

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
JANUARY 14, 2002
7:00 P.M.

Mayor Nancy May called the meeting to order and Commissioner Gene T. Brooks gave invocation.

ATTENDANCE

Members present: Mayor Nancy R. May, Commissioