

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
MARCH 11, 2002  
7:00 P.M.

Mayor Nancy R. May called the meeting to order and gave invocation.

ATTENDANCE

Members present: Mayor Nancy R. May, Commissioner Max G. Cotten, Burnice Griffin, Jr., Chris Walker, Clinton Bryan, Jr. and Gene T. Brooks.

Others present: Manager Hugh Montgomery, Clerk Alice F. Lloyd and Attorney Paul S. Messick, Jr.

DISPOSITION OF MINUTES

Motion made by Commissioner Bryan seconded by Commissioner Cotten to approve the minutes of the March 11, 2002 regular meeting.

Vote Aye-5 Nay-0

CITIZENS MATTERS

Paul McCoy, Chairman of the Chatham County Farm Bureau requested that a public hearing for a rezoning request from them to be placed on the agenda for the March 25, 2002 meeting.

The Farm Bureau owns approximately one acre of real estate adjacent to their present office. The property is currently zoned R-12 and they would petition the Board to have the property rezoned to O & I. If rezoned to the O & I district they would be able to expand their office to better serve the public and their customers.

Motion made by Commissioner Brooks seconded by Commissioner Walker to schedule a public hearing on the rezoning request from Farm Bureau for the March 25, 2002 at 7:00 p.m.

Vote Aye-5 Nay-0

## REZONING REQUEST H & H ENTERPRISES

Manager Montgomery stated we have received a rezoning request from John Huffsteller of H & H Enterprises to rezone approximately one-third acre that is currently R-10 to O & I. The Planning Board reviewed this matter at their March 4, 2002 meeting and recommended favorable consideration to the request.

Motion made by Commissioner Bryan seconded by Commissioner Walker to approve the rezoning request from H & H Enterprises to rezone approximately one-acre of property presently zoned R-10 to O & I. Vote Aye-5 Nay-0

A COPY OF THE APPROVED REZONING APPLICATION IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES

## ZONING ORDINANCE MAP AMENDMENT

Motion was made by Commissioner Cotten seconded by Commissioner Bryan to approve the Ordinance Amending the Zoning Ordinance to the Town of Pittsboro Regarding Major Transportation Corridors with a change to 1(a) .....NC 87 and SR 1012 instead of NC 902 and SR 1012. Vote Aye-5 Nay-0

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF PITTSBORO REGARDING MAJOR TRANSPORTATION CORRIDORS IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES

## ENGINEERING/ASSOCIATED SERVICES WATER REUSE AND REUSE PUMP STATION & FORCE MAIN

Manager Montgomery stated a review committee, consisting of Mr. Ron Singleton, PE, Mr. Wally Jenkins, Pittsboro Water Resources Director and he reviewed proposals submitted per our RFP and conducted interviews with three firms. They are Hobbs, Upchurch and Associates, Diehl and Phillips/Hydrostructures and Kimberly-Horn and Associates. The firms were ranked on ten items ranging from similar experiences to time schedule and reputation. Mr. Bill Kopp, PE and Mr. John Lowery – 3 M Project Manager were on hand for several of the interviews.

The results of the rankings are Hobbs, Upchurch 3.07, Kimberly-Horn 3.45 and Diehl & Phillips/Hydrostructures 3.63. Therefore he is requesting permission to negotiate on behalf of the Town of Pittsboro with Diehl & Phillips/Hydrostructures engineering services associated with the Water Reuse Project and the Water Reuse Pump Station and forcemain. Upon completion of the negotiation a contract for services will be prepared for the Board's review and consideration.

Motion made by Commissioner Brooks seconded by Commissioner Cotten to authorize the Town Manager to negotiation of a contract for services with Diehl & Phillips/Hydrostructures. Vote Aye-5 Nay-0

Manager Montgomery stated he would have them to prepare a contract (with the approval of the Town Attorney) and have it at the March 25, 2002 meeting for review.

#### AGREEMENT WITH NCDOT – BRIDGE INSPECTION

Motion made by Commissioner Cotten seconded by Commissioner Griffin to approve the Agreement with NCDOT to re-inspect and analyze bridges on the Town of Pittsboro Street System with the NCDOT to assume 80% of the Project Cost.

Vote Aye-5 Nay-0

AN AGREEMENT WITH NCDOT TO FOR REINSPECTION OF BRIDGES ON THE MUNICIPAL STREET SYSTEM F A PROJECT BRZ-NBIS(10) IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES

#### SIDEWALK ENHANCEMENT PROJECT

Mayor May stated we had received a response from NC Department of Transportation regarding the reduction in the scope of our Transportation Enhancement Grant to eliminate the construction of sidewalks on Pittsboro Elementary School Road.

Motion made by Commissioner Cotten to direct the Manager to proceed to implement all of grant one which includes East Street and Pittsboro Elementary School Road, seconded by Commissioner Walker.

Commissioner Bryan asked if the motion was including from Wicker Mart and coming on around.

Commissioner Cotten stated right and to come back to business 64.

Commissioner Bryan stated this is the one that those folks did not want – right.

Commissioner Walker stated that's correct.

Commissioner Cotten said but he also lives on that street and owns about 270 feet of property that will be impacted with it.

Commissioner Walker asked permission from the Mayor to read a prepared statement. (A copy of the statement is attached the minutes of this proceeding and also in the Book of Resolutions.)

