

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
JANUARY 10, 2000
7:00 P. M.

Mayor Charles R. Devinney called the meeting to order and gave invocation.

ATTENDANCE

Members present: Mayor Charles R. Devinney, Commissioner Clinton E. Bryan, Jr., Ethel F. Burns, Max G. Cotten, Cassie H. Wasko 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 Wasko to approve the minutes of the December 13, 1999 meeting.

Vote Aye-4 Nay-0

CITIZEN MATTERS

Arthur Lee Alston was presented as stated some of the residents of Small Street were present to speak about the terrible odor in the afternoon.

Sharon Bynum – lives closest to the plant; odor has become very bad; concerned about the red lights that are flashing; concerned there is a spill, the soil next to her property is very damp; concerned about the maintenance of the plant and last month the smell was really bad, so bad that she can not have an outdoor event at her home.

Manager Montgomery stated some of the problems have to do with the digester, and they put a pickup load of lime in the digester; the Town has been in compliance with our permit, he will go to the WWTP tomorrow to make sure there is no leak. The red light is a high water alarm. Should power be interrupted or pump failure the auto dialer will contact plant operators.

The Board wanted Manager Montgomery to let the residents on Small Street know what's going on at the plant.

Mayor Devinney asked the Manager to check the line running into the plant for possible leaks.

Motion was made by Commissioner Wasko seconded by Commissioner Cotten to bring a report back to the next meeting. Vote Aye-4 Nay-0

PETITION OF ANNEXATION
SENIOR CARE OF PITTSBORO, LLC &
GT ENTERPRISES, LLC

Motion was made by Commissioner Burns seconded by Commissioner Bryan to instruct Town Clerk to research the sufficiency of a Request for Annexation by Gary Smith, President of Senior Care Of Pittsboro, LLC and GT Enterprises, LLC as identified by Tax ID# 9741.06.9518 consisting of approximately 10.143 acres and establish a public hearing for January 24, 2000.

Vote Aye-4 Nay-0

BUDGET AMENDMENT
INSERV

Manager Montgomery stated we need to make a budget amendment to reflect payment made to InServ for Capital Improvements to the influent pump station at the Wastewater Treatment Plant.

Motion was made by Commissioner Burns seconded by Commissioner Wasko to amend the budget of the Enterprise Fund Revenue and Wastewater Treatment Plant for the expenditure as follows:

Revenue	
30-3990.0	Fund Balance Appropriated
From	To
\$0.00	\$48,500

Expenditure	
30-8200.730	Capital Outlay
From	To
(\$40,650)	(\$89,150)

Vote Aye-4 Nay-0

SUP – WILLIAM AND JOYCE WHITE

Manager Montgomery stated the Planning Board recommended approval of the Special Use Permit request for a detached accessory dwelling unit with the stipulations that all of the requirements in the Ordinance be met.

Motion made by Commissioner Wasco seconded by Commissioner Burns to approve the Resolution Approving an Application For A Special Use Permit For William and Joyce White For an Accessory Dwelling with the addition that it must meet all the requirements of the ordinance. Vote Aye-4 Nay-0

AN ORDINANCE APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT FOR WILLIAM AND JOYCE WHITE FOR AN ACCESSORY DWELLING IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE

WATER DISTRIBUTION SYSTEM

Manager Montgomery was requesting permission to solicit a proposal from Alley, Williams, Carmen & King, Inc., to study the Water Distribution System and Wastewater Collection System for purposes of developing a Capital Improvement Plan.

Motion made by Commissioner Burns seconded by Commissioner Bryan to authorize the Town Manager to solicit a proposal from Alley, Williams, Carmen & King, Inc. for the drafting of a Capital Improvement Plan for water distribution and wastewater collection.

Vote Aye-4 Nay-0

DESIGNATING OFFICIAL DEPOSITORIES

Manager Montgomery reported that First Bank has requested to be included in the list of Official Depositories for the Town of Pittsboro since they are opening in Pittsboro.

Motion was made by Commissioner Bryan seconded by Commissioner Burns to approve a Resolution Designating Certain Institutions as Official Depositories of the Town of Pittsboro. Vote Aye-4 Nay-0

A RESOLUTION DESIGNATING CERTAIN INSTITUTIONS AS OFFICIAL DEPOSITORIES OF THE TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE

PITTSBORO CHRISTIAN VILLAGE

Manager Montgomery stated Pittsboro Christian Village, Inc. is requesting that the Town of Pittsboro take over responsibility for the maintenance and operation of the pump station serving their facility. Mr. Dave Dewhurst is present.

Mr. Dewhurst stated the permit is in the Town's name and the Board of Directors has requested that he ask the Town to take of the maintenance of the pump station.

There is no auxiliary power to the station.

The Board asked that Manager Montgomery look into the Town taking it over; to make sure the system is in compliance.

Motion was made by Commissioner Bryan seconded by Commissioner Wasko to try to bring this back to the next meeting.

Vote Aye-4 Nay-0

PLANNING AND ZONING

ACCEPTANCE OF STREETS GOVERNORS COMMON

Manager Montgomery stated that items that were mentioned previously have been taken care of.

