

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
MONDAY, JANUARY 9, 2006
7:00 P.M.

Mayor Randolph Voller called the meeting to order and Claire McKeown Pastor, Pittsboro Methodist Church gave invocation.

ATTENDANCE

Members present: Mayor Randolph Voller, Commissioners Max G. Cotten, Pamela Baldwin, Clinton E. Bryan, Jr., Gene T. Brooks and Chris Walker.

Other staff present: Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr. and Planner David Monroe.

AGENDA APPROVAL

Motion made by Commissioner Walker seconded by Commissioner Cotten to approve the agenda as presented with the deletion of Item # 1 under Old Business "Consider a contract for engineering design services for the 400,000 gal. per day wastewater treatment plant expansion with Diehl and Phillips, Inc." because the contract was not included in the agenda package, and with the addition of placing an item at the end of new business to discuss a contract for a potential Interim Manager.

Vote Aye-5 Nay-0

CONSENT AGENDA

Motion made by Commissioner Walker seconded by Commissioner Baldwin to approve the consent agenda.

- Minutes of December 12, 2005 Board of Commissioners regular meeting.
- Appoint Mayor Voller as a replacement for former Mayor May to the Board of Adjustments.
- Accept letter of resignation from David B. Hughes.

Vote Aye-5 Nay-0

CITIZENS MATTERS

None

OLD BUSINESS

None

NEW BUSINESS

AUXILIARY POLICE DEPARTMENT

Consider an ordinance to organize an auxiliary police department. According to Carol Regina, accounts auditor for underwriting of the Risk Management Services of the North Carolina League of Municipalities, this ordinance is required to provide workman’s compensation coverage under the Town’s plan for reserve officers. According to Ms. Regina, without this ordinance the Town is solely responsible for any workman’s compensation claim brought by a reserve officer.

Commissioner Baldwin asked the number of auxiliary officers we have and when they are used.

The Board was advised that there have been officers trying to retain their certifications by working 10 hours per month and that they work as fill-ins when necessary. We currently do not have any auxiliary officers but we have had as many as four at a time.

Motion made by Commissioner Cotten seconded by Commissioner Bryan to approve the Ordinance Organizing Auxiliary Police.

Vote Aye-5 Nay-0

AN ORDINANCE FOR AUXILIARY POLICE WITHIN THE TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 1

THIRD AMENDMENT TO WATER SERVICE AGREEMENT WITH CHATHAM PARTNERS LLC AND POLK-SULLIVAN LLC

Consider a possible third amendment to the water service agreement between the Town of Pittsboro and Chatham Partners LLC and Polk-Sullivan LLC. This amendment would modify the time period of water service for the additional 600 units. The current contract calls for 150 units to be served no sooner than January 15, 2006 and the balance of 450 units to be served no sooner than October 14, 2007. The amendment would call for service to all 600 units to start no sooner than January 15, 2006.

David Hughes was present to answer any questions the Board may have. Mr. Hughes stated the developers are looking to sell adjacent property and would like to have the guarantee that water service is available.

Commissioner Walker stated we have already received the upfront monies for this.

Commissioner Baldwin asked if this was just putting everything in place – up front.

She was told yes.

Commissioner Cotten stated it is just an extension on the time. We are currently selling them bulk water. It is a win-win situation.

Motion made by Commissioner Brooks seconded by Commissioner Walker to approve the third amendment to the agreement with Chatham Partners LLC and Polk-Sullivan LLC.
Vote Aye-5 Nay-0

THE THIRD AMENDMENT TO THE WATER SERVICE AGREEMENT WITH CHATHAM PARTNERS LLC AND POLK-SULLIVAN LLC IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 1-2

PLANNING BOARD APPOINTMENTS

Consider the reappointment or appointment of two planning board members.

Commissioner Cotten stated he requested a written ballot for this process. He thinks it will save time and it will have to be signed for the official record.

Planner Monroe stated the vacancies were duly advertised and we received 4 applications.

3 in-town: Ethel Farrell, currently Vice Chairman, Jim Hinkley and Billy Hughes
1 ETJ: Harold Howard

Their term expired in December but the way the board is set up it states they will continue to serve until an appointment is made.

Mayor Voller asked if this is connected to previous discussion of adding two additional members as back up.

Planner Monroe stated it was not – that would require a text amendment because the Planning Board composition is defined in the Zoning Ordinance.

Attorney Messick stated the board needs to agree how the winners will be determined.

Motion by Commissioner Walker that the top vote getter in town and the top vote getter in the ETJ be the individuals appointed to the Planning Board. Motion died due to the lack of a second.

Commissioner Brooks stated he is not excited about adding two additional members to the Planning Board; it has not been that long since it was changed to six (from 10).

Planner Monroe reminded the Board that the ETJ appointee will have to be approved by Chatham County.

Attorney Messick asked why they didn't just nominate the individuals.

Motion by Commissioner Cotten to nominate Harold Howard as the ETJ representative, seconded by Commissioner Walker.

Vote Aye-5 Nay-0

Motion made by Commissioner Walker seconded by Commissioner Brooks to nominate Ethel Farrell as the in-town resident.

Motion made by Commissioner Baldwin seconded by Commissioner Cotten to nominate Jim Hinkley as the in-town resident.

VOTE

Ethel Farrell – Aye (3) Brooks/Bryan/Walker
Nay (2) Baldwin/Cotten

Jim Hinkley – Aye (2) Baldwin/Cotten
Nay (3) Brooks/Bryan/Walker

CONTRACT WITH DAVID B. HUGHES

Consider a contract with David B. Hughes. Mayor Voller requested that Attorney Messick prepare the contract.

Motion made by Commissioner Brooks seconded by Commissioner Baldwin to approve the contract with David B. Hughes with the addition that it be included in the contract that the Town Manager will be the contact person to Mr. Hughes and that 14 days be inserted in C-8.

Commissioner Cotten stated he had concerns about the letter he received from the Rural Center, but Mr. Hughes addressed that.

Commissioner Cotten asked what type expenses are reimbursable.

Mr. Hughes stated the type of expenses that we reimburse our employees, travel, and food if you are away on Town business. Mr. Hughes stated if any, it would be very minimal – he was not going to charge mileage from his house to Town Hall – unless he was instructed to go somewhere to a meeting or something.

Vote Aye-5 Nay-0

CONTRACT WITH DAVID B. HUGHES IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 3-5

Mr. Tom Fonville wanted to thank the Board for approving the amendment to their agreement with the Town.

Commissioner Walker thanked him for allowing the Town to be a part of it – this is a win/win situation as Commissioner Cotten mentioned earlier.

Mayor Voller asked Mr. Fonville to think about developing a system so that they could use gray water on the golf course and irrigation for landscaping, and get back to the Board.

Mayor Voller asked if the roads were private or public.

Mr. Fonville said they were both.

**CONTRACT WITH SAM MISENHEIMER
INTERIM MANAGER**

Mayor Voller stated that he and Commissioner Bryan interviewed Sam Misenheimer.

Commissioner Cotten stated he has concerns about the contract, he would prefer cost to be on a per day basis. He wanted to know if we would be for all the hours.

Commissioner Bryan suggested that it be 24-50 hours per week, he would not want to restrict the number of hours in the event we had a catastrophe incident. The contract is for 90 days.

There was more discussion about the hours to be worked.

Motion made by Commissioner Walker seconded by Commissioner Baldwin that the time worked is – a minimum of 3 days with a maximum of 50 hours per week. In the event of an emergency the Mayor and Mayor Pro Tem has authority to authorize more time.

Vote Aye-5 Nay-0

Sam Misenheimer will start to work tomorrow.

A CONTRACT WITH SAM MISEHEIMER IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 6-8

**MAYOR VOLLER REPORT
MEETING WITH CHATHAM COUNTY**

Mayor Voller will report on his meeting with Chatham County.

Mayor Voller reported that he went to talk with the County Commissioners during their budget session regarding Affordable Housing.

Mayor Voller stated this is a new year and he hopes we can work with the County Board. They would like to have a joint meeting.

Commissioner Cotten stated he hopes they will keep their word after we meet.

Commissioner Brooks asked Mayor Voller if he talked with them about the contract (3M) moving forward.

Mayor Voller said he did and that transportation came up. We are going to be getting a bus set up for riders from Pittsboro to Chapel Hill.

Planner Monroe stated Chatham County has a contract with Trailways and it will pass through Pittsboro early in the morning.

Mayor Voller stated to get the bus running in Pittsboro would not cost the Town anything.

There was a discussion about possible dates for a joint meeting. The consensus of the board was February 1, 8 or 22.

Staff was directed to contact Charlie Horne with these dates.

COMMISSIONER CONCERNS

Commissioner Walker stated he had received complaints about Waste Management coming at 4:30 am on Friday.

Staff was to contact them about this matter.

Commissioner Baldwin would like for the Town to look into different grants available for water & sewer infrastructure.

Mayor Voller stated Chatham County has a grant writer and maybe we can piggy back with them.

Commissioner Bryan stated a gentleman in Sanford does some grant writing and he will speak with him also.

Commissioner Cotten stated we need to identify sources.

Mayor Voller stated he has that and will provide it to the other board members.

Jeffrey Starkweather stated there are grants available if you can tie it to jobs and there are more in areas of recreation & arts.

Commissioner Cotten thanked staff for getting the Open Meeting book for the Board and he hopes everyone has time to read it before the next closed session.

ADJOURNMENT

Motion made by Commissioner Brooks seconded by Commissioner Bryan to adjourn.

Vote Aye-5 Nay-0

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk