

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, OCTOBER 11, 2010
7:00 PM

Mayor Randy 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, Michael Fiocco, and Hugh Harrington.

Staff: Town Manager Bill Terry, Town Clerk Alice F. Lloyd, Town Attorney Paul S. Messick, Jr., Planning Director Stuart Bass, Assistant Planner Paul Horne, and Police Lt. Lesia McCollough.

AGENDA

Motion made by Commissioner Baldwin seconded by Commissioner Bryan to approve the agenda as submitted.

Vote Aye-5 Nay-0

CONSENT AGENDA

The Consent Agenda contained the following item:

1. Approve minutes of the September 27, 2010 regular meeting.

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to approve the Consent Agenda as submitted.

Vote Aye-5 Nay-0

REGULAR MEETING AGENDA

Citizens Matters

There were no citizens who signed up to speak.

OLD BUSINESS

1. Fiscal Year 2010-2011 Budget Amendment; RE: CDBG Application Preparation Costs.

Town Manager Bill Terry stated this issue had been tabled at the Board's last regular meeting pending collection of additional information about the grant. He said since that time Jay Johnston with Hydrostructures had submitted his preliminary engineering report which had been well received by the grant authority, although they had indicated the need to do some surveying in the ETJ. Mr. Terry said that today the Mayor had had a phone conversation with the grant authority that had changed that. He said as he understood it now, they needed only to get their application package in hand and a letter from the Fire Chief confirming some of the information in the PER, and once that was done the application documents would be released so that Hydrostructures could begin filling out the application.

Mayor Voller said that either the Fire Chief or the Fire Marshall could provide a brief paragraph and that would be the last piece required to get the application forms. He said the reference to surveying in the ETJ was something that time did not allow, so he had talked with the grant authority and explained that the data they had submitted encompassed the entire area. Mayor Voller said so, the only thing needed was the statement from the Fire Chief or Fire Marshall, and then the Board could move forward if that was what they decided to do.

Commissioner Fiocco asked what the Fire Marshall needed to provide. Mayor Voller said they needed to provide a short statement that corroborated the information submitted by Hydrostructures in regards to the out-of-service hydrants and the diminished fire protection abilities.

Mr. Terry said it sounded as if that was something that could be accomplished tomorrow without a lot of effort, and then the application documents would be released immediately and Hydrostructures could get started on completing those documents.

Commissioner Fiocco said that Vanessa Blanchard had confirmed that once she received that statement she was ready to release the application documents. Mayor Voller said he had talked with Ms. Blanchard at 4 p.m. today and she had said if she received the statement tomorrow she would release the application documents tomorrow.

Commissioner Bryan asked had they known about that requirement last Wednesday, noting he had understood that the application forms would be released last Friday. Mayor Voller said that everything had been reviewed and out of that review they had been asked for that independent corroborating statement from the Fire Chief or the Fire Marshall.

Commissioner Bryan said the bottom line was they still did not have the application so they still did not have an estimate on the cost. Becky Smith with Hydrostructures said they had hoped the documents would have been released today so that they could put together an estimate, but that had not happened.

Mr. Terry said it was the Board's decision whether to proceed or not to proceed. He said that Hydrostructures had done the preliminary work to submit the PER but they had not amended their contract to cover that expense, so the Town would be billed for those hours. Mr. Terry said the budget amendment before the Board tonight would include \$10,000 for the CDBG grant application preparation fee for Hydrostructures to the Downtown Water System Improvement Project to act as a placeholder and would allow them to proceed. He said that \$10,000 was an approximation based on 80 hours of preparation time for the CDBG application, but that was his estimate and not Hydrostructures. Mr. Terry said it was their hope that it would not take that many hours, but at this point they just did not know. He said that they did not expect the CDBG application to be as convoluted as the USDA application, but without seeing the documents it was hard to estimate the time commitment. Mr. Terry added that they had been given verbal assurances that the CDBG forms would not be complicated, and he believed that something less than \$10,000 would get the application documents prepared and submitted.

Mayor Voller said in essence they were building on the work that was done before. Mr. Terry said that was correct, noting that was how Mr. Johnston had prepared the PER and that had been accepted with very few editorial comments.

Mayor Voller said to answer Commissioner Bryan's question, he had tried three different times on Friday to get an answer regarding the release of the application documents, but apparently the grant authority team was in meetings on the grants and he had been unsuccessful in reaching anyone. Mr. Terry said if the Board was not comfortable in adopting the budget amendment then the Board could instruct him to allow Hydrostructures to continue their work and use funds from the Professional Services line in the current operating budget. He said the budget amendment could be brought back at a later date to amend the project budget if the Board was more comfortable doing that.

Commissioner Harrington said he assuming they were to get the statement from the Fire Marshall or Fire Chief tomorrow, when would they expect to get the application documents in hand.

Mayor Voller said Ms. Blanchard had indicated as soon as she received that statement she would release the application documents the same day.

Commissioner Brooks clarified that they had until October 29, 2010 to submit the completed application. Mayor Voller said that was correct.

Commissioner Harrington said he was assuming the only concern was if they got the application and it held some surprises that would require a great deal more work. He said in that case his inclination would be to adopt the budget amendment subject to review of the application. He said once Hydrostructures provided a cost estimate to the Town Manager, then if the Town Manager believed the Board needed to revisit it they could do so at that point. Mr. Terry said they had only two weeks left to get the documents filed, so the hours available were self-limiting.

Commissioner Brooks said he had understood that if the Town did not take bids for the project then they would not be able to charge those expenses to the grant.

Commissioner Fiocco said they would just not get reimbursed.

Commissioner Brooks said something had been said about interviewing potential bidders, but asked if they really had to do that. Mr. Terry said for the selection of architectural engineers, usually you would ask for a qualifications statement and typically you would then interview the short list of finalists. But, he said, they could make a selection from the written submissions and forego the interviews.

Commissioner Brooks asked that the Mayor lay out one more time exactly how much this project would cost the Town. Mayor Voller said assuming they submitted the documents on time the grant was for \$750,000 which required a 5% match of \$37,500, and added to that was the cost of the application process. He said then, once they received the hard bid they would need to add the difference for the piece from Launis Street to the traffic circle, because they already knew the costs for the part up to Launis Street.

Commissioner Brooks asked how much would it cost if they upsized the line to 12" from Launis Street to the traffic circle. Commissioner Fiocco said even if they put a 10" line back in the ground the grant would only pay for an 8" line.

Commissioner Brooks said he was attempting to determine the cost difference between the 8" line and the 12" line, which was an expense the Town would have to cover.

Mayor Voller said the cost would be based on the linear foot, and he had estimated that cost would be in the range of \$10 per foot for the materials

Commissioner Brooks asked where the 12" line would begin. Mayor Voller said if they got the grant they would be replacing the entire line from the water tank to the traffic circle, not just from Launis Street. He said the line would terminate at the end of Hillsboro Street at the Courthouse.

Commissioner Bryan said Mr. Johnston had estimated the cost to be \$971,000 to go all the way from the water tank to the Courthouse with a 12" line. Mayor Voller said that was correct, so if the Town received the \$750,000 the cost would be the difference between the two. He said Mr. Johnston had based that estimate on the high end, and once they bid the project it may come in lower.

Commissioner Brooks said they could just stop it at Launis Street. Mayor Voller said that was what the project originally called for, and they could still do that. But, he said, they had thought they would apply for as much funding as possible.

Commissioner Bryan said they had considered whether to stop at Launis Street or to go all the way to the Courthouse. He said when he had asked could they figure out how far \$750,000 would get them, Mr. Johnston had said he could.

Commissioner Harrington said that for one phase they could stop at Launis Street which would be \$350,000, and then they would at least have that much done. He said if they received the USDA funding, which may be more loan than grant, then they could consider whether to look for some cheap financing for any balance that was needed.

Commissioner Bryan said the Mayor had also mentioned that the County may contribute some funds for the connections they would make once the line reached the County's campus.

Mayor Voller said they would definitely need to talk with their partners, noting that the lines downtown were important and there would be much interest in that from the EDC as well as the County. Mr. Terry said he had made a call to the USDA grant administrator, Juliet Johnson, and asked would there be an issue around how the Town selected Hydrostructures with respect to her program. He said the response was no because it was not a grant but a loan and a grant, although they would want to see the minutes of the Board meeting where the Board directed that the work be done. Mr. Terry said because they were pursuing two different avenues for financing, he would not recommend seeking a different engineer to execute Hydrostructures' plans. He said what it did allow them to do was that those fees that Hydrostructures would charge the Town for the design and construction administration that they might not be able to pay for with the CDBG grant they could pay for with the money borrowed from the USDA.

Mayor Voller said presuming tomorrow that he was able to talk with the grant authority and they did not have to do any surveys outside the Town limits, then they could go forward with applying for the \$750,000. He said if any problems arose for whatever reasons then they would stop the project at Launis Street. Mayor Voller said the main reason for going for both grants was to get the most bang for the buck, because if they were going to have to do grant administration they wanted to have as much funding in hand as possible.

Commissioner Fiocco asked if the need for the survey was an additional piece of work, noting that the project was just for the transmission system within the Town that served the greater good of the community and therefore there was no need for a survey.

Commissioner Harrington said to clarify they would immediately know when they received the application document.

Mayor Voller said yes, that once they received the documents they were on their way. He said he had asked point blank if when they received the letter they would know about the funding, and the response had been once she sent the letter the funding was guaranteed.

Motion made by Commissioner Harrington seconded by Commissioner Baldwin to adopt the budget ordinance amendment to include the CDBG grant application preparation fee for Hydrostructures to the Downtown Water System Improvement Project in the amount of \$10,000, subject to the Town Manager reviewing the application forms with Hydrostructures to determine whether it was feasible with no prohibitive conditions and notifying the Board if they should expect any higher fees and then consult with the Board as to how to proceed.

Commissioner Brooks said for the record he wanted to clarify the motion. He said if the Town received the \$750,000 grant, then the motion did not commit the Town to spend any more money than that.

Commissioner Harrington said the budget amendment did not commit them to spending any money, in that his motion was that upon receiving the application documents the Town Manager would review them with Hydrostructures to determine whether it was feasible to continue and notifying the Board if it was determined that the cost would be higher than expected.

Commissioner Bryan said what the budget amendment was doing was allocating \$10,000 to allow Hydrostructures to complete the application. Mr. Terry said he expected the cost to be less than \$10,000, but if it turned out it would be more he would communicate that to the Board via email.

Mayor Voller said he believed the Board wanted assurances that the cost would not be \$10,000.

Commissioner Bryan said his concern was that they were not opening the door to be charged a \$10,000 fee just because those funds had been made available when the actual cost was something less.

Commissioner Baldwin said they could request ongoing billing. Mr. Messick stated that this was not a contract with Hydrostructures; it was a budget amendment to provide funds to the project budget if the Board went forward with the grant application process. He said they did not have to spend any of those funds; they were only allowing that amount of money to be put into the budget as a potential expenditure.

Mr. Terry said when Hydrostructures saw the application he would ask them to provide a fee proposal, so they should know by the end of the week what the cost would be.

Mayor Voller said Mr. Terry could provide the Board with the fee proposal, adding the budget amendment just allowed the Manager to move forward with that.

Vote Aye-5 Nay-0

ORDINANCE AMENDING THE TOWN OF PITTSBORO FY 2010-2011 OPERATING BUDGET IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE 35

NEW BUSINESS

1. Resolution Declaring October 2010 to be Domestic Violence Awareness Month (Lt. Lesia McCollough).

Lt. Lesia McCollough stated that she was hired as the Domestic Violence Officer in February 2008, and through her work with the Family Violence and Rape Crisis Center they were promoting October as Domestic Violence Awareness Month. She said that she had provided a

copy of the Presidential Proclamation signed by President Obama also proclaiming October as Domestic Violence Awareness Month.

Lt. McCollough said since her hiring she had responded to approximately 90 calls for domestic violence in Pittsboro. She said that may seem low, but according to the National Coalition Against Domestic Violence only half of domestic violence victims actually reported to the police. Lt. McCollough said she could guarantee that the statistics from the Domestic Violence Center would be much higher than the 90 calls she had responded to.

Lt. McCollough said the NC Coalition Against Domestic Violence had tracked domestic violence, homicides and deaths related to domestic violence in the State, and in 2008 there were 103 deaths associated with domestic violence, in 2009 there were 77, and so far this year there were already 77. She said in looking at the cases she had worked with, the 90 just in Pittsboro and the fact that up to half of the victims never reported, that provided a clearer picture of the crisis they were facing.

Lt. McCollough said according to the National Coalition Against Domestic Violence, one in every four women would experience domestic violence in their lifetime; an estimated 1.3 million women were victims of physical assaults by an intimate partner each year; 85% of domestic violence victims were women; females aged 20 to 24 were at the greatest risk of non-fatal intimate partner violence; and, most cases of domestic violence were never reported to the police. She said in regards to children, witnessing violence between ones' parents or caretakers was the strongest risk factor of transmitting violent behavior from one generation to the next. Lt. McCollough said that boys who witnessed domestic violence were twice as likely to abuse their own partners and children when they became adults. She said that 30% to 60% of perpetrators of intimate partner violence also abused the children in the household.

Lt. McCollough said in regards to homicide and injury, almost one-third of female homicide victims that were reported in police records were killed by their intimate partner. She said in 70% to 80% of intimate partner homicides, no matter which partner was killed the man had physically abused the woman prior to the homicide. Lt. McCollough said less than one-fifth of victims reporting an injury by intimate partner violence sought medical treatment. She said that intimate partner violence resulted in more than 18.5 million mental health care visits each year.

Lt. McCollough said the economic impact of domestic violence was staggering, noting that the cost of intimate partner violence exceeded \$5.8 billion each year, \$4.81 billion of which was for direct medical and mental health services. She said victims of intimate partner violence lost almost 8 million days of paid work because of the violence perpetrated against them by current or former husbands, boyfriends, and dates. Lt. McCollough said that loss was the equivalent of more than 32,000 full-time jobs and almost 5.6 million days of household productivity as a result of violence. She said there were 16,800 homicides and 2.2 million medically treated injuries due to intimate partner violence annually, which carried a cost of \$37 billion.

Lt. McCollough quoted language from the National Coalition Against Domestic Violence regarding how domestic violence pertained to all communities, ages, economic status, race,

religion, nationality, and educational backgrounds, and that the consequences of domestic violence could cross generations and last a lifetime.

Lt. McCollough said that the Family Violence and Rape Crisis Center was holding a harvest auction at Fearington Village on Thursday from 6 to 9 p.m., and invited everyone to attend and support the Center's efforts.

Commissioner Brooks said in the past he had read some rather severe criticism of the services available to victims, but the breakdown did not appear to be with law enforcement but in mental health services. He asked was that still true. Lt. McCollough said she would say it was, noting there was a stigma attached to domestic violence because many times the question was asked, "Why did she stay?" She said it took her gaining the position of Domestic Violence Officer and really working one-on-one with victims to understand why they stayed. Lt. McCollough said that victims feared retaliation and financial repercussions and well as others, and felt that they had no other options. She said regarding the mental health aspect, people who were not in the violent situation did not understand why someone would remain in such a situation.

Commissioner Brooks said when he was teaching and believed it was still the case that by law, if a teacher knew that domestic violence was occurring against a child they were required to report it. He said once a teacher reported something, they never knew what the outcome was and he believed that contributed to the breakdown of victims not receiving the social services they needed. Lt. McCollough said it was important to realize that over half of the victims stayed with their partner, and it was difficult to follow up with each and every victim and provide the available resources when they continued to stay in the violence environment.

Commissioner Harrington said from her experience in Pittsboro and the number of incidents she had dealt with, what percentage of those was repeat calls to the same place. Lt. McCollough said it was likely that 30 to 40 were repeat calls.

Mr. Terry asked of the 90 cases she had handled, how many ended up in court cases where convictions were made. Lt. McCollough said probably half.

Mayor Voller said that Lt. McCollough had participated with the visitors the Town had hosted from Brazil who were interested in domestic violence issues, and they had been very impressed with the work Lt. McCollough was doing and what the Center was doing. He said those visitors had thought for a County their size and a Town their size they were actually far ahead of places they had visited around the country. Mayor Voller said a lot of the credit for that had to go to Lt. McCollough and the Center for the work they had done over the years.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to approve the resolution declaring October 2010 to be Domestic Violence Awareness Month.

Vote Aye-5 Nay-0

A RESOLUTION DECLARING THE MONTH OF OCTOBER 2010 TO BE DOMESTIC VIOLENCE AWARENESS MONTH WITHIN THE TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 116

2. Fire Hydrants (Commissioner Brooks).

Commissioner Brooks said there may be several entities working on this issue without necessarily knowing what the others were doing. He said he had become concerned about the fire hydrants in Town with plastic bags over them, and after asking some questions had learned that they were defunct and had been since the Courthouse fire and perhaps before. Commissioner Brooks said that many of the fire hydrants were 50 or more years old, and John Poteat had indicated that the company that made them was no longer in business. He said he had asked Fire Chief Griffin if he would prepare a list of the fire hydrants in the Town of Pittsboro and to prioritize what needed to be done. He said as soon as he got that list he would provide it to the Town Clerk to be emailed to the Board.