Commissioner Bryan said he only had one comment – no money is free – it’s yours and mine.

Commissioner Brooks stated he wanted to set a few things straight on the land use plan and several other things. Sidewalks have been torn up in Town and have not been replaced (walkable sidewalks) and here you want to install sidewalks where the people don’t want them. When you have torn them up in areas where people did want them. There are plenty of sidewalks in this community that needs repair right now. You have to get out in the street if you want to walk. I expect I walk more on these sidewalks than anybody sitting up here. Think he could find ample citizens to agree with that. Democracy is suppose to protect the minority as well as the majority and he does not intend to vote for it.

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

PHASE 2 SIDEWALK ENHANCEMENT GRANT

Manager Montgomery had the following information regarding costs to implement Phase 2of the Sidewalk Enhancement Grant:

Proposed Expenditures for Enhancement Grant #2

Expenditures

- Sanford Rd. – Magnolia Trace to E. Cornwallis
 

Construction of sidewalk, curb and gutter	\$ 28,610.00
Engineering, design, contract administration & inspections	\$ 4,005.00
Total	\$ 32,615.00
  
- Thompson Street – Hillsboro Street to Dr. Martin Luther King, Jr. Drive
 

Construction of sidewalk, curb & gutter	\$174,410.00
Engineering, design, contract administration & inspection	\$ 24,417.00
Total	\$198,827.00
  
- Dr. Martin Luther King, Jr. Drive to East Street
 

Construction of sidewalk, curb and gutter	\$ 19,930.00
Engineering, design, contract administration & inspection	\$ 2,790.00
Total	\$ 22,660.00

Revenues

- NC DOT Enhancement Grant \$155,000.00
  - Town – Powell Bill Fund Balance and Recreation Funds \$ 99,102.00
- \$254,102

Motion made by Commissioner Walker seconded by Commissioner Cotten to proceed with Phase 2 of the Enhancement Grant.

Vote Aye-5 Nay-0

10/70

Manager Montgomery was requesting a public hearing to amend the Town of Pittsboro Zoning Ordinances relating to Watershed Protection:

- a. Article 5.5.10,
- b. Article XII, “Legal Provisions”
- c. A Special Use Permit for 10/70 Development 5.3.3.65
- d. Amend the Budget Ordinance for FY 2001-2002 to include Section V, “General Fund Fees and Charges”, C.l.j to include the Watershed Protection Fee for Use of the 10/70 Development Standard

Manager Montgomery stated the Planning Board has reviewed these amendments and gave a favorable recommendation.

Motion made by Commissioner Brooks seconded by Commissioner Walker to table this until the Board has been able to compare this with the State Model.

Commissioner Walker stated it seems like a good thing but he would like to see how it fits together – put some time into this.

Commissioner Brooks stated the following were some of his questions – he is trying to understand.

1. Special Use Permit – It looks to him like every piece of commercial property would require a Special Use Permit.
2. Do we want to add or leave unprotected area in the ETJ.
3. Setback distance.
4. Don’t understand how the fee is calculated – where the .61 comes from.
5. Penalties.



## CLOSED SESSION

Motion was made by Commissioner Bryan seconded by Commissioner Griffin to go into closed session as provided by NCGS 143.11.a.6 for the discussion of the qualifications and conditions for employment of a public employee and that Mr. Hinkley stay for the closed session.  
Vote Aye-5 Nay-0

Motion made by Commissioner Bryan seconded by Commissioner Griffin to go out of closed session.  
Vote Aye-5 Nay-0

## COMMISSIONER CONCERNS

Manager Montgomery stated he has not have a response from Charlie Horne regarding the letter dated March 5, 2002.

## SPECIAL MEETING

Motion made by Commissioner Brooks seconded by Commissioner Walker to set a joint meeting with Chatham County Board of Commissioners for April 8, 2002 at 5:30 p.m.  
Vote Aye-5 Nay-0

Commissioner Cotten stated we need an agenda for that meeting.

Commissioner Brooks had the following items he felt needed to be discussed with the County and the rest of the Board agreed.

- Update of the Grant for Reuse – would like to now the particulars on that grant.
- Provide them with a list of all non-taxable within the Town of Pittsboro.
- Would like to talk about why the Town of Pittsboro was not included in the Countywide Recreation Plan.
- In October 1990 there was a joint meeting between, Chatham County, Town of Pittsboro, Siler City and Goldston - the purpose of the meeting was to get together and share ideas and try to work together, at that time it was decided that we would continue on a regular basis having these meeting. But we haven't met again. Would like to see if they would be interested in getting together on a regular basis.
- Manager Montgomery stated he felt Solid Waste as a whole should be discussed. Commissioner Cotten stated they had a study done a year ago. Would like to have the results of the study.

Commissioner Brooks asked that a letter from the Principal at Northwood High School be included as a part of the minutes of this meeting – the letter is regarding the proposed shopping area on 15-501.

A COPY OF THE LETTER FROM MICHAEL TRIFARO IS INCLUDED IN THE  
BOOK OF RESOLUTIONS NUMBER ONE, PAGES

Motion made by Commissioner Bryan seconded by Commissioner Brooks to adjourn.  
Vote Aye-5 Nay-0

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Mayor

ATTEST:

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Clerk