

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
MONDAY, OCTOBER 26, 2009  
7:00 PM

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

**ATTENDANCE**

Members present: Mayor Randy Voller, Commissioners Pamela Baldwin, Gene T. Brooks, Clinton E. Bryan, III, and Hugh Harrington.

Absent: Commissioner Chris Walker, absence excused.

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

**AGENDA**

Motion made by Commissioner Baldwin seconded by Commissioner Bryan to approve the Agenda as modified to remove Item #2 under the Consent Agenda, New 3.22 MGD Wastewater Treatment Plant Environmental Impact Statement (EIS), and add it under Old Business as Item #3.

Vote   Aye-4   Nay-0

**CONSENT AGENDA**

The Consent Agenda contains the following items:

1. Approve minutes of the October 12, 2009 regular meeting.
2. **Removed** and placed on Agenda under Old Business as Item #3.

Commissioner Harrington stated that on page 4, next to the last paragraph, second sentence, Mayor Voller should be changed to Mr. Lot Voller.

Motion made by Commissioner Harrington seconded by Commissioner Baldwin to approve the Consent Agenda as amended to include the correction noted on page 4 of the October 12, 2009 minutes, and to remove Item #2 to be included under Old Business as Item #3.

Vote   Aye-4   Nay-0

## **REGULAR MEETING AGENDA**

### **Citizens Matters**

Faythe Canson Clark, 50 Chatham Forest Drive, related an incident that happened on Tuesday October 20. She said she and her daughter voted in the local election, and on Friday, October 23, she received a phone call that there was some question regarding the validity of her vote and whether or not she was a legal resident. Ms. Clark said she had immediately contacted Ms. Stumpf at the Board of Elections and was informed that Heather Johnson had inquired about her place of residence. She said that Ms. Stumpf had then said she had done a “drive by” to see if there was indeed a residence located at 50 Chatham Forest Drive, and then confirmed to Ms. Johnson that she believed someone did indeed live at that address. Ms. Clark said when she had questioned why Ms. Johnson had questioned her residency; Ms. Stumpf told her that Ms. Johnson took interest in all kinds of matters.

Ms. Clark stated she had explained that she had voted previously in the Town, and Ms. Stumpf verified that she had voted in the liquor by the drink referendum. She said she had asked if it was typical for her to do a drive by when someone questioned a voter, and Ms. Stumpf replied no, that she had done it because it was so close. Ms. Clark said she had explained that her son would be in to vote and asked would he have trouble, and Ms. Stumpf said no, that she did not believe there was anything to worry about. She said even though she was upset she had decided to drop the matter.

Ms. Clark said on Sunday, October 25, she had parked in her lot and when she exited her vehicle a woman approached her and asked her if she lived there. She said she responded yes, and the woman asked if she was Faythe Canson Clark. Ms. Clark said she immediately became defensive because the woman had more information about her than she cared for her to have. She said the woman had then identified herself and said she had been told that there was someone living erroneously at a business address and using it to vote in Pittsboro. Ms. Clark said when the woman again asked if she lived there, she responded that it was none of her business.

Ms. Clark said her concern about the issue was how did someone who did not live in the Town, which was Ms. Johnson, have a right to question the residency of someone who did. She asked why Ms. Stumpf did a drive by of her residence when there was no formal complaint filed, and a complaint could only be filed by someone living in the Town. Ms. Clark asked what more proof than a voter registration card that listed her place of residence presented as I.D. when preparing to vote, and there was a previous voting history, was needed to be recognized as a registered voter in the Town of Pittsboro. And, she said, what was in place to prevent residents from being harassed by non-residents and the press based on the unfounded accusations of a woman of questionable integrity acting on her own political beliefs to sabotage a candidate.

Ms. Clark said she was the daughter of the late Verna M. Canson, retired West Coast Regional Director of the NAACP. She said she had spent the majority of her younger life having bricks thrown through their plate glass window, campaign signs burned on their lawn, their car tires slashed, and police escorts to and from school because of her family’s insistence that equal rights

under the Constitution be upheld. Ms. Clark said she understood the threat of angry individuals acting alone without restraint and she hoped without party affiliation and support, to harass and intimidate others that they believed would buckle under their unique style of pressure. She said she would hate to see the Town of Pittsboro become a place where that type of behavior from the past was allowed to resurface.

Ms. Clark said she believed that Ms. Stumpf simply made a mistake and allowed the desire to see this kept quiet and see everyone quickly satisfied get in the way of her judgment. She said she also believed Ms. Stumpf thought the incident was over once it was verified that she was in fact a resident. Ms. Clark said in regards to Rebekah Cowell of the Independent Weekly, she sensed Ms. Cowell's deep regret at having interrupted her family time on Sunday afternoon with questions about something of no concern, as she called this morning to apologize. She said to Ms. Johnson who did not live in Pittsboro and who had not had the courage to speak to her directly, she would say had it been anyone else, someone not experienced in tactics used to incite unfounded emotions and accusations for the purpose of swaying public opinion, the result of her actions may have been quite different.

Ms. Clark said her reason for bringing this to the Town Board tonight was her hope that they would all take personal responsibility that that type of harassment did not take place again in this wonderful town. She especially asked that she go on record as saying that it never be allowed to take place again by that same person.

## **OLD BUSINESS**

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

Mr. Terry provided the following update on Capital Projects:

- Thompson Street Paving Project – Now completed. Contractor has now completed punch list work to create smoother transitions to side streets.
- Haw River Water Intake Desilting Project – Now completed.

Commissioner Harrington asked had they used the entire \$30,000 on the Desilting Project. Mr. Terry replied yes.

Mr. Terry continued his update:

- Disinfection Byproducts Reduction Project – All major elements completed with punch list phase ongoing. Agreement has been obtained in principle with the project engineer from Hobbs and Upchurch and with the grant administrator from the Rural Center to keep the project active for about 60 days as they continued to evaluate options with regard to achieving further reductions in TTHMs levels. Work has begun on a course of action that they believe will achieve better test results, including adjusting the chlorination process, lowering the chlorine levels and shifting the introduction of chlorine to a point later in the process to minimize the exposure of chlorine to organic carbon in the raw water. Now acquiring the necessary equipment to change the primary coagulant from polyaluminum chloride to ferric sulfate, one of the recommendations of both the State and Dr. Edwards of

Virginia Tech. Plans are to begin a trial period using ferric sulfate as the primary coagulant within about two weeks.

- 3M Reclaimed Water System Project – Painting of the water tank should begin within the next two weeks. Work continues on the electrical change order needed to coordinate that work with the electrical work for the WWTP Improvement Project, with a meeting scheduled for October 28 with the engineers in Raleigh.
- 3.22 MGD Wastewater Treatment Plant Construction – Hobbs and Upchurch has delivered two copies of the final EIS document and 14 copies to the State. They believe the 45-day review period began on October 12, 2009, meaning they should expect final comments no later than November 30. Tonight the Board will be asked to schedule a public hearing on the EIS for November 23, 2009.
- Short-term Wastewater Treatment Plant Improvement Project – Notification was received via email on October 16 that the review of their bid information package was completed and that a formal authorization to award would be mailed within two weeks. They have asked Sterns and Wheler to begin final preparation of the contract documents so that they can execute the contracts and hold a pre-construction meeting within a few days of receiving the formal authorization.
- Credle Street Basin Rehabilitation Project (Phase III and IV) – Jay Johnston of Hydrostructures has completed an application to the NC Rural Center on behalf of the Town requesting grant funds for the completion of this work, and the Town Manager has signed it and it was submitted on October 15.

Commissioner Harrington asked if they were to receive the grant money, what would be the next area addressed. Mr. Terry responded that the Credle Street project was divided out into four phases, and phases 1 and 2 had been completed, with 3 and 4 having been combined into one phase. He said that the last area to be addressed would be phase 3 which was the last increment of the general collection basin which had been the most problematic in terms of infiltration of rain water.

Mr. Terry continued his update:

- 3M Park – The October 22 meeting with 3M had been productive, with a 3M representative from Minneapolis present who had expressed an interest in doing a joint public information announcement when it came time to begin that project. Hope was also expressed that they could complete work on the land transfer and combine the two events, and based on the construction schedule they should be ready in January.

## **2. Manager's Update on Efforts to Reduce TTHMs.**

Mr. Terry stated they had not been successful in achieving full compliance with required standards for TTHMs in the water system, and because they had also lost their Water Plant Superintendent he would now be taking a more personal role in addressing the issue. He said tonight's report was the first in a series of bi-weekly reports that would be continued until he was satisfied that they had made the necessary technical, operational, and administrative changes at the water plant to consistently meet the required standards.

Mr. Terry stated the report included two graphs that showed the raw data for the last several quarters, and while recent articles in the press had suggested that the chloramination project had not worked, the chart suggested just the opposite. He called attention to the third quarter of 2009 where they had achieved a reading of .11 as compared to the third quarter of last year of .16, a 32.5% reduction. Mr. Terry said he believed they were in the process now of fine tuning the process to meet the required standards.

Mr. Terry said they were working closely with Mike Hicks of Public Water Supply, NCDENR, to implement some of his suggestions. He said they had also visited the Rocky Mount Water Plant and the Chatham County Water Plant to share information regarding their experience with TTHMs compliance. Mr. Terry said, based on those contacts and the advice of Mr. Hicks, they had adjusted the chlorine feed system at the plant to introduce less chlorine and to introduce it later in the process.

Mr. Terry said they were in the planning stages of changing their primary coagulant from polyaluminum chloride to ferric sulfate, which had been recommended by Dr. Mark Edwards of Virginia Tech as a means to reduce TTHMs. He said the Water Plant staff was in the process of assembling the equipment necessary to conduct a trial run of ferric sulfate during November.

Mr. Terry said members of the Board had expressed an interest in using powdered activated carbon as a means to reduce TTHMs, particularly during summer months. He said based on the recommendations of Mr. Hicks and others, they had deferred a pilot test until after the results of the chlorine feed adjustments and coagulant changes were known.

Mr. Terry said that Doug Terry, a former OWASA Water Treatment and Supply Manager, had been hired as the Interim Water Plant Superintendent and one of the Town's existing Class A operators, Kay Willis, had been appointed as the Operator in Responsible Charge (ORC). He said that Doug Terry and John Poteat were in the process of reviewing applications for full-time plant operators, but most applicants were not certified operators. Mr. Terry said they hoped to conduct interviews and fill the two vacant positions by mid-November.

Mr. Terry stated that the second graph provided an annual running average of TTHMs, and it was encouraging that they had achieved after the third quarter an average of .085, and the standard was .080, so they had missed it by only .005. He stated that was the lowest reading the Town had had in almost four years. Mr. Terry stated they were making progress, and all the news was not bad. He said they would continue to work to meet the required standards.

Commissioner Brooks thanked Mr. Terry and everyone who had worked so hard to make that happen. He said when they had to go back to chlorine in March, did they have a plan in place so they did not slip. Mr. Terry said he would say that they had learned significant lessons over the last few weeks around the issue of the importance of knowing how much chlorine you were putting into the water and at what point in the process you were doing that. He said they had learned that they could meet the requirement for disinfection by adding lesser amounts and adding it later in the process, which was key to the chloramination process.

Commissioner Harrington thanked Mr. Terry for his report, noting the data was important. He said he believed they had a public relations problem as much as a water problem, and when he looked at the graph he realized that the water used over most of the last quarter was within standards and many people did not know that. Commissioner Harrington wondered if that information should be posted on the website so that people would be able to see what was being done and to see how close they were to meeting the standards all the time. Mr. Terry said when they did not meet the standard during the quarter they were required to send out a notice, but the notice going out this quarter would include the second graph as well as a letter that would contain that information and provide the public with a better understanding of the progress the Town was achieving. Commissioner Harrington thanked him for doing that, noting it was a very good move on behalf of the Town.

Mayor Voller asked about the statistic they had discussed previously that was taken from a Website having to do with trials based on the amount of water someone would have to drink. Mr. Terry said what he had gotten from a Website was information regarding a “lab rat” test, which noted that the range of trihalomethanes the lab rats were exposed to was 400 mgs per liter to 1600 mgs per liter. He said the Town’s standard was .08 mgs per liter, so what the lab rats were exposed to was at the low end 5,000 times the allowable limit and at the high end 20,000 times the allowable limit in drinking water. Mr. Terry said even more ironic was that the results were gender specific in which one gender of rats experienced an increase in cancer, with the other gender experiencing a decrease in cancer.

Mayor Voller pointed out that since the end of the fourth quarter in 2007 when Mr. Terry became the Town Manager, they had actually improved their levels by 52% and it continued to trend down. He said they had been working on the issue for two years and the Board was very concerned and involved in that process. Mayor Voller said they were almost there, and the data proved that it was trending exactly to where they wanted to get. He said it was important that that information was passed on to citizens so that they were not alarmed and that they had the correct information.

Commissioner Baldwin thanked Mr. Terry for his due diligence, and to the staff for their hard work.

Commissioner Harrington said he believed the report showed that they were taking the right steps, and believed with the next few steps they would achieve full compliance.

### **3. New 3.22 MGD Wastewater Treatment Plant Environmental Impact Statement**

Fred Hobbs with Hobbs and Upchurch stated he had heard the concern expressed by the Board regarding the adequacy of the work done by Hobbs and Upchurch. He said he wanted to address the process tonight and provide some clarification. Mr. Hobbs said the process to get to where they were today had taken perhaps a year longer than it should have, and he wanted to provide an explanation as to why that had happened:

- The Town was told by the State that they could develop a 4 mgd wastewater treatment plant, and at that time Toll Brothers was the developer of what was coming in terms of population projections, and Preston was just beginning its acquisition of real estate.

- In October of 2007 the State indicated it had made a mistake, saying the Town could have only a 3 mgd plant because they had miscalculated the transportation times and the transportation credits on Highway 64 to Jordan Lake. At that time they undertook an effort to get what was known as dual discharge, which was maintaining discharge in Roberson Creek and discharge in the Haw River. By using dual discharge, the 3 mgd became 3.22 mgd, but that reconfiguration to increase the capacity to 3.22 mgd had taken a significant amount of time to do.
- Another complicating factor was that the DWQ regulator they were dealing with had never done an EIS, and at one point his staff had spent five hours with that regulator looking at commas and other grammar in the EIS.
- After the fifth submission of the EIS, and here at the last moment because they had ARRA funding, the regulator had said now they could not do a State Environmental Policy Act but had to do a National Environmental Policy Act. With Mr. Terry's help they had been able to deflect that and get back to where they were now.

Mr. Hobbs said tonight they were looking at the final draft of the EIS, which was undergoing the mandatory 45-day review. He said during that 45-day review period the Town was required to schedule and hold a public hearing, and assuming the public hearing did not reveal any new concerns there would then be a 30-day period for what was called the Record of Decision to be issued. Mr. Hobbs said once that was completed, the Town could proceed with planning and design of the wastewater treatment plant.

Mr. Hobbs said the contract amount that had been negotiated for the project in 2006 was \$155,764, but the report he had provided showed that Hobbs and Upchurch had \$367,076.28 invested in that project. He said he provided that not to ask for the Town's consideration, but to show that they had tremendous dedication to that project and to the Town, and apologized that they had not maintained the level of communication with the Town Board that they should have had. Mr. Hobbs said he could assure the Board that they had been working diligently towards a conclusion for the past three years.

Commissioner Harrington said Mr. Hobbs had mentioned that once the public hearing was held and the review period was completed, they could begin working on design. He asked if the last thing to be done was the acquisition of the discharge permit. Mr. Hobbs said the fast tract to get to the new plant would be to do the design which typically took 9 to 12 months while the discharge permit, the NPDS, was being renewed which typically took 6 to nine months. He said they could safely begin the design but they may not have the payment mechanism in place to do that.

Commissioner Harrington asked in his experience, when the EIS was approved, when he had ever seen a discharge permit not approved or what things had he seen that would delay the issuance of a discharge permit. Mr. Hobbs said he had never seen that happen and did not anticipate that they would see that in this case. He said they had worked carefully with the State before they ever reached this stage to make sure that the Town would be granted a discharge permit. Commissioner Harrington asked what reasons had been given when a discharge permit was denied. Mr. Hobbs said he had never known one to be denied when all the required elements had been in place, and in the Town's case he did not believe it would be a possibility.

Mayor Voller advised the Board that he and Mr. Terry had met with Mr. Hobbs where he had brought forward that information and they had wanted the Board to see all the twists and turns that Mr. Hobbs had described as well as the dollars invested to get them where they were today.

Motion made by Commissioner Harrington seconded by Commissioner Bryan to schedule a public hearing on the EIS on Monday, November 23, 2009 at 7 p.m.

Vote Aye-4 Nay-0

## **NEW BUSINESS**

### **1. Establishment of Canine (K-9) Patrol Officer Position**

Mr. Terry stated that the Town had recently hired a new patrol officer who had completed the majority of the K-9 dog handler training, and the resolution provided in the packet would authorize the Manager to purchase one dog in order to establish a Canine (K-9) Patrol Officer Program within the Pittsboro Police Department. He introduced Officer Phillip Terwilliger to the Board.

Officer Phillip Terwilliger stated he had been a Police Officer in Siler City for the past four years, and thanked the Board for the opportunity to work with the Pittsboro Police Department.

Mr. Terry provided the Board with brief information regarding Officer Terwilliger, noting they wanted to use his training as an opportunity to add K-9 capabilities to the Police Department for such purposes as high risk situations and searching for lost children or elderly persons. He said should the Town move forward with the program they would obtain a young, untrained dog and train the patrol officer and the dog together as a unit. Mr. Terry said the estimated cost of a young dog that was suited specifically for that kind of work could be as high as \$1,500, with about \$500 a year for food and another \$500 a year for veterinary expenses, for a total budgetary impact of \$2,500 for the first year. He stated that amount was currently available in the Police Department's budget.

Mr. Terry stated that the Police Chief had prepared a Policy that had been included in the packet which should answer any questions regarding the K-9 program. He said he believed that the addition of a K-9 program would provide a significant capability in regards to drug interdiction and certain traffic stops because the dog would be hard to fool, and it was his recommendation that the Board adopt the attached resolution to authorize the Manager to proceed with the purchase of a dog and the training process. Mr. Terry said it would take 3 to 4 months before the dog would be ready for service, but believed that to be a reasonable amount of time to achieve full capabilities.

Commissioner Baldwin said she wondered how they would distinguish between a routine stop and one where the dog would be used, noting she had heard of people complaining that they had been stopped for a routine traffic matter and had had a dog sniff around their vehicle. Mr. Terry stated it was his understanding that there had to be probable cause, for instance the Officer

noticed something in the car such as drug paraphernalia that gave him probable cause to want to conduct a more thorough search.

Mayor Voller said there were four attorneys in the room, and asked if any one of them had an opinion to offer.

Ricky Spoon stated he had seen cases where an officer may not have had any real suspicion of illegal activities but had conducted a K-9 search. He said he had on several occasions seen cars stopped on the Bypass where there were multiple police vehicles, as many as five, and the occupants of the vehicles appeared to always have been Black or Hispanic. Mr. Spoon said he had wondered what he would do if it happened to him, noting he believed the police sometimes “went overboard.”

Town Attorney Paul Messick stated the question was what would be the catalyst for use of the K-9, and believed the policy would address that.

Officer Terwilliger said technically as long as the stop was not delayed longer than reasonable, the K-9 could be allowed to sniff around the vehicle. He said that a drug sniff was not a search according to case law. Officer Terwilliger said if you stopped someone for an infraction and you were writing a citation, while that was being done the K-9 officer could walk the dog around the vehicle as long as the person was not being delayed for an unreasonable amount of time.

Commissioner Bryan said if you had probable cause such as seeing drug paraphernalia in the vehicle, could you then delay the person until the K-9 arrived. Officer Terwilliger responded yes.

Commissioner Baldwin said but if you did not have that situation, it would be at the discretion of the officer. She said if she was stopped for a broken headlight, she would not expect to have a K-9 sniffing her car. Officer Terwilliger said if there was no sign that anything was amiss, such as the person acting in an extremely nervous manner or an odor associated with drugs, then it would be unreasonable and unacceptable to have the K-9 sniff.

Commissioner Harrington said if you did pull someone for a broken headlight was it legal to do the walk around with the dog. Officer Terwilliger said it was perfectly legal to do so because it was not a search, but did not know why an officer would do it. He said it would be at the discretion of the officer.

Commissioner Brooks said he was in favor of the program, but they had to use common sense when using the K-9. He said he did wonder about stopping a vehicle with dogs, such as hunting dogs, noting the interactions may not be pleasant. Officer Terwilliger said again that would be at the officer’s discretion. He said if the person’s dogs would be in danger or the K-9 dog would be in danger, then they should not be put in that situation. Officer Terwilliger said he had all intentions of using common sense along with the Department’s policy because he wanted the program to be successful and of benefit to the Town, and he did not want to do anything to jeopardize that. Commissioner Brooks said the number of elderly in Town, along with the number who suffered from Alzheimer’s, was reason enough for the program to be put in place.

Mayor Voller said if you had a dog in your vehicle, the K-9 dog could become agitated and give the officer a signal that was a false signal, and then the person could be searched which would be an unreasonable search situation. Officer Terwilliger said that was why the officers were put through extensive training and extensive preparation for street work so that such situations did not happen. He said the program could be liability free with the proper documentation, the proper training, the proper certification, and the proper implementation. Officer Terwilliger said if you had a well trained officer and K-9 dog and a good department behind you, then you would have a good K-9 unit that would support the Town.

Mayor Voller said there were four items listed that the K-9 team would be used for, with the first being drug activity, but Commissioner Brooks had brought up the missing persons issue for which the K-9 unit could be quite valuable. He said they had more and more assisted living facilities and the population was aging. Mayor Voller said they also had the issue of the apprehension of suspects possibly fleeing the scene of a crime and reducing the risk to officers. He said the other item was going out into the community and providing demonstrations at schools, churches, and at community events, which would enhance the visibility of the Police Department. Mayor Voller said he was a dog owner, and his only concern was about not turning the program into an abusive process but making it an asset as opposed to something people were afraid of. He said some people were not dog lovers and were in fact afraid of large dogs. Officer Terwilliger agreed, noting that was why it was important to get out into the community and let the K-9 dog be seen and touched by children and others. He said a dog could not be certified if it had aggression issues or was disobedient, and an officer could not be certified if he or she could not control the dog.

Commissioner Bryan said he had watched the videos today provided by Officer Terwilliger and had been impressed. He asked what kind of dog was used in the video. Officer Terwilliger said it was a full-blooded black German Shepard, and that particular dog had received only four weeks of training at the time the video was made and was able to locate hidden drugs.

Commissioner Baldwin said the program was a great idea, but there were precautions that would need to be taken out of respect for the citizens. Officer Terwilliger agreed.

Arturo Velasquez, an attorney, commented that the law did not prohibit searches, but did prohibit unreasonable searches. He said it was his hope that after the dog was put into service that they would be able to walk that line and not conduct unreasonable searches.

Commissioner Harrington stated this would not be an attack animal. Officer Terwilliger stated that was correct, noting the animal would be trained to locate suspects so that officers could apprehend them, to locate lost individuals, and to search out illegal drugs.

Motion made by Commissioner Bryan seconded by Commissioner Baldwin to approve the resolution authorizing the Manager to purchase a dog to establish a Canine (K-9) Patrol Officer Program.

Commissioner Harrington asked where they would be as far as the Police Department's budget once the \$2,500 was spent. Mr. Terry said he believed the Police Department was on budget but

may have to tighten their belt during the second half of the year as far as departmental supplies were concerned.

Commissioner Harrington asked if it was possible to rescue dogs from a shelter and train them to become K-9 dogs. Officer Terwilliger said that had happened in the past, but it was not looked upon as being the correct method of finding an appropriate animal. He said you would have a lot of liability issues if you did not know where the dog came from, where it had been, or what it had experienced. Officer Terwilliger said it would be hard to determine what kind of aggression issues it had, whether it was skittish under certain conditions and the like, so it was better to obtain an animal that had been specifically bred for that kind of work.

Commissioner Bryan asked when the dog was not working, would the dog be at his home. Officer Terwilliger responded that was correct, noting he had already constructed a 10 x 10 x 6 chain link kennel with a concrete pad and roof and with a dog house for the K-9. He said he believed he would be going through the training along with Chapel Hill's K-9 unit and training on his own using his own resources.

Mayor Voller called for the vote.

Vote Aye-4 Nay-0

**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO PURCHASE ONE DOG IN ORDER TO ESTABLISH A CANINE (K-9) PATROL OFFICER PROGRAM WITHIN THE PITTSBORO POLICE DEPARTMENT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 174**

**Mayor Updates**

Mayor Voller said that the merchants continued to want to work with the Town regarding downtown parking. He said that the Fairground Association would soon be coming back to talk with the Board about a sewer tap, which had been discussed in the past. Mayor Voller said the Solid Waste Advisory Board would be putting forth an ordinance for construction debris for the Board's consideration. He said regarding the RPO, he had ridden the bus that morning and there were 19 people on the bus. Mayor Voller said he believed at some point they would be optimizing the routes and possibly using smaller buses.

Mr. Terry said since their last meeting he has talked with Brian Litchfield and had asked him about eliminating routes and changing bus sizes, and they would be having a follow-up meeting as soon as additional ridership data was available, which should be in the next couple of weeks. He said he would bring the Board a report once that meeting took place.

Mayor Voller noted that he had recognized several of the people on the bus and had been pleasantly surprised to see that people from all over the County were parking at the park and ride lot to ride the bus.

Commissioner Brooks said in regards to parking downtown, he had been contacted by Pam Smith. He said that David Monroe had researched that the County apparently owned a small

piece of land next to property now owned by the Presbyterian Church. Commissioner Brooks said that Ms. Smith had asked if signage could be erected that would prevent people from blocking the ramp so that she could continue to use it to unload merchandise for her business. He asked if that was legally possible to do by working with the County to help Ms. Smith with that problem. Mr. Messick said he would look into that along with Mr. Monroe.

Mayor Voller said to him the issue was that there was a lot of parking that could not be used because the land was in private hands and was chained off. He said he believed they should do whatever possible to help their merchants because they were an important part of their tax base downtown. Mayor Voller said the Board could ask Mr. Terry to contact the County since it was their property, noting there was the same issue in front of Mr. Holmes' old office in that the sidewalk was owned by the County so the Town could not repair it.

Commissioner Brooks asked if it was possible to write to Ms. Fesperman at the Merchants Association about setting up a meeting with owners of vacant lots in the downtown that could possibly be leased.

Mayor Voller said he would be 100% for that, noting that there were various merchants who had asked for the Town's help in solving the parking situation.

Commissioner Harrington said he believed it might be a reasonable thing for the Town to lease property or join with someone as a partner to provide parking in the downtown.

Mayor Voller said he believed Mr. Terry should contact the Pittsboro Merchants Association, along with Pam Smith and any merchants who might be interested in working out the issue. He said what they wanted was to have all the players sit down and work cooperatively on the issue.

Commissioner Brooks suggested that they write the County Commissioners to see if they could ask their County employees to park in the new parking lot that appeared to always be vacant, noting that would free up a lot of parking for others.

Mayor Voller said that was one of the issues that could be brought up when all the players were brought together, along with possible leasing of lots. He agreed that there were a lot of empty lots and not enough parking for customers of businesses.

### **Commissioner Concerns**

Commissioner Baldwin thanked the staff for their work on the recent street fair. She announced that the TJCOG meeting would be on Wednesday and to contact her if anyone had an issue they wanted her to bring up.

Commissioner Brooks said it boggled his mind that the State Legislature would require municipal officials to take an ethics course. He said if anyone needed such a course it was the Legislature.

Commissioner Harrington said that the PTA Thrift Shop parking lot was used for the fair parking, and asked had that been donated or did the Town pay a fee. Mr. Terry said he believed it was donated. Commissioner Harrington said the Town should send Mr. Justice a letter of thanks for allowing that, noting it was a nice gesture.

Commissioner Harrington said that Mr. Monroe had in the past alluded that some towns allowed back-in parking, and asked if that was a recommendation that he might have forthcoming for the Board to consider. He said he knew that other towns used that method because pull-in parking did not allow them to safety back out, and Mr. Monroe had indicated that other towns had had success with back-in parking. Mr. Monroe responded that recommendation would be in the Comprehensive Land Use Plan.

Commissioner Harrington said a couple meetings ago it had been mentioned about revisiting the issue of allowing some type of directional signs at least for businesses that could not be seen from the road. Mr. Monroe said that was on the agenda for the Planning Board for Monday night.

Commissioner Harrington said a citizen had made a recommendation to him that he believed was a very good suggestion. He said where the citizen used to live, sewer was allocated to developers using a system where they were given an allocation along with a window of opportunity, but at some point that allocation started to be paid on ideally by the people who were living there, or by payment of what it would be bringing if you were sitting on an unused allocation. Commissioner Harrington said he believed that was a good way to make people request what they wanted and then if it was not wanted or not needed it would be an incentive to give to back to the Town. He said he believed it would be a reasonable thing to do with the sparse allocation that was very valuable, noting it would make people ask only for what they needed. Commissioner Harrington said that might be a good way to proceed as they allocated sewer capacity between now and the time they had the new plant.

Mayor Voller suggested that perhaps the Planning Board could look into that. Mr. Monroe said the Town had an ordinance in effect at present that established the ability of the Town to allocate capacity in exchange for Capital Recovery fees. He said they had not been applying that because of the moratorium, but they now had two projects that had been declared exempt from the moratorium and therefore the ordinance may be sufficient to award some capacity and receive a payment in exchange.

Commissioner Harrington said that actually achieved the same objective, just in a different way.

Mayor Voller stated that the Town was the first of 81 municipalities that adopted the TJCOG resolution two meetings ago, and they should be proud that they were out front and now everyone else would be following Pittsboro.

## **FYI**

1. Informal Market Study on Pay Scales for Utility Positions.

2. NCDENR letter of October 1, 2009; RE: Notification of Intent to Modify Permit NC0020354 to Incorporate Jordan Lake Nutrient Requirements, Pittsboro WWTP, Chatham County.
3. NCLM memorandum of October 9, 2009; RE: Information Regarding Recently Enacted Legislation.

## **ADJOURN**

Motion made by Commissioner Brooks seconded by Commissioner Bryan to adjourn the meeting at 8:30 p.m.

Vote    Aye-4    Nay-0

---

Randolph Voller, Mayor

ATTEST:

---

Alice F. Lloyd, CMC, Town Clerk