The Board asked Mr. Wright about street lighting within the subdivision.

Mr. Wright stated the streetlights were ordered. It was set up with CP&L that each homeowner would be responsible for lighting. The residents within the subdivision do not feel they should pay for the system lighting.

Motion was made by Commissioner Burns seconded by Commissioner Cotten to adopt the Resolution accepting Churchwood Lane and Commons Path for Maintenance.

Vote Aye-4 Nay-0

A RESOLUTION ACCEPTING CHURCHWOOD LANE AND COMMONS PATH
FOR MAINTENANCE IS RECORDED IN THE BOOK OF RESOLUTIONS
NUMBER ONE, PAGE

MEADOWBROOK ASSISTED LIVING FACILITY ROAD NAME

Manager Montgomery stated Mr. Smith had sent in five names for approval with the E-911 and they approved Brookstone Lane as the name for the road.

Motion was made by Commissioner Bryan seconded by Commissioner Wasko to approve Brookstone Lane as the road name for the Meadowbrook Assisted Living Facility.

Vote Aye-4 Nay-0

Commissioner Brooks came in.

MAY FARM DEVELOPMENT
AMENDMENT TO AGREEMENT WITH TOWN

Manager Montgomery summarized Mr. Phelps request for the amendment to the agreement:

- 1) WHEREAS, the Developer desires to subdivide 93.05 ac. Vs. 94.5;
- 2) 194 homes vs. 171;
- 3) Under section "Developer Agrees" substitute Exhibit A;
- 4) Under section the "Town Agrees" – to allocate 75,000 of water and wastewater resources. **Note: While 191 three-bedroom homes will require only 68,760 gpd. Mr. Phelps indicated that a significant number of 4 bedroom homes would be constructed thus utilizing the total quantity requested.
- 5) Under section "Both Parties Agree" add a number 7, which states that this agreement shall replace previous agreement of 8-23-99.
- 6) Request that the Water System Capital Recovery Fee associated with the 6.581 acres included in the Revised Preliminary Plat is applied to the cost of the 12" water line being constructed on 15-501.

Mr. Phelps has requested that a general discussion of these items result in a consensus from the Commissioners so that they may present a formal revised agreement at a later time.

Commissioner Cotten stated he would prefer a new agreement for the new six acres, he feels it will be a lot cleaner. He does not mind paying for the oversizing.

Motion was made by Commissioner Cotten to pay \$11,617.41 to G.P.G. Development, LLC for the oversizing. Vote Aye-5 Nay-0

Motion was made by Commissioner Burns to incorporate the six acres into the agreement. Motion died for lack of second.

Motion made by Commissioner Burns to include 69,000 water and sewer allocation and the additional capital recovery fees for the 6.581 are used as an additional credit. Commissioner Burns withdrew her motion.

Motion was made by Commissioner Burns seconded by Commissioner Cotten to deny the request that the water system capital recovery fee associated with the 6.581 acres included in the revised preliminary plat be applied to the cost of the 12" water line being constructed on 15-501. Vote Aye-5 Nay-0

There were questions about road names for two street cul de sacs.

PROPOSED ZONING AMENDMENT

Manager Montgomery stated that Planning Board has recommended amending Article XII, "Legal Provisions" by adding definition for the word "coverage." The item was previously discussed when the Town Manager wanted the meaning of the word "coverage" as it applies to Section 5.4.1 – Note #10; "Notes to the Table of Area, Yard and Height Requirements."

The Planning Board requested that Article XII. "Legal Provisions" be amending by adding the definition for "coverage" as being "the building foot-print and any impervious surfaces associated with the building."

Motion was made by Commissioner Bryan seconded by Commissioner Burns to set a public hearing on this matter for January 24, 2000 at 7:00 p. m.

Vote Aye-5 Nay-0

COMMISSIONER CONCERNS

Motion made by Commissioner Brooks instructing the staff to investigate the situation on Salisbury Street in regards to parking and give the board a plan for parking in that area, to look at marking off both sides of the street for additional parking after removing the two hour signs the motion was seconded by Commissioner Cotten.

Vote Aye-5 Nay-0

CLOSED SESSION

Motion made by Commissioner Burns seconded by Commissioner Bryan to go into closed session pursuant to GS 143-318.11(6) to consider qualifications, competence, performance, character, fitness, and conditions of initial employment of an employee and GS 143-318.11(a)(4) to discuss matters relating to the location of an industry or business to be served by the Town of Pittsboro.

Vote Aye-5 Nay-0

Motion was made by Commissioner Burns seconded by Commissioner Bryan to go out of closed session.

Vote Aye-5 Nay-0

REGULAR MEETING

Motion made by Commissioner Bryan seconded by Commissioner Cotten to set a Special Meeting on January 24, 2000 at 6:00 o'clock before the regular meeting at 7:00 p. m., to discuss the Pay Plan and Job Descriptions.

Vote Aye-5 Nay-0

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

Mayor

ATTEST:

Clerk