthy/water.shtml#lead>

Thank you for your consideration of this request.

CLOSED SESSION

Motion made by Commissioner Brooks seconded by Commissioner Cotten to go into closed session pursuant to GS 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of the Manager for the Town of Pittsboro.

Motion made by Commissioner Cotten seconded by Commissioner Brooks to go out of closed session.

Vote Aye-4 Nay-0

ADJOURNMENT

Motion made by Commissioner Cotten seconded by Commissioner Brooks to adjourn.

Vote Aye-4 Nay-0

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk