

**MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
MONDAY, FEBRUARY 11, 2008  
7:00 PM**

Mayor Randy Voller called the meeting to order at 7:00 p.m. and requested a brief moment of silence.

**ATTENDANCE**

Members present: Mayor, Commissioners Gene T. Brooks, Pamela Baldwin, Chris Walker, and Max G. Cotten.

Absent: Commissioner Bryan was absent, excused.

Staff present: Bill Terry, Town Manager, Paul S. Messick, Jr., Town Attorney, Alice F. Lloyd, Town Clerk, David Monroe, Town Planner, and Police Chief Collins.

**APPROVAL OF AGENDA**

Manager Terry offered an amendment to the agenda to add a closed session item related to Attorney-Client privilege.

Motion made by Commissioner Walker seconded by Commissioner Baldwin to approve the revised agenda with the addition of a closed session pursuant to Attorney-Client privilege.

Vote Aye-4 Nay-0

**CONSENT AGENDA**

The Consent Agenda contained the following items:

1. Approve minutes of the January 28, 2008 regular meeting.

Motion made by Commissioner Walker seconded by Commissioner Baldwin to approve the Consent Agenda.

Vote Aye-4 Nay-0

**REGULAR MEETING AGENDA**

**CITIZENS MATTERS**

Mayor Voller indicated that no citizens had signed up to speak at this time.

## **OLD BUSINESS**

### **DISINFECTION BYPRODUCTS REDUCTION PROJECT**

Manager Terry stated at the last meeting he had introduced a letter from the compliance section of NC DENR that indicated they would not extend the Town's compliance deadline. He said there was discussion at that time as to how to respond to that letter. Manager Terry reminded the Board that in November Hobbs, Upchurch & Associates had presented the Board with a Concept Plan for a construction or renovation project that would change the Town's disinfection process from chlorination to chloramination, then the letter was received in January which suggested the Town move more quickly on a resolution to this issue.

Manager Terry said since that meeting some Board members had expressed displeasure that they had not taken full advantage of volunteer assistance from UNC-Chapel Hill, and since that time they had reopened communication with Dr. Singer. He said Dr. Singer had commented on some of the Town's test results, and Dr. Singer would continue to be included in any review of materials produced by his office or by Hobbs, Upchurch.

Manager Terry stated they had a grant from the Rural Center pending, which would likely not be awarded until May or June. He said he had tried to determine what the unencumbered fund balance might be in the Enterprise Fund in case the Rural Center grant did not materialize, and the estimated fund balance for the Enterprise Fund was \$1 million. Manager Terry said if they were compelled to do the project without the grant funding, they had the funds to do so.

Manager Terry stated he had added information in the agenda packet as to the impact if the Town decided to borrow those funds, so that the unencumbered fund balance was protected. He said the Town could decide to borrow the funds from itself with a surcharge, which was an option they could consider. Manager Terry stated the information provided talked about a 4% surcharge to pay down the debt, calculated to cover the first year of payment which would be the largest. He said if the Town chose to lend money to itself at no interest, then the surcharge would drop to 2.7%.

Mayor Voller said at the last meeting they had talked about contacting the County Board Chair to come and talk to this Board, and asked where that stood. Manager Terry stated he would be following up on that.

Mayor Voller asked was there any indication from the Rural Center that they would not fund this project. Manager Terry said he had not talked with the Rural Center but the application was a good one, and since they had received a notice of violation that worked in their favor. He said what worked against them was that Chatham County was not considered to be a poor County in the State.

Commissioner Brooks stated it was his understanding that 18% of the population was under the poverty level, and asked would that help them. Manager Terry said possibly, but that did not make Chatham one of the poorer counties.

Mayor Voller stated that the Rural Center and the USDA had each been granted \$100 million for these kinds of projects. He said that should mean \$2 million per county was available, but that would be affected by poverty level, population density, and need. Manager Terry stated he was cautiously optimistic that the Rural Center grant would be forthcoming.

Commissioner Cotten said the question was did they want to gamble on it.

Mayor Voller said if they did not get that funding they did have options to fund it in a reasonable fashion. Manager Terry stated that was correct, since they did have the fund balance on the order of \$1 million. He said the Board could elect to reconstitute that through the use of a surcharge.

Mayor Voller asked how the surcharge would be based. Manager Terry responded by assessing a percentage surcharge to every customer sufficient to generate enough revenue to cover the annual debt service. Mayor Voller said then it would not be based on usage. Manager Terry said it would be a surcharge based on a percentage of their bill, so it was use based.

Commissioner Cotten said the problem was that the minimum users would be paying more than the large users, because they were discounting everything above the minimum. He said that the minimum users were the only ones paying the full cost of the water and sewer, and those above that were not because of the way the rate schedule was figured. Commissioner Cotten stated he had been lobbying for restructuring of the rate schedule for some time now, and if that was the route the Board decided to take then he could not support it. Manager Terry said he understood what Commissioner Cotten was saying, noting there was a minimum fee. He said if you were a minimum user, you paid for water you did not use. He said if that percentage were applied to the minimum fee, then the minimum user would not only be paying for water they did not use, they would be paying a surcharge on the water they did not use as well.

Commissioner Cotten said about a year ago there were between 400 to 500 people who were using less than 1,000; about that same number were using less than 2,000. He said again you would be burdening the people who least could afford it. Commissioner Cotten said he had pointed out at the last meeting that there was no guarantee that the improvement would solve the TTHM problem, and in fact would not solve it without doing some additional things. He said when you could not afford to do a simple thing you certainly could not afford to do more than that.

Commissioner Cotten said he had pinpointed \$343,862 in outstanding contracts with Hobbs, Upchurch that in his opinion should be cancelled. He said there were many studies but no designs. Commissioner Cotten said in addition there were two things that he believed were the County's responsibility and not the Town's.

Mayor Voller asked what those two things were. Commissioner Cotten replied they were both related to 3M. Mayor Voller asked was Commissioner Cotten saying the County should reimburse the Town for those contracts. Commissioner Cotten replied the County should be

paying for it. He said it was outside of Town, and he had been told by a representative of the LGC that since 3M was not paying taxes to Pittsboro that the Town could not use any Town funds towards that project.

Mayor Voller asked the Town Attorney if that statement was true. Town Attorney Paul Messick responded he had not heard that from the LGC, but they were not spending Town funds at this point. He said they were spending grant funds and they were being reimbursed by the County. Mayor Voller stated he remembered that from the audit last year.

Commissioner Cotten stated another issue was that the County had been offered a \$1.5 million loan from the State for this project, but to his knowledge the County had not yet accepted it. He said the Town had received a copy of the letter, but the funds were offered to the County and not the Town. Commissioner Cotten said at the rate they were spending money on the 3M project, they should instead be spending it on upgrading the present sewer plant.

Commissioner Cotten reiterated that he could not vote in favor of this if a surcharge was to be levied.

Mayor Voller stated he believed every member of the Board would like to move forward with solving water problems, and knew that in the past studies had been done. He said he recalled one Board member who called himself a “lame duck” did not want to do those studies. Mayor Voller said it was time to stop studying and time to fix the problem.

Commissioner Cotten said he was not debating the need to fix the problem; he was debating the way they were talking about financing it.

Mayor Voller said if the Rural Center grant came through, then the point was moot. Manager Terry said that was correct, since that grant would be for half of the project and the other half could be funded out of fund balance if the Board so chose.

Mayor Voller said Commissioner Cotten was wise to say that you should not charge people who were the most at-risk water users who paid a flat rate. He said what Commissioner Cotten was getting at was that the people who were using more should be paying their fair share, and those lesser users or lower-income users should not be overpaying.

Commissioner Walker said they did not know the income levels of the minimum water users, noting a single person could have an income of \$100,000 and use the minimum amount.

Mayor Voller agreed.

Commissioner Walker said he would like to hear a discussion about Dr. Singer’s comments.

Commissioner Brooks said he believed there may have been a study as early as 1999. He urged the Board to study Dr. Singer’s comments, which concluded that what was being proposed tonight would not solve the problem. Commissioner Brooks stated they needed to do a better job of filtering the water, and did not understand why in the past they had gone away

from charcoal. He said they needed to incorporate into their plan some of Dr. Singer's suggestions regarding filtration. He said they also needed to get the people from Duke to help them as well, who had said they could give citizens and the school system practical suggestions regarding what they could do to minimize potential problems from possible health risks from the use of copper or lead pipes.

Commissioner Walker said that comment #6 from Dr. Singer's remarks stated that "I'm afraid there is no simple solution to solve your TTHM problems; there is simply too much total organic carbon and bromide in your water." Commissioner Walker said he agreed with Commissioner Brooks that it did look like our most inexpensive way to go was to add ammonia to the system, but that again if the ratio was not properly controlled nitrification problems could occur in the distribution system leading to loss of residual bioform formation and chloroform regrowth. He said the ultimate solution was a new water plant.

Manager Terry stated that this solution was the most affordable solution that had some probability of success in the short term, although he believed everyone acknowledged that it would not solve the long-term problem. He said when the recommendations came back from Virginia Tech it was highly unlikely that they would say they should steer away from chlorination. Manager Terry stated they would communicate potential solutions for any problems found through a change in the mixture of chemicals used throughout the plant.

Commissioner Brooks asked would it cost too much to try to improve the filtration system now in conjunction with the chlorination. Manager Terry stated that was one of the most expensive elements of the project.

Commissioner Baldwin said as she read through Dr. Singer's letter, she was concerned about his reference to using ammonia not solving the problem, but would be a short-term fix. She said it would likely be important to continue to look at other options Dr. Singer talked about even though they might be more expensive, noting that if a quick fix had to be done over and over it may end up costing even more. She said it was important to fix the problem the right way. Commissioner Baldwin said instead of just using the ammonia suggestion perhaps they should be utilizing a different filtration system and clean the water better.

Commissioner Walker said Dr. Singer had talked about several different ways to treat the water, and believed they could not do those things without building a new plant. Jay Johnston with Hydrostructures stated that a 1999 study by the Rose Group talked about a retrofitting for the treatment plant using a cascade filtration system, but did not recall how much additional treatment capacity it needed to enhance the filtration.

Commissioner Brooks stated they certainly needed to find out how much that would cost and how it would be done.

Mayor Voller said obviously this was a question of budget, and suggested that Manager Terry write a letter to Speaker Hackney and Senator Atwater which laid out why this was important, and submit that as a supplement to their application. He said they needed to understand why the Town needed this problem fixed and how it was affecting the users of that water. Mayor

Voller said if they understood those issues he believed they would get this funded.

Motion made by Commissioner Walker seconded by Commissioner Baldwin to approve the resolution in the agenda package and that a letter be sent to Speaker Joe Hackney and Senator Bob Atwater as suggested by the Mayor.

Mayor Voller stated they all agreed there were problems to be solved and they needed to move forward. He called for the vote.

Vote Aye-3: Brooks, Walker, and Baldwin Nay-1: Cotten

Mayor Voller stated his personal opinion was that they needed to be looking for cooperation regionally, for instance with OWASA, because these costs would not be something the Town could afford without such joint partnerships.

Commissioner Brooks agreed they needed to have those partnerships, but emphasized they also needed to keep control over their own infrastructure or else they would lose their autonomy.

### **WASTEWATER TREATMENT PLANT REPLACEMENT PROJECT UPDATE (DECISION BRIEF)**

Manager Terry provided a PowerPoint presentation that contained a progress report, an update on technical, permitting, and financing issues, communicated the Manager's recommendations, and requested Strategic Planning guidance from the Board. The PowerPoint presentation was as follows:

#### Assumptions

- 1<sup>st</sup> priority is ensuring reliable water and wastewater service for existing citizens.
- 2<sup>nd</sup> priority is expansion of the utility system to accommodate responsible growth.

#### Recent Developments

- Wastewater Treatment Plant Working Group meeting about twice a month.
- Meetings with State, two which were productive and dealt with discharge issues.
- Meetings with consulting engineers: Hobbs, Upchurch as well as Hydrostructures.
- UNC School of Government seminar attended by the Manager.
- Scheduled meeting with Public Markets Banker if developers did not participate and the Town had to continue alone.

#### Pittsboro WWTP Capacity Data

- Manager Terry displayed a graph that indicated actual and permitted flows, estimated flows at build-out, design capacity, and estimated actual capacity for such developments as Magnolia Trace, Mayfarm, Chatham Forest Phase 9, Potterstone Phase 3, Bellmont Station, 64 East Business Park, and the remaining balance and permitted balance of Powell Place.
- It is typical that developers did not always use the allocation given to them; typically

they used only about two-thirds of what they were allotted.

#### Technical Overview

- Review of discharge capacity: Jordan Lake nutrient allocation; and, Roberson Creek and Haw River locations.
- New 4.0 mgd wastewater treatment plant: location; project budget; and, timeline for permitting and construction.
- Funding new plant through developer participation.
- Short-term enhancements for the existing wastewater treatment plant.

#### Review of Discharge Capacity

- Jordan Lake total maximum daily load (TMDL) for nitrogen and phosphorous is the controlling factor.
- Roberson Creek has a nutrient reduction factor of 24% between the existing discharge location and Jordan Lake.
- Haw River has a nutrient reduction factor of 1% between the US 64 Bridge and Jordan Lake.
- NC Division of Water Quality will allow multiple discharge locations to gain more capacity.
- Total discharge capacity = 3.25 mgd: 0.75 mgd into Roberson Creek; and, 2.5 mgd into the Haw River.

#### New Wastewater Treatment Plant Size and Budget

- Flow projections from the development community and existing allocations indicate average daily flows exceeding 3.5 mgd within five years with an ultimate wastewater flow approaching 6.0 mgd (aggressive growth model).
- The new treatment plant will be sized to treat 4.0 mgd.
- In order to obtain a permit to treat 4.0 mgd, additional methods of disposal beyond discharge will be required (permitted irrigation facilities or other). Town ordinances can require new developments to install such facilities.
- The new treatment plant will be constructed in phases next to the existing treatment plant.
- Project budget for 4.0 mgd treatment facility = \$44.6 million.
- Manager Terry displayed a chart that compared the current plant site to the Preston site in terms of environmental impacts, projected cost of real estate, projected operation costs, proximity to the current system, proximity to the discharge points, and proximity to reuse customers.

#### New Wastewater Treatment Plan Funding Considerations

- A project of this magnitude will require financial participation from the development community.
- Each developer must be financially accountable for the requested allocation.
- Pittsboro must ensure its existing customers will continue to be served even if developers withdraw from the project.

### Water and Sewer Rate Structure

- Set rates to make the utility self-supporting including: operating costs; administrative overhead; and, Capital Reserve Fund.
- Set impact fees to recover 100% of costs for water and sewer plants and connecting infrastructure.
- Use market forces to encourage conservation and control the demand for growth.

### Utility Impact Fee Components

- Manager Terry displayed a graph indicating the current impact fee and the recommended impact fee for the sewer plant, the water plant, sewer lines, and water lines. Current impact fees total \$9.25, but sources tell them it actually costs \$10 a gallon for sewer, as well as an additional few dollars for infrastructure and other costs.

### Capacity Analysis for the Existing Wastewater Treatment Plant

- Plant condition assessment – check mechanical and physical condition of plant.
- Plant staffing model – currently staffed by two people, resulting in the plant running many times on “auto pilot.” Perhaps consider a two-shift operation.
- Standard operation procedures – are we doing all the things we should be doing.
- Failure analysis – look more closely at what are reasons for violations.
- Temporary measures to stretch capacity – keep plant going while pursuing new plant.

### New Wastewater Treatment Schedule

- Manager Terry displayed a chart which began in the 2<sup>nd</sup> quarter of 2007 and continued through the 4<sup>th</sup> quarter of 2011 with project construction and the lifting of the development moratorium indicated in the 4<sup>th</sup> quarter of 2011. The second phase of the plan would go through 2018.

### Manager’s Recommendations - Prioritized Task List

- Revise water/sewer rates and impact fees.
- Aggressively pursue new 4.0 mgd wastewater treatment plant next to the existing plant.
- Welcome developer participation and funding – but, be prepared to proceed without it.
- Explore measures to ensure viability of current wastewater treatment plant through 2012.
- Anticipate the need to expand or replace the water treatment plant - 2012 to 2017.
- Anticipate Phase II wastewater treatment plant expansion - 2015 to 2018.

Mayor Voller said if you looked at it as 120 gallons per day per bedroom for sewer, the 2.5 million was 20,833 bedrooms. He said currently they were at 3,025 bedrooms, so that was what they were treating. Mayor Voller said it was a lot of people whether you looked at it as houses or bedrooms.

Mayor Voller thanked Manager Terry for bringing clarity to some of the issues. He asked what would happen if the magnetic process that would be hooked up to the plant proved to be viable and they did not have to spend the money on clarifiers that were part of the traditional wastewater treatment separation. Manager Terry responded that could easily be part of the

solution, but that would have to be seen. Mayor Voller agreed it was a “wild card,” but it could actually be successful. Manager Terry said if it was successful, he did not believe it would make a dramatic increase in the gap.

Mayor Voller said he wanted them to be prepared to think outside of the box because if it was successful then they could be moving to manufacture those things here, and they could take a problem like the wastewater and actually create jobs by having them manufacture the products that would be sold worldwide. He said if it was not successful, they would know that in six months, and it was important to monitor that.

Commissioner Cotten said he would like to know the status of the two studies the Town had paid for. He said one was the location of the discharge point into the Haw River, and asked had they completed the assessment for that. Fred Hobbs with Hobbs, Upchurch & Associates, stated they were working on the Environmental Impact Statement for that location. He said it was suspended during the developer negotiations until they finalized the plant location and the outflow location for line 2 to the Haw River. Mr. Hobbs said now that they had a recommendation from the Manager, and if the Board finalized that tonight, they could go forward with completing that study.

Commissioner Cotten asked about the study regarding the entire mineral study in the area of the old plant, where they were now talking about a larger plant. He said at one time they had been talking about a 300,000 gallon plant. Mr. Hobbs said they had been talking about and had actually designed a 600,000 gallon a day increase to the existing plant, and then the intent was to replace the existing plant with a new plant with an initial capacity of 600,000 to 1 million gallons a day. He said that was put aside when it had been made clear by developers that the amount they needed was far in excess of that amount. Mr. Hobbs stated that was prior to the Preston acquisition.

Commissioner Cotten asked had they done any environmental studies that had been paid for. Mr. Hobbs said yes, noting that was also part of the Environmental Impact Statement for the new plant; that is, to look at the new location and the outfall lines to the Haw River as well as the continued use of Roberson Creek.

Commissioner Cotten asked if those studies were on file. Manager Terry stated he did not know. Commissioner Cotten stated he would like to see them.

Commissioner Baldwin said she had looked at Manager Terry’s recommendations, and believed the Board should strongly consider revising the water and sewer rates and impact fees in terms of trying to pursue funding for their projects and get the wastewater treatment plant built. She said they needed to be prepared, and believed it should be done as soon as possible.

Commissioner Baldwin said expanding the current plant might be a short term and feasible way to obtain additional capacity, and asked how that would fit into Manager Terry’s model. Manager Terry said that had first been mentioned by Hobbs, Upchurch a few days ago, so he had had no opportunity to consider it and to consider how to structure a bid document to include it.

Mayor Voller said in this case they would want to get Letters of Credit or surety bonds up front to assure success, noting they had never received either from Toll Brothers even though the Town was supposed to receive them. Manager Terry said that many developers would not want to pay cash for the capacity, and lending institutions would want to know what the capacity was. He said they would be meeting with banking professionals that specialized in such financing to see if they could come up with any additional ideas.

Mayor Voller asked what would be the expansion if they expanded the existing plant in the interim; would it be 600,000 gallons. Manager Terry said the first step would be the plant assessment he had mentioned in his presentation. He said before any funds were spent he would want to put out a Request for Qualifications to find a firm that specialized in operations for the construction of such plants. Manager Terry said one question to be answered was is the current plant being operated in the most efficient manner, did the fact that the plant ran on autopilot for most of the day affect the operations, and should the staff be expanded. He said he would want to have all of those questions answered first before any other funds were expended.

Mayor Voller said he believed they should move on that as soon as possible. He said if such things as Manager Terry had suggested increased the output of the plant then they should authorize Manager Terry to move on that right away. Manager Terry stated he could begin to seek proposals from firms that could do that type of assessment. He said it would cost nothing to seek those proposals.

Ricky Spoon stated that he believed developers would be glad to help with that.

Commissioner Cotten asked if they could get or had grants to do the upgrade with. Manager Terry said it was his judgment based on his research that the best solution was to build a new plant and let it run parallel with the old one for a few years. He said that was the solution that made the most sense financially.

Commissioner Cotten said his biggest concern was if the grants could be used for this new purpose, because they were awarded on the basis of upgrading the current plant. He asked if there was any information regarding the \$1.5 million that the County never accepted. Manager Terry stated he had asked County Manager Horne to take the steps to accept those funds, and he would be following up with him on that. He said he had made it clear to Mr. Horne that they were close to execution of this project.

Commissioner Cotten said it was a loan, but it would certainly help if the Town could use it. He said the Town had committed to paying half of it back, although he believed that was wrong. But, he said, that was the way the contract had been written so they were obligated to do so. Manager Terry said the County had indicated they were holding off accepting the funds until the project was sure to move forward. He said they were close to doing that at this point.

Commissioner Walker stated it was a line of credit, not a loan. Manager Terry said the way it was structured was similar to construction draws. Commissioner Walker stated it would eventually be termed out and would have to be paid. He said no matter what way they went, they definitely needed to raise the capital by raising impact fees and likely by increasing water

rates. Commissioner Walker said the last time they raised the water rates it was not enough to cover depreciation. Manager Terry stated this was the right time of year to discuss revision of the rates, noting if the Board went in that direction it could be implemented for the upcoming budget. He said he would need direction from the Board as to whether they wanted staff to attempt to do that or to hire professional help. Commissioner Walker stated his personal feeling was to save the money and have staff do it. He said they needed to keep in mind the fine that would have to be paid in September. Manager Terry agreed he would be able to bring the Board a rate structure for consideration, both for impact fees and water fees that reflected the true cost of expansion of the system. But, he said, doing that in-house opened the Board up for criticism since he was not an engineer. Manager Terry stated he would err on the side of caution.

Mayor Voller stated they had a study from the League of Municipalities that might help Manager Terry, noting it was a good comprehensive document and would be a good starting point. Manager Terry stated he had read that study, and did not believe he would use it as a starting point; rather he would use it as an indicator when he was done. Mayor Voller stated the TJCOG had also conducted research, and that report may help as well.

Phillip Culpepper stated he believed the rates should be increased as quickly as possible and that the Town should do away with the discount. He said that would allow the Town to collect the maximum amount of revenue.

Mayor Voller asked what the current bulk rate charges were. Manager Terry said he believed it was \$85 per thousand gallons, but he did not have the rate chart in front of him. Mayor Voller said one of those bulk rate users was Chapel Ridge. Manager Terry said Chapel Ridge had a negotiated contract, and it may not be the same rate as charged to others. Mayor Voller stated he believed that contract was subject to renewal. He said he did not want to place the burden on the people least capable of paying it, and did not want to encourage people to use more water because they were paying a cheaper rate. Manager Terry said he understood the sense of the Board and would begin working on that right away, and then bring some recommendations to the Board for discussion.

Manager Terry said regarding his presentation on the Strategic Planning Brief, he had wanted some guidance from the Board as to whether they concurred with his plan of action and agreed with the basic priorities laid out in his recommendations. He said he understood what the Board was asking for, and believed that was all he needed at present.

Commissioner Brooks thanked Manager Terry for giving the Board some clarity with these issues, and for tying up some loose ends. He said he now believed the Board was moving in the right direction, and commended Manager Terry for the work he had done.

## **NEW BUSINESS**

### **COMMUNITY HOUSE LONG RANGE PLAN – COMMISSIONER COTTEN**

Commissioner Cotten stated he had provided some information in a folder so that the Board could take it away with them, noting he did not believe they needed to look at it too strongly

tonight. He said he believed it was time that the Board looked at what was to be done with the Community House, adding it was donated to the Town with the provision that it go back to the family that donated it if the Town did not use it. Commissioner Cotten said he did not believe anyone could argue that they were not using it, and it looked like an abandoned house. He pointed out that the safety concerns that needed to be addressed before it was used again was that the porch needed repairs and the full basement needed upgrading and possibly a wall built under the porch and then filled in. Commissioner Cotten stated that the Community House should not be used until those safety concerns were met, and that funds should be placed in the budget to do those repairs. He added that until the Town decided how the Community House would be used, they should not seek grants to improve it.

Mayor Voller stated there was a group of Blue Grass musicians who wanted to utilize the space on the front porch, and if the Board agreed they could have music there often. Commissioner Cotten stated the porch could not hold a lot of people. Mayor Voller said he had not been aware of such a problem, and asked Mr. Poteat to comment.

John Poteat stated he did not know what the strength was of the porch, but could get the hollow area underneath filled in.

Commissioner Walker said at one time he believed they had asked the Parks and Recreation Board to look into potential uses for the Community House.

Commissioner Cotten stated he planned to attend their meeting tomorrow night and would discuss that with them. He said that Board had not been able to agree on how the Community House should be used, so that was why he had brought it before the Town Board.

Mayor Voller stated if they abandoned having meetings in this room to allow Manager Terry to move forward with the meeting room expansion, the Town Board could meet at the Community House once it was repaired.

Commissioner Cotten agreed that building held a lot of opportunities, but it was a matter of deciding what to do.

Mayor Voller remarked that the bathrooms were a big problem, and would need attention.

Commissioner Cotten agreed, and stated the back downstairs part of the building had once been Pittsboro's library.

Mayor Voller asked was there any objection to Mr. Poteat and Manager Terry looking into the issues brought up by Commissioner Cotten. There was no objection from the Board. Mayor Voller asked Manager Terry to bring a report back to the Board at the appropriate time.

### **CREATION OF A CHATHAM REGIONAL WATER AND SEWER AUTHORITY**

Commissioner Cotten, referring to his report provided in the agenda packet, stated that because this was not in their Charter they would likely have to ask the County Commissioners to

establish the Authority. He said he had listed his reasons why, the big reason being money, noting they could not afford to do everything that needed to be done. Commissioner Cotten stated in the authorities he was familiar with, they were county authorities and most had colleges, and a Board member sat on the authority as well as a representative from the college. He said he did not know if the State would approve an authority this small, but it was worth pursuing since it would include the Town and the ETJ. Commissioner Cotten volunteered to work on this issue after he left office if the Board wanted his help.

Mayor Voller asked Mr. Messick if the initial research was correct. Town Attorney Messick stated this was the first time he had seen the information, and he would have to research it and get back to the Board with a report.

### **POWELL PLACE PHASE 3 – FINAL PLAT**

Planner Monroe said the Board had his report before them, and provided a brief description of the application.

Motion made by Commissioner Cotten seconded by Commissioner Walker to approve the Powell Place Phase 3 Final Plat subject to the recommendations of the Planning Board.

Vote Aye-4 Nay-0

Mayor Voller stated that Mr. Messick had indicated that the Town had received the deed for the land dedicated by Powell Place.

### **COMMISSIONER CONCERNS**

Commissioner Cotten stated he was concerned about the intersection at Lowe's, noting that it was unsafe for pedestrians. He said people tended to speed up to get through the light, and eventually that would become an issue as the MacDonald's was built and Powell Place was developed. He said it was a potential for tragedy, and suggested a traffic island be installed where pedestrians could stop half-way across.

Mayor Voller asked Planner Monroe to send him an email reflecting Commissioner Cotten's concern regarding this issue so that he could take it to the RPO meeting next week.

Commissioner Baldwin suggested that perhaps a pedestrian crossing could be installed along with signs to alert traffic that they needed to slow down.

Commissioner Brooks said he still had a concern that many times when water bills were sent out citizens did not get them. He said he did not know what the problem was, but in the past the Postmaster had indicated that as many as 70 bills had been lost. Commissioner Brooks said it seemed unfair to him that people who did not get their bills were being charged late fees, yet at the same time he did not want to encourage many more citizens to say they had not received their bills.

Mayor Voller said one problem had been identified, in that if you did not pay your bill on a Friday you could get disconnected and it would not be turned back on until Monday. He said perhaps they should have a policy of not cutting people's water off on Fridays since there was no way for them to contact Town Hall. Mayor Voller said it would make sense to have a policy that water would not be cut off until Monday morning. Manager Terry said he believed that was reasonable, since people may not have gotten their bill and if they were at work all day on Friday they would have no opportunity to know their water was being cut off until after they arrived home, and Town Hall would likely be closed for the weekend at that point.

Mayor Voller asked for an update on the Hardees's sign. He said he believed everyone agreed it should be removed. Manager Terry stated he could contact DOT again, or, he could tell Mr. Poteat to have it removed to where the Town wanted it. The Board indicated they would prefer that it be removed. Manager Terry stated he had indicated to DOT that they wanted it moved out of the historic district; that is, back it up and reposition it. Mayor Voller said he believed the Board would prefer that it be removed. Manager Terry indicated he and Mr. Poteat would pursue that.

### **MAYOR UPDATES**

Mayor Voller stated that regarding liquor by the drink, if that were to happen the County would like to have the Town send the County a letter stating they would be happy to have them do it. He said that would mean that the County would put it on the ballot and it would be a County initiative.

Commissioner Cotten asked why the County needed the Town's endorsement on this, when they didn't ask it for other things.

Mayor Voller said because this was a situation where the Town could do it on its own without the County. He said if the Town agreed, the County would put it on the ballot.

Manager Terry said the last time this was discussed, there was not unanimity about whether the Board believed liquor by the drink was a good idea, but there was unanimity that the citizens should be able to decide. He said if that was still the consensus of the Board, he would communicate that to County Manager Horne.

Commissioner Walker said he believed they should have it on the ballot themselves separate from what the County was doing, if they were looking for that to occur in Pittsboro. He said if he read Mr. Messick's memo correctly, if the County decided not to go forward then the Town could not as well. Town Attorney Messick said that was correct.

Mayor Voller asked if Commissioner Walker was advising the Town to hold its own election, or was he advising that the County have it on the ballot as well as the Town. Commissioner Walker said he was suggesting that the Town have its own ballot for liquor by the drink in Pittsboro, separate from the County.

Mayor Voller stated if that were the case, then it could be approved in the County and the Town;

or it could be turned down in the County and approved in the Town, or, it could be negative in both places. Mayor Voller said they could tell the County they would endorse it, but they would also have a separate ballot for the Town. Manager Terry said that would be protecting the Town against the outcome of a negative vote on the County's part.

Mayor Voller stated he believed they should let the citizens decide, and have a separate ballot for Pittsboro but communicate their endorsement to the County. The Board agreed by consensus.

**CLOSED SESSION**

Motion made by Commissioner Walker seconded by Commissioner Baldwin to go into closed session pursuant to G.S. 143-318.11(a)(3) pursuant to Attorney-Client privilege.

Vote Aye-4 Nay-0

Motion made by Commissioner Walker seconded by Commissioner Baldwin to go out of closed session.

Vote Aye-4 Nay-0

**ADJOURN**

Motion made by Commissioner Walker seconded by Commissioner Baldwin to adjourn the meeting at 9:15 p.m.

Vote Aye-4 Nay-0

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Randolph Voller, Mayor

ATTEST:

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Alice F. Lloyd, CMC, Town Clerk