Commissioner Brooks said he was asking the Board tonight for a commitment that they would do everything in their power to see that the fire hydrants were replaced or repaired in order to protect their citizens. He said no one could provide cost figures at this point, but lives were involved and the hydrants needed to be addressed. Commissioner Brooks said he would like to stay on top of this issue by setting some goals and not let it get pushed aside.

Commissioner Harrington asked would he recommend that it was something the Board should receive an update on at every meeting.

Commissioner Brooks said once they received the list they could be more specific, but frankly he would like to have the Board say tonight that they would commit to getting those hydrants that were covered repaired or replaced posthaste.

Mayor Voller asked had he seen the list that was prepared with the grant application that Hydrostructures had prepared. Commissioner Brooks said he did not recall. Mayor Voller said that spreadsheet listed the location, age, make, flow rates, pressure, and fire flow pressure. Ms. Smith said the list Chief Griffin produced should be very similar if not the same.

Mayor Voller said he did not see why the Board would not support the replacement or repair of those hydrants, noting that no one wanted the situation to continue.

Commissioner Fiocco asked Mr. Terry if he could provide an update. Mr. Terry said they had been working on it and John Poteat had done a great job of checking into some creative alternatives. He said at first blush they had thought it would be a very expensive project because many of the hydrants were not valved but were piped directly to a main, so in order to replace them it got very complicated and could result in a Town-wide outage for a short period to get the repair or replacement done. Mr. Terry said the first estimates were upwards of \$100,000 for just six hydrants, but once they had talked with Mr. Johnston about alternatives they had decided that rather than trying to replace an existing hydrant they would just move down about 20 yards and install a new one. He said it would not require shutting the water off to tap the new hydrant in

and it could be put into service for the relatively inexpensive price of around \$2,000 to \$3,000 per hydrant.

Mr. Terry said they actually had some hydrants on order, and once they arrived they would begin the replacement of those that were now bagged. He said the tactic they would take would be to work with Chief Griffin and place a new hydrant 20 yards upstream or downstream of the existing hydrant, and then at a more convenient time they would remove the old hydrant and cap the line at that location. Mr. Terry said it was their intention to get that done before freezing weather set in.

Commissioner Fiocco said he believed that would be a very good solution. He asked if most of the water mains for the hydrants were in the roadway underneath the asphalt. Mr. Terry said in downtown that was true, but further north on US 15-501 they were in the shoulder. Commissioner Fiocco said then the expense may be more than the several thousand dollars if the roadway had to be torn up. Mr. Terry said that was a fair statement.

Commissioner Fiocco said he would support Commissioner Brooks' suggestion, noting they needed to get those hydrants back on line. Mr. Terry said once they got the survey data from the Fire Chief, if it turned into a project costing tens of thousands of dollars they could create a capital project to track the expenses. He said they could lump that into the CIP and budget those funds, and then he would include updates in his monthly report.

Mayor Voller said he believed the Board would like to stay updated, noting that the issue affected businesses, insurance rates and safety, and obviously they wanted to do it as efficiently as possible. Mr. Terry said he believed they were on the right track.

Commissioner Baldwin said she would agree the process laid out by the Manager was a good solution.

Commissioner Brooks said it sound like they were making progress.

3. Proposed Changes in the Planning Department (Commissioner Brooks).

Commissioner Brooks said he was always concerned about money and the Town's reserves, and it appeared to him that they would have enormous costs associated with replacing a very aged infrastructure. He said with that in mind he had a few suggestions related to cost savings and cost savings only. Commissioner Brooks suggested abolishing the position of assistant planner and transfer Ms. Bonnau from the front desk to the Planning Department with a title of technical specialist or some other proper term. He said that Ms. Bonnau could then assist Mr. Bass in order to free up his time to work on the most important issues such as land use and subdivision regulations. Commissioner Brooks said that Ms. Bonnau had worked closely with the former planner and could certainly handle the related work and he believed she would improve the efficiency. He said some of the savings could be used to provide Ms. Bonnau with a raise and still have substantial funds left over to go into savings. Commissioner Brooks said he believed that with what was coming they would need additional planners, and believed his suggestion was

one they should talk about. He said as far as the front office, he believed that one person could handle the calls and collect the water bills.

Commissioner Brooks said those were just his thoughts, noting that he believed that last year they had spent one-half million dollars out of the reserve. He said anything they could do to save some money was a good thing.

Commissioner Harrington said he certainly believed they needed an engineer more than two people in the Planning Department at present. He said Commissioner Brooks was talking about cost savings and he was looking purely at needs, but that was not to say that he was for or against the proposal. Commissioner Harrington said it was a fact that an Engineer was needed.

Commissioner Brooks said they were committed to looking into hiring an engineer at the beginning of next year. Commissioner Harrington agreed.

Mayor Voller asked what Commissioner Brooks would like to see happen.

Commissioner Brooks said he did not believe they needed the assistant planner position right now, and believed for not too much more money they could gain a technical assistant to handle the more routine tasks and free up Mr. Bass's time for more important issues. He said there was a great deal of paperwork involved in planning and zoning, and believed Ms. Bonnau could handle compliance issues and perhaps some of the smaller design issues. Commissioner Brooks said the idea was to free up Mr. Bass from as much paperwork as possible so that he could concentrate on some of the larger issues that they knew were coming.

Commissioner Baldwin asked Mr. Bass if he was overwhelmed. Planning Director Stuart Bass replied he was in his fourth week of work, but the issues Commissioner Brooks had mentioned were part of the job. Commissioner Baldwin said if he had someone to assist him would that free him up to do other things. Mr. Bass said it was premature for him to say that, but assistance was always good.

Mr. Terry said part of the reason he had been such an advocate of having Clarion work in the Planning Department while they recruited for a Planner was that the foot traffic that came through on a daily basis with a permit in hand from the County and needed a zoning compliance check off or whatever might take up to 45 minutes to an hour per visitor. He said they may require a second visit if some research was required, so the day-to-day walk-in traffic provided plenty of work to be done. Mr. Terry said when you looked at the vision that Pittsboro had for itself over the next 10 to 15 to 20 years and compared the size of their Planning Department to a growing community, it was obvious it was very small. He said Chapel Hill had at last count 14 planners, with one person doing nothing but planning sidewalk projects, one did nothing but transportation, bike and pedestrian issues, one did only long-range planning, and one did nothing but comprehensive planning.

Mr. Terry said before the Board made any decisions about any current positions, he would like an opportunity to provide them with position descriptions for any positions they were considering changing to provide them a better understanding of the tasks associated with those

positions. He said that would help them to understand the larger picture of how staff was interrelated and how they were already supporting one another.

Commissioner Harrington asked did he recall the current job description for the assistant planner, noting he believed it had been half-time compliance and half-time parks, or something of that nature. Mr. Terry said that compliance was a component but he did not recall if it had been divided by percentages. He said he had looked over that job description today and it had been called assistant planner for parks and recreation/code enforcement. Mr. Terry said at the time the position had been created the Town had two PARTF grants that they needed help in managing, and that was what the incumbent had been doing primarily as well as helping with other planning issues. He said it was a legitimate question to ask at any time whether the staff was correctly balanced and if the right people were in the right positions and that was a question that should be asked periodically. Mr. Terry said he would suggest looking at all positions in a systematic way by making that a priority for the next budget system.

Commissioner Harrington said obviously they had work that needed to be done in regards to planning issues. He asked from his experience was it his opinion that an engineer could also handle park planning and site planning, and were engineers ever used in other towns to do that kind of work. Mr. Terry said that project management was a job that got spread around in most towns, noting that many times parks and recreation directors had project management skills. He said he had seen particularly in larger cities where engineers were assigned to project management, but they were primarily assigned to DOT and bridge inspections and that sort of thing. Mr. Terry said regular construction projects that were not particularly complex in nature such as renovations would normally be assigned to someone in Public Works who had project management skills. He said normally an engineer would get the larger, more complicated projects, and certainly the 3.22 MGD Wastewater Treatment Plant project qualified as one of those because it would require a great deal of time, expertise and experience in major project management.

Commissioner Fiocco said they did have in their future a substantial amount of growth, noting they were poised in a perfect position to capitalize on that growth that would come their way but only if they were prepared for it. He said that Mr. Bass had a lot on his plate and only more to come, and it was a valuable time now for him to have some assistance in a professional that could make the interpretations of the Town's regulations. Commissioner Fiocco said there was a lot of paperwork, but many times it was much more complicated than citing the ordinance because the ordinance was rarely black and white. He said there were nuances and interpretations to the ordinance and that was a day-to-day thing that he believed could bog down Mr. Bass in crafting and creating future vision and the ordinances that would derive and fulfill that vision. Commissioner Fiocco said he believed it was a very good time to have an assistant that could handle some of the ancillary duties and free up Mr. Bass to look to the bigger picture.

Commissioner Fiocco said with that said he believed they would need an in-house engineer to do some of the same functions. He said in that vein he could see the real value in having an assistant, noting Mr. Horne had been working a lot on parks and recreation issues and they were going to need some Code compliance. Commissioner Fiocco said that was a duty that the Town

had not truly been fulfilling, and believed an assistant would allow them to step up that function as far as Code compliance and free up Mr. Bass to look to the longer range planning issues.

Mr. Terry stated in regards to the issue of whether or not they needed two people in the lobby at one time, he reminded the Board that that was a change he had made shortly after coming to the Town. He said he had noticed that they had one employee whose primary duties was support of the Police Department and one whose primary duties was support of the Utilities Department, and they mutually supported each other. Mr. Terry said his thought was because they were mutually supporting that the two positions could work in the same space and essentially be the same position. He said as well, people went to lunch, took vacation, and were occasionally sick. Mr. Terry said at present the office was open from 8 a.m. to 5 p.m., and with a single person it would require closing the office for the lunch hour and possibly opening later or closing earlier. He said they could always make adjustments, but the two staff members working at the front desk served the public by collecting water bills, they served the Police Department with preparation of Police reports, and one of them was skilled in writing grants and assisted the Police Department with that as well as served as the IT Manager, kept the Website up and running, and provided back-up for computer-related problems. Mr. Terry said before one of those positions was removed he would ask that the Board review the position descriptions to make sure they understood all the things they were doing, and then compare them and make a fully informed decision about whether or not a change should be made.

Mayor Voller asked when he would want to go forward with that. Mr. Terry said it was logical to do that as a part of the budget process. He said they could create a position description notebook for each Board member so they could review them prior to further discussions in the spring during the budget process.

Mayor Voller said that as long as he had been coming to the Town and before he was Mayor, the issue of Code compliance and an inspector had been batted around. He said that Ken Hoyle had been on the Planning Board for all that time and there had been a number of places in Town that were not in compliance that the Planning Board had identified. Mayor Voller said the question he had was who else could be doing that job, such as the Police. Mr. Terry said that was a different type of enforcement that the Police would not be involved in, but he would defer to the Town Attorney on that.

Commissioner Harrington asked Mr. Terry to provide the Board with a copy of the current assistant planner position description. Mr. Terry said he would email it to the Board tomorrow.

Mayor Voller asked Commissioner Brooks what he would like to see happen from this point. Commissioner Brooks said what he was hearing was that perhaps there was recognition that they needed a more efficient flow and there may be other ideas of how to achieve that. He said the Board was not cohesive about that yet but that may come as they explored other options.

Mayor Voller said one thing he was struck by in regards to compliance was that there were two signs on US 64 as you came into Town that he did not believe were permitted. He said people had brought that up to him before, and that kind of compliance was a related issue.

Commissioner Bryan said from the discussion it appeared that the assistant planner was hired for parks and recreation and Code enforcement, but from the comments he had heard it did not appear that any Code enforcement was being done.

Mayor Voller said he did not know if that was a fair statement, but Code compliance had been an issue for quite some time as to how, when, and where Code compliance was enforced.

Ken Hoyle, Chair of the Planning Board, stated that he had often talked with former planner David Monroe regarding compliance issues, and he would do some compliance as he found the time. He said that type of work did take a lot of time and finesse and urging, and therefore Mr. Monroe did very little of it. Mr. Hoyle said it seemed the process was that Mr. Monroe would make a phone call and inform someone that they were not in compliance, and then he cited several examples on 15-501. He said he had talked with Mr. Monroe and encouraged him to make a request for an assistant that would be one-half planner and one-half Code enforcement, which was logical in terms of man hours and what could be accomplished by an assistant, and that was how the position was created. Mr. Hoyle said since the position was created he was not aware of any enforcement, and they desperately needed someone to enforce the Code. He said there was a backlog and they would get a lot of backlash unless something was done.

Mayor Voller said the longer they waited the more angry people would get and it would become a bigger and bigger issue. He agreed that when the assistant planner position was created half of that person's time was to be spent on Code enforcement.

Commissioner Harrington said he thought it was half time parks and recreation and half time Code enforcement, but Mr. Hoyle had said it was part time planner and part time Code enforcement. Mr. Hoyle responded he had never heard it mentioned until now that the position was one half parks and recreation, noting that the position was created before they even had a Parks and Recreation Board. He said it was his understanding it was strictly 50/50 between Code enforcement and an assistant to Mr. Monroe.

Mayor Voller said he did recall that there were several positions discussed during that budget year, and one was something for parks and recreation and one was for Code enforcement. He said they ended up with some kind of compromise where that position got created the way it was. Mayor Voller said former Commissioner Cotten had brought the issue forward and his idea was one position for recreation and one for something else, but the Board had not created all of the positions proposed. He said to be fair to Mr. Horne who was the assistant planner, he had done a very capable job as a recreation planner, but the other part of that position never got created. Mayor Voller said in fact a part of that position was supposed to have been as Code enforcement and they could look at the minutes from that time to see what the thought process was.

Commissioner Baldwin said it was her recollection that when the position was approved it was supposed to be an assistant planner. Mr. Terry said he was hired in October 2007 and distinctly remembered being told to hire a recreation planner. He said he had written the position description before he advertised for the job, and he could look in the files to see what the ad actually said. Commissioner Baldwin said her memory was that recreation was a part of the

duties, but the other part was Code enforcement. Mr. Terry said the job title actually was Assistant Planner for Parks and Recreation and Code Enforcement.

Mayor Voller said the rational way to move forward was to work with Mr. Terry and compile the position descriptions. He said if the Board wanted to get some sooner than the next budget cycle they could talk with Mr. Terry about that. Mr. Terry said he would compile the descriptions and get them to the Board as quickly as possible, but added it was logical to wait and discuss any changes as a part of the budget cycle.

Commissioner Brooks said he appreciated the Board's willingness to discuss the issue and to consider that some changes may be in order.

Mayor Voller said they would wait until Mr. Terry provided the descriptions for review before taking the discussion up again.

CAPITAL PROJECTS REPORT

1. Manager's Update on Capital Projects.

Mr. Terry provided the following update on Capital Projects:

- Disinfection Byproducts Reduction Project – A final inspection with the designer and the general contractor was conducted on October 7, and all punch list items have been resolved and the project was substantially complete. The only remaining issue was the level of residual ammonia fumes in the ammonia feed building. Upon inspection they were in agreement that the building had been built according to specifications and the contractor had fulfilled his obligations. They would be pursuing improved ventilation outside of the construction contract.

Mr. Terry said the Board had expressed an interest in touring the new facility, and plans were underway to do that in two sessions on the same day as the Street Fair, which was Saturday, October 23. He said the first would be at 10 a.m. and the second at 2 p.m. and the tour would last about one hour. Mr. Terry said they would be walked through the entire water production process from where it entered the plant to where it left the plant, and would see a demonstration of how the new features changed the way they treated the water.

Commissioner Fiocco asked Mr. Terry if he would email the Board with that information as a reminder. Mr. Terry said he would do so.

Mayor Voller asked when the next water quality test would take place. Mr. Terry said that had already been taken and they were waiting for the results. Mayor Voller asked if a preliminary test was done. Mr. Terry responded no, but he was cautiously optimistic that there would be no problems.

Mr. Terry continued his update:

- Wastewater Treatment Plant Wet Weather Flow Improvement Project – A construction progress meeting was held today to discuss the schedule for system testing, staff training

and system start-up. They remained on schedule for completion in late October or early November. The two basins were now being filled with reuse water and tested under pressure for leaks.

Commissioner Harrington asked when he expected it to be completely done. Mr. Terry replied he believed by the second or third week of November, noting the last part of it was to clean up the site, repave the road, and put the sidewalks back that were cut out.

Commissioner Fiocco said then they would call the project complete sometime in November. Mr. Terry replied that was correct.

Mr. Terry continued his update:

- 3.22 MGD Wastewater Treatment Plan Construction – The NCDENR letter received September 29, 2010 included a copy of the draft NPDES permit. The permit was now undergoing the final 30-day review period, and if no comments or requests for charges were received during the review process the approved permit would become final on or about November 1, 2010. At that point they would be at liberty to begin design work.

Mayor Voller said in regards to the Credle Street Basin Rehabilitation Project, what was the Rural Center saying. Mr. Terry responded he had talked with them and he had been told the Center was willing to give the Town some more time to determine how they wanted to come up with the matching funds. He said he believed that would have to wait until after the new Finance Officer was on board which would be on October 25, 2010. Mr. Terry said they would need to get quotes and his recommendation would be to do a five-year installment loan, noting that if a loan was under a certain threshold and for five years or less it did not require formal LGC approval.

Mayor Voller asked if the Board could go ahead and send a response to the Rural Center indicating that the Town would do the five-year installment loan and go ahead with a resolution. He said they knew they were going to do the project, so they should go ahead and move forward. Mr. Terry said then the Mayor was suggesting that he bring back an item saying that the Town accepted the Rural Center grant. Mayor Voller said yes, that they needed to move that paperwork along if the Board agreed, because it was a project they had committed to finishing. He said they had a grant for \$496,000 and he was leery of allowing that grant to just hang out there because someone could change their mind and the Town could lose the grant. Mayor Voller said since they had ascertained how to provide the matching funds he saw no reason to wait. Mr. Terry said he could bring back a resolution at the October 25, 2010 meeting stating that the Town accepted the grant and would provide the matching funds.

Commissioner Harrington agreed that the Manager should bring the Board a resolution for consideration.

Commissioner Fiocco agreed as well, noting that the project was key to remedying a portion of their inflow and infiltration issues, and would have a real economic impact because of what it did to their daily average flow at the plant.

Mayor Voller said one of the reasons their flow had not changed much was that they had done the first two phases which had had a great impact on the distribution network. He said the prediction was that this project would have the same or close to the same impact because these were some of the oldest lines in Town.

Commissioner Fiocco said it was only a couple of months ago that Randy Heard had informed him that on a day of good rain the plant saw in excess of 1 million gallons come through, as opposed to the 300,000 gallons it usually saw on a daily basis. He said obviously they had substantial problems throughout the system, and this project was one leg and would be money well spent.

Commissioner Brooks asked how much had been spent so far on the project; this is, relining the pipes to prevent infiltration.

Mayor Voller said he believed it was between \$600,000 and \$700,000 beginning six or seven years ago. He said the reason they had a grant for \$496,000 but had decided to wait to accept it was because they had wanted to figure out if they could spread the expense out over multiple fiscal years. Mayor Voller said through research Mr. Terry had determined that they could satisfy LGC requirements and spread it out over five years. He said now that they knew they could do that, they should go ahead and accept the grant and determine which bank they would work with. Mr. Terry said he believed that would be a reasonable course of action, with the next step soliciting interest rates for the loan and getting the loan locked in. He said at that point the Board would still have the opportunity prior to advertising the project to have input on whether to proceed or not.

Mr. Terry continued his update:

- Southern Community Park – Paul Horne had completed the final coordination meeting between the Town, the PARTF grant authority and the designer. They were now in the process of finalizing the design contract documents.

Assistant Planner Paul Horne stated they walked the site and looked at where things would logically go based on the topography, and had also met with the environmental planners with the County regarding the process for determining the septic site. He said on another note he was able to get another \$10,000 from Karen Hall to devote to the project, which would make about \$300,000 in grants that had been received for the project thus far. Mr. Horne said a meeting was scheduled for October 28, 2010 to solicit public input into the process, and invited the Board to attend.

Commissioner Fiocco asked where that meeting would be held. Mr. Horne responded at the Town Hall meeting room. Mr. Terry said in essence that meeting would be a design charette to provide the public with an opportunity to comment.

Commissioner Harrington asked how that meeting was being publicized. Mr. Horne responded they had used several different methods but had not placed a legal notice, although they could do that if the Board felt the need. Mr. Terry said this was a design charette and did not require a

legal notice. He said they were putting out the normal notices for a public meeting using newspapers and the Website.

Commissioner Fiocco suggested it be on the front page of the Website for maximum exposure. Mr. Terry agreed to do so.

Mr. Terry continued his update:

- Downtown Area Water System Improvement Project – They have completed about 33 of the 36 attachments to the USDA grant application. They were hopeful that the remaining three items would be completed in a few weeks.
- Pedestrian Conveyance System Project – Bids were opened on September 28, 2010 and the lowest responsive bidder was Cruz Brothers Concrete, Inc. with a bid of \$146,120. After consulting via email with the Board, a communication was sent to NCDOT that the Town was in agreement to award the bid to Cruz Brothers Concrete, Inc.

Commissioner Bryan said he had received a call today about the detour signs that had reappeared, and asked did that indicate they would be closing the road again. Mr. Terry said he did not know that for sure but there would be a lot of traffic control taking place because of the work required along the shoulders of the road. He said if the road was closed he believed it would be for a short duration as they dealt with the sidewalks just at the roundabout itself. Mr. Terry said in the preliminary meeting with Mr. Johnson at NCDOT they had talked about that, and he had said they thought they could get the work done using flag persons except for the work at the roundabout because it was a complicated area. He said that Mr. Poteat would get more information at the pre-construction meeting.

Mayor Voller said it was important to have as much information and transparency as possible so that they did not get a repeat of people's concerns or put out misinformation.

Commissioner Fiocco said he had received an email exchange with Mr. Poteat where he had asked if there were any recommendations for the pre-construction meeting, and his recommendation to Mr. Poteat was to request that there be a weekly progress meeting and update of the schedule that the Town could put on the Website so that they could control the information that was being disseminated. He said one of the problems with the last construction period was that there was information being disseminated from so many different sources that they were not necessarily knowledgeable of the facts of the construction. Commissioner Fiocco said if they could help to manage that flow of information he believed that would be helpful for the Town and the citizens. Mr. Terry said if they were not having weekly meetings they could at least exchange information weekly so the Town could stay updated.

Mayor Updates

Mayor Voller said he had asked Paul Black to be present to assist him in providing information regarding possible Congestion Mitigation Air Quality program (CMAQ) funding. He said the next meeting of the Rural Planning Organization would be in Carthage on October 21, 2010 and at that meeting they would have to make some choices from the State-wide Transportation

Improvement Program (STIP). Mayor Voller said he had asked Mr. Black to provide the Board information on CMAQ and what it would mean in regards to the STIP.

Paul Black said that STIP was a seven-year fiscal plan to get roads and other transportation infrastructure built. He said that CMAQ was one of the many pots of money that they matched up with road construction and other transportation needs in the State. Mr. Black said the way it was allocated was if you were in a designated area that did not meet the EPA's ambient air quality standards, and the northeast portion of Chatham County including most of Pittsboro was in a current non-attainment area for ozone, then you were eligible for CMAQ funds. He said that meant that they did not have to compete with the entire State, generally speaking.

Mr. Black said that currently EPA was tightening their standards and this area would likely have some more air quality issues in the future, certainly with ozone. He said currently they were a maintenance area and all of their plans had gone through EPA's vetting process, and EPA had said that based on what was in the plan that they should come back into attainment based on the standards, but they were going to ratchet down the standards in another year or so. Mr. Black said that would likely mean they may wind up back in non-attainment and may actually go into non-attainment for some of the other pollution problems.

Mr. Black said the Triangle Area RPO was allocated about \$850,000 over a seven year period in the STIP, but they had not had enough projects to come forward. He said part of the reason was that unless you met some very special criteria for 100% funding, then there was a 20% match requirement and the project minimum was \$100,000. Mr. Black said there were only three jurisdictions in the RPO that were eligible for that money, and that was Orange County, Chatham County, and Pittsboro, but counties did not maintain any roads. He said they had done a couple of transportation projects with Orange County and with Chatham Transit, and the only CMAQ project in the current proposed STIP that went from 2011 and seven years out was some vehicle conversions to propane for Chatham Transit. Mr. Black said that project would use between \$100,000 to \$150,000 of that \$850,000, so they still had between \$700,000 and \$750,000 on the table if they could find projects, and more importantly that 20% match. He said if a jurisdiction could find that 20% match, then 80% of their project would be covered.

Mr. Black said he had looked at projects that might be eligible for Pittsboro, and the Pedestrian Plan had a number of sidewalks that were fairly far along. So, he said, even if they did not move forward in the current STIP cycle, they would probably want to keep those projects on their radar because if they could find the 20% match then there was the potential for 80% of the project to be paid out of CMAQ funds.

Mr. Black said that was not to say that Pittsboro's project was automatically in. He said once they identified projects that fit the other criteria they did have to run emissions calculations, but they usually did not have much trouble with sidewalks. Mr. Black said they normally could find enough walking trips that took vehicles off the road that they could make those numbers work. He said particularly in an area like Pittsboro there were areas that certainly could be made more walkable.

Mayor Voller asked how the Town would maintain eligibility and not be in a position where they would not be eligible for funding. He said basically Orange County did not use that funding because Chapel Hill and Carrboro were in the Metropolitan Planning Organization and that was where they got their funding. Mayor Voller said as well, Chatham County did not normally have projects unless it was something like the project for Chatham Transit, so Pittsboro was in a good position to obtain funding for its projects.

Commissioner Harrington asked what types of projects Chatham Transit had. Mr. Black said that Chatham Transit was working on a vehicle conversion from diesel or straight gasoline to propane. Commissioner Harrington asked if a new route or replacing a route would qualify for funding. Mr. Black said new routes did qualify, but he would have to see what NCDOT's interpretation would be if they wanted to expand service on an existing route. Commissioner Harrington said he would want to know if replacing a service would qualify as well. He said for instance, he would be interested in knowing if the Town wanted to replace the service now provided by Chapel Hill Transit and apply the funding to Chatham Transit to provide the transport from Pittsboro to Chapel Hill, if that would be eligible for those funds. Mr. Black said for that specific example the answer was likely no, because it would not create an emissions benefit because there was already a bus traveling that route. He said it would have to be a new route that would take single occupancy vehicles off the road in order to qualify.

Commissioner Fiocco asked would adding additional days of service to an existing route qualify for funding. Mr. Black replied potentially, but he would need an interpretation from NCDOT.

Mayor Voller asked about greenways. Mr. Black said that greenways were eligible, but the emissions benefit calculations were sometimes difficult because they did not always parallel a road where you could say that a sidewalk on a road equaled vehicles off that specific road.

Mayor Voller asked if the Town did nothing now, what they would need to do to preserve their status. Mr. Black said as long as the air quality stayed bad and the lines did not change, he did not see Pittsboro's status changing anytime soon. He said the only thing that was relatively urgent was the timeline for the current STIP was drawing to a close at the end of the month.

Commissioner Harrington said he believed extending the sidewalk all the way to the State Employees Credit Union would be a great project. Mayor Voller agreed.

Mr. Black said having to put up the 20% was the difficulty, but if they could manage that match money then there was funding available.

Commissioner Harrington asked if there was match money available as well. Mr. Black said no, it would have to come from the Town, and having to come up with the matching funds was why so much of the funding was still available. He said there were a few specific instances where the federal government would do a 100% match, and he believed the Town's roundabout project had been one of those. Mr. Black said for some reason the feds liked traffic circles and were willing to fund them at 100%.

Mayor Voller asked if the funding would pay for a signal. Mr. Black responded probably not because signals actually worked against them. He said if they had existing signals and they were synchronized to provide a free flow of traffic then that would qualify for CMAQ funding. Mr. Black said they could look to the future and identify ways to provide the matching funds. He said they would soon be beginning a new STIP process with the RPO and taking in new projects to begin prioritizing, noting the STIP was a seven year plan but was updated every two years, so what they were talking about was potentially losing two years worth of funding.

Mayor Voller said then the Town would essentially have to wait two more years. Mr. Black replied yes, because the process would close at the end of the month. He said to get in on this cycle the Town would have to agree to the 20% match before the end of the month and get the paperwork filed.

Commissioner Fiocco asked what was required to identify a project. Mr. Black said it was relatively nebulous but they had a very short window once they identified a project to get the calculations and get an estimate of the cost of the project, and then follow that up with what the emissions benefit would be. He said once that was done, NCDOT would determine if it met their criteria or not, but since there was so much money available if a project met the minimum thresholds he believed it would be approved. Mr. Black said at this point they would have only about three weeks to get a project together for submission. Commissioner Harrington said it appeared that sidewalks were easier to get funded, and he would assume the Town could get approval to extend the sidewalk to the Credit Union and Industrial Drive. Mr. Black said yes, noting generally they looked at how many linear feet were required and then conducted a field survey to determine any drainage or retaining problems that would add to the cost. He said then they would determine the emissions benefit based on the linear feet.

Commissioner Fiocco asked what was involved in identifying a project and then applying for the funding. Mr. Black said it was wide open, but generally he would make a call to staff at a local jurisdiction to see if they had anything that qualified, noting that staff was usually well versed in what plans were in the works. He said the issue was they had just experienced difficulty in matching projects with the funding.

Commissioner Fiocco said then the projects were already in the planning stages. Mr. Black said yes, noting it would be hard to just create one at the last minute. He said in this case they had some precedent because the project was already in an adopted plan, and as he had said sidewalks were relatively easy to do. Mr. Black said they had until the end of the month to get a project filed, and it would take about a week to get it to NCDOT and have them review it and make any corrections necessary.

Mayor Voller said that because the Town had adopted a Pedestrian Plan they were in good shape because the sidewalk project was in that Plan and they would be working with something already approved. Mr. Black said that was correct. Mayor Voller said so the Town could decide to do something now. Mr. Black said yes, that it would only require nailing down some of the specifics on whatever length of sidewalk they wanted to pursue, and then run the emissions calculations and craft a cost estimate and provide that to NCDOT.

Mayor Voller said he did agree with Commissioner Harrington that extending the sidewalk to the Credit Union was a likely project, noting that there was already a path worn in that area where people were walking so you could see that was a logical place to put a sidewalk. He said he did not believe it would be too complicated to extend that sidewalk.

Mr. Black said depending on how complicated the project was and if it was just putting in concrete, the cost would be about \$14 a linear foot. He said to reach the \$100,000 minimum threshold, they would need about a 7,000 foot plus project to be eligible. Mr. Black said if any drainage, grading, or retaining walls were needed then that would bring the cost up, and if right-of-way easements were necessary that would drive the cost up as well. He said he believed there was sufficient right-of-way on US 64 and US 15-501, but there may be some drainage issues.

Commissioner Harrington said there were places where there were slopes that might affect the placement of a sidewalk.

Commissioner Fiocco asked if anyone knew how many linear feet there was from Chatham Mill to Lowe's. Mayor Voller said he believed it was 7,200 feet, give or take. Mr. Black said if the Town did not want to commit to a 20% match now, then they could certainly start planning for the next two-year cycle.

Mayor Voller said if the Board had an interest, he would instruct Mr. Black as the Chair of the RPO to put a resolution on the next RPO agenda for October 21, 2010 to endorse whatever project the Town chose. He said if the Board had no interest then nothing need be done. Mr. Black commented he had put a placeholder on the agenda in case Pittsboro decided to move forward.

Commissioner Fiocco said then Mr. Black would need to get a decision from the Board tonight if they were interested.

Commissioner Harrington said the obvious question was if there was a project ready that the Town could apply the match to.

Mayor Voller said they had a list of twelve projects in the Transportation Plan and the question was would they do any of those twelve. He said the one that was the most expensive was the one Commissioner Fiocco had referenced, which was from Lowe's all the way to Chatham Mill. Mayor Voller said but, there were eleven other projects listed with another forty that had been identified but did not make that first list of twelve. He said he believed the project on East Street was on that list. Mr. Black said if the Town wanted to consider a sidewalk up to either Powell Place or Lowe's that based on the linear feet that would be about \$101,000. He said that was for a sidewalk on one side with no complications such as drainage, slopes, retaining walls or some other complication.

Mayor Voller said what Mr. Black needed to know was if the Town wanted the RPO to do the resolution.

Commissioner Fiocco said he believed they would need to identify the project first.

Commissioner Harrington said they already had twelve projects identified. Mr. Black said that was a Town-identified list and believed there were perhaps eight others that could be considered.

Commissioner Baldwin said if they decided to move forward they would still have to come up with the matching funds.

Commissioner Harrington asked why they were hearing about this just a few weeks before the deadline. He said he felt they were being rushed to pick a project and they did not have the list of potential projects in front of them. Mr. Black said part of the reason was that they were allocated much more money in the current STIP round than in the past, and for the other rounds there had been projects already prepared that were simply awaiting funding to become available. He said with this last round, they went through the same process but did not have those already identified projects ready to go forward. Mr. Black said at the last meeting they had determined that they still had \$700,000 to \$750,000 to spend and they needed to find a way to do that, and the catch was that it came down to Orange County and Chatham County, who did not maintain roads, and then Pittsboro. He said counties did not do sidewalks, noting that Chatham County had been the first in the State to do so when they had done the sidewalk near Cole Park, so they were a pioneer in that respect.

Mr. Terry asked what would be required of staff between now and the end of October if the Board wanted to identify a project for funding. He wondered if this was an instance where the services of an engineer would be necessary. Mr. Black said they could handle the initial part, and if there were additional studies for any of the projects they could use to get a cost estimate then that would be helpful. He said otherwise, they would use NCDOT's cost calculations, adding they would want their estimate to be as accurate as possible.

Commissioner Fiocco asked if those costs would include the design work. Mr. Black said the estimate did not have to include the design costs to get through NCDOT review but it would be a good idea to include it so they would have no surprises once they got further along with the project. Commissioner Fiocco said he did not believe any of the projects in the list of twelve were anywhere near the point of having preliminary designs prepared.

Mayor Voller said that all cost estimates attached to them were done by the consultant, and the question would be whether they wanted to use those estimates.

Commissioner Harrington said they would likely have to have some engineering drawings, sketches, and the like, and that was not what Mr. Black was volunteering to do so it would have to be Hydrostructures. Mr. Terry said the last time they done a project with CMAQ they had ended up with problems and they certainly did not have the time for that.

Commissioner Harrington said his thought was that this was not something they could say they were going to do or were prepared to do it in the short time left. Mr. Terry remarked unless it could be done without engineering support. Mr. Black said if they had good cost estimates then it would be possible.

Commissioner Harrington said the problem was they did not know what they had because they had nothing in front of them with that information.

Mayor Voller said the Board had approved the CIP for the greenways, and that was how they had derived the project budgets. He said the consultant had produced some fairly detailed information on what it would cost for sidewalks to go certain places, noting as an example that \$1.6 million was the cost estimate to construct a sidewalk from Chatham Mill to Lowe's which included the terminal. Mayor Voller said there was \$3.5 million for pedestrian conveyance systems in that plan, and almost half of that was for that one section of sidewalk. He said if the Town did nothing now, they were looking at a two-year wait.

Commissioner Brooks asked what side the sidewalk would be put on. Mayor Voller said which side would be the best was a good question, noting they would have to pull out the plan and see what it said. Commissioner Brooks said he mentioned that because of the current flooding on US 15-501, noting there was a tributary of Robeson Creek on the west side that was within rock throwing distance of the highway. He said if the sidewalk was placed on the west side they would need to reroute the stream in some places.

Mayor Voller said he would not advocate doing that on US 15-501 without more study and thought. He said the projects on the list made a lot of sense and were ones they could move forward with. He said he liked Commissioner Harrington's suggestion to consider East Street up to the Credit Union, noting the sidewalk ended at one point and it would not be a complex project to continue that sidewalk.

Commissioner Harrington said they continued to talk about doing a project on that list but that list was not in front of them, so they did not know what all the projects were. Mr. Black said he still had the placeholder in the agenda for the RPO meeting on October 21, 2010 noting it was still possible the County would come forward with a project but Pittsboro was the likely candidate.

Commissioner Harrington said he supposed they could recommend a project without any engineering work, and then if it turned out to be too expensive they did not have to go forward. He said then staff would have to do whatever was necessary on their end, and they would likely have to ask Hydrostructures to do more work when they had already asked them to do something else by the end of the month earlier this evening. Commissioner Harrington said this seemed to be a very odd thing to have to consider tonight, and he was not prepared to make a recommendation tonight as much as he would like to see that sidewalk extended.

Commissioner Fiocco asked what the deadline was. Mr. Black said he would have to have all emissions calculations and other cost estimate numbers to NCDOT before the end of the month, but the RPO would meet on October 21, 2010 and that was when the Town would have to provide a resolution indicating what project had been chosen. Commissioner Fiocco said then it would only take a few days to run those numbers. Mr. Black said yes, because sidewalk projects were fairly straightforward.

Commissioner Baldwin said then he would not need any engineering estimates. Mr. Black replied that was correct, noting that the cost estimates already made were likely thorough enough to use so only the emissions calculations would need to be done.

Commissioner Harrington asked at what point they would have to make a commitment and accept the grant along with the 20% match. Mr. Black said once they had actually been approved and received the grant and they had started the design phase. He said the STIP still needed to be approved and it would likely be the summer before NCDOT's board would formally adopt it. Commissioner Harrington said then it could be a year from now.

Commissioner Fiocco said if they prepared a cost estimate that was low and put it out to bid and the funding did not cover the cost of construction, he would think there would be no obligation for the Town to move forward with it. Mr. Black said there was a provision for cost overruns, but that did take some time and they would have to make a case that they needed more money. But, he said, the Town would still be required to provide the 20% match. Commissioner Fiocco said that they were just preparing a cost estimate which frankly could be high. Mr. Black said the cost estimate was simply to get them in the ballpark and was for the Town's benefit to provide some comfort level of what they were committing to.

Commissioner Fiocco asked did NCDOT look at that cost estimate as the estimate to a certain degree. Mr. Black said yes, that at this point NCDOT was just the State branch that was comparing State-wide projects for eligibility. He said because there was already an allocation process in place and they needed to use the funding, it would matter more if it were a competitive pot of money. Mr. Black said at the MPO there were more projects than they had funding for, but the RPO did not have that problem.

Commissioner Harrington said to clarify if that project was on the list of twelve, and if there was a cost estimate already figured, then they could conceivably use that plus the 20% from the Town to get the project on track for funding. Mr. Black said yes, along with the emissions calculations, and added that no engineering work would be required. He said they would look at the linear feet of sidewalk, the kind of facility the sidewalk would be placed on, and calculate how many trips they believed that sidewalk would capture and take off the road.

Commissioner Harrington said to clarify if there was a cost estimate that was on the low end could they estimate it at the high end, say \$40 per linear foot, and then put in for the allocation. Mr. Black said yes. Commissioner Harrington said then he would make a motion that they could put the request in with the RPO and Mr. Black would submit the application to NCDOT for the sidewalk project subject to no engineering cost for the sidewalk project on East Street to Industrial Drive.

Commissioner Baldwin said before a motion was made, she wanted to ask Mr. Terry if there was anything he would need from outside staff.

Commissioner Harrington said he was going to add to his motion that they would use the worst case scenario estimates without any outside help. Mr. Terry said if there was an existing estimate on paper and all they had to do was some telephone coordination, then he believed that

could be accomplished in the timeframe. But, he said, if they had to hire an engineer and estimate the project that could not be done in time. Mr. Black said as long as the project specified was one of the projects on the list of twelve, and as long as there was a cost estimate already prepared, then all he would need to do was to measure the linear feet and do the emissions calculations. He said it would have to be a large enough project to meet that \$100,000 threshold.

Commissioner Bryan asked if the East Street project was not large enough, could other projects be combined to meet the \$100,000 threshold. Mr. Black said they could do a combination if necessary, if the cost estimates were already done.

Mayor Voller reiterated that they would not need to do any engineering for quite some time.

Commissioner Harrington said he understood it could be a year from now, at which time the Town would have a chance to decide whether or not to continue with the project and accept the funding. Mr. Black said that was his understanding as well, noting that at this point he believed the STIP would not be adopted until late spring or early summer, so nothing would move forward until that was accomplished.

Commissioner Brooks said he was assuming that other projects that might be considered would not have to be contiguous. Mr. Black said he believed they could make a case either way, and he could take the list of twelve projects that had cost estimates already prepared and work with NCDOT to determine the best fit. Commissioner Brooks said that would be his preference. He said he assumed they would get a sidewalk from US 64 to the roundabout on NC 87 and then to the library, but they badly needed a sidewalk to continue down old NC 87 to Pittsboro Village and the nearby nursing home. Commissioner Brooks said those sidewalks were desperately needed by the residents in that area.

Mayor Voller stated those sidewalks were on the list and had been as far back as 2001.

Commissioner Harrington said a sidewalk was needed south of that area so that children could walk down NC 87 to school, noting they could not do that safely now. He said he would like to add those projects to his motion. Commissioner Brooks said then perhaps they could partner those projects for funding as well.

Mayor Voller said they could make the resolution broad enough to include all of the projects that had cost estimates already prepared and endorse that plan, and then the Town could decide which ones to do. Mr. Black said they did have a broad scope, and they could write in the resolution for the agenda language that said that they endorsed the following CMAQ projects, and then when they knew what the projects were they could attach them as part of the motion. He said the catch for him was to pinpoint the projects they wanted to go after so he could focus on those, noting he probably had time to do up to three projects.

Mayor Voller said from the Board's discussion, the three projects they would want to list were old NC 87 at the new roundabout and US 64, the area south of there to form a connector to allow children to walk to school, and East Street to Industrial Drive.

The motion, as amended during the discussion, was as follows:

Motion made by Commissioner Harrington seconded by Commissioner Bryan that Paul Black would prepare a resolution for submittal to the RPO at its meeting on October 21, 2010 that would indicate the Town's intent to request funding for three sidewalk projects: beginning at East Street and ending at Industrial Drive; beginning at old NC 87 at the new roundabout and US 64; and, the area south of that location to form a connector to allow children to walk to school; that submission of those projects were subject to no engineering fees and no additional cost to the Town other than staff time; that the Board authorized Paul Black to act on the Town's behalf to prepare emissions calculations and provide to NCDOT the necessary documentation/application for funding for the projects at 80% with a 20% match; and, that any projects on the list of twelve that had cost estimates already prepared would be considered to be combined with other projects for funding, with no engineering costs and no additional cost to the Town other than staff time.

Vote Aye-5 Nay-0

Commissioner Concerns

Commissioner Harrington asked had they been receiving ridership numbers for the transit routes. Mr. Terry said he was receiving a monthly report and would be happy to forward those to the Board.

Commissioner Harrington asked was there some legal relation that they could define with an engineer, such as Hydrostructures, where the Town could proclaim that they were the Town's retained engineer and then be able to get the benefit of having a retained engineer. Town Attorney Paul Messick said he did not believe that would be possible, noting they could have an in-kind contribution and provide as a part of that contribution the Town's services of staff time, but if the engineer was not staff then he could not be counted as such. He said the Town could say they had retained Hydrostructures because they had, but he did not believe that would be considered as an in-kind contribution because they were not Town staff even though the Town was paying them.

Mayor Voller asked if they could have counted Mr. Horne's services when he served as project manager as an in-kind contribution. Mr. Messick said there were grants where the Town had provided such in-kind services. Mayor Voller said then that could qualify. Mr. Messick said depending on the grant, the answer was yes.

Commissioner Harrington said he had wondered specifically if in lieu of an engineer the Town could somehow set up a relationship with an outside engineer, but it sounded like the answer to that was no.

Mayor Voller said but in-kind was preferable than actually having to move cash outside to pay an engineer. Mr. Messick said that grants had in-kind contribution requirements.

Commissioner Harrington said what he was saying was that in the past the Town had not been able to charge the grants for the engineering services of Hydrostructures as their in-kind contribution. He said the bottom line was they needed to hire an engineer.

Commissioner Fiocco thanked Mr. Terry for getting the grass cut around the sign Welcome to Pittsboro Sign.

Commissioner Bryan said it was encouraging to see the Town had received some money from the ABC Board, noting they had received \$17,000 with \$1,100 going to law enforcement. He said he believed an amount had been invested, and asked if those funds would be applied to that amount. Mr. Terry said he believed those funds were more than what was necessary, but the Town Clerk had indicated those funds were for the prior fiscal year. Commissioner Bryan said nevertheless, it was encouraging to see some funds coming in.

Mayor Voller asked Mr. Terry when he expected they would get the audit done. Mr. Terry said he believed they would receive it in November, noting that work was progressing briskly.

Commissioner Brooks said it had been his understanding that Progress Energy should have begun replacing the street lights on Sunday, October 10, 2010 but that had not happened. He said that citizens particularly the elderly would benefit from having those lights replaced.

Commissioner Brooks said they may receive some calls about water quality as well as the cost of water. He said as an example, his water bill this past month was \$90.32, and his wife was away for nearly three weeks of that billing time. He said this coming November he would have spent \$2,000 on re-piping his house, and he had had a plumber in today for another \$122 to see if there was something wrong in the house or with the meter, but nothing was found. Commissioner Brooks said that bothered him, and he heard the same kind of complaints from others in Town.

Commissioner Brooks said he had asked the plumber today to change his filter for him, which had been changed the end of August, and the filter that was removed was very murky and he was advised to change the filter every month. He said the quality of his water, even with the filter, was no better than the water in his rain barrel. Commissioner Brooks said his point was that the water quality and the pipes continued to be of great concern to him. He said in spite of all the good news from the State since they had switched to ammonia, there were still some water quality problems and he was not the only one who felt that way.

Mayor Voller said he was not the only one, but he believed it all depended on where you were on the system. He said people south of Town had consistent complaints.

Commissioner Brooks said he had paid his water bill, but there were citizens in Town who may not be able to pay such a bill. He said it appeared he was using 200 gallons of water a day, but he found that hard to believe. Commissioner Brooks said his point was that there was something wrong with the water system in Pittsboro.

Commissioner Fiocco said he shared the concern with the cost, noting his water bill was \$120 this past month which he found odd since he had been on vacation for a week during that month.

Mayor Voller said that was interesting, and perhaps Mr. Terry needed to check into that. Mr. Terry said they had done some checking, one of which was to make sure that when they had the rate change in July that there were no errors in entering the new rates into the system. He said they had double and triple checked to make sure they were correct.

Mayor Voller said when you had suction on a line when they had line breaks or whatever and there was a pressure change, how could they know that there was not an issue with the meters where they could be throttled one way or the other. He said he had heard Commissioner Brooks relate stories many times where someone was away and received a huge bill but no leaks were found, but no one could ever figure out where the phantom water came from. Mayor Voller said that Ken Hoyle had had a similar issue at his home at one time, and they had thought that one of the things that could have caused it was a sudden draining out that could potentially produce suction. He asked had they ever had an engineer look into what happened when they had a severe break or a massive change in pressure. Mr. Terry said no, but he understood that the meters had backflow prevention built in so that the meter would not throttle one way or the other, so water breaks or loss of pressure should not have an effect. He said that Mr. Poteat was the expert on that.

Mayor Voller said perhaps Mr. Poteat could come and talk with the Board about that, because not every meter would have backflow prevention. He said the new ones had a pressure reducing valve, but what about the meters that had been in the ground for up to 40 years that likely did not have that valve. Mr. Terry said they got a lot of complaints about water bills, and about 75% of them were solved through an investigatory search of the house to identify the problem. He said that had personally happened to him when he had a \$250 a month water bill and when his son had come to visit he had alerted him to the fact that both of his upstairs toilets were running constantly. Mr. Terry said he had not been aware of that so had been surprised. He said his point was that most of the complaints tended to be solved by identifying just such an issue.

Mayor Voller said as far as the water quality, they got their water directly from the tank at Chatham Forest and it did not go around the old system. So, he said, if he was to take his water and compare it to Commissioner Brooks', you could see the difference. Mayor Voller said the pipes coming from Chatham Forest were between five and twelve years old so they did not have any corrosion issues. He said the more they looked into the issues with the pipes, the more they were going to find, and it would be helpful to hear what Mr. Poteat had to say.

Commissioner Harrington said one of the things that did happen with chloraminated water was that the rubber broke down around the flappers in toilets and they corroded faster. He said that caused more problems such as running toilets as Mr. Terry had experienced.

RECESS

Motion made by Commissioner Brooks seconded by Commissioner Bryan to take a five-minute recess.

Vote Aye-5 Nay-0

RECONVENE

Motion made by Commissioner Brooks seconded Commissioner Bryan to return to Open Session.

Vote Aye-5 Nay-0

CLOSED SESSION

1. Closed Session pursuant to G.S. 143-318.11(a)(6) to consider the qualifications, competence, and performance of the Town Manager (annual performance evaluation).

Motion made by Commissioner Bryan seconded by Commissioner Fiocco to enter into Closed Session at 10:00 p.m.

Vote Aye-5 Nay-0

RECONVENE OPEN SESSION

Motion made by Commissioner Harrington seconded by Commissioner Baldwin to close the Closed Session and return to Open Session.

Vote Aye-5 Nay-0

Commissioner Bryan asked if the Manager received an increase when other employees received theirs. Mr. Terry responded only if the Board specifically granted him an increase at that time.

Motion made by Commissioner Harrington seconded by Commissioner Fiocco to increase the Town Manager's base salary by 5%.

Vote Aye-4 Nay-1 (Brooks)

FYI:

1. Financial Statements for the Month Ending September 30, 2010.
2. NCDENR letter of September 29, 2010; RE: WWTP NPDES Permit.
3. Pittsboro ABC Board letter of October 6, 2010; RE: ABC 2010 Profit Distribution.
4. Town of Pittsboro ABC Store Audit for the Years ended June 31, 2010 and 2009.

ADJOURN

Motion made by Commissioner Brooks seconded by Commissioner Baldwin to adjourn the meeting at 10:55 p.m.

Vote Aye-5 Nay-0

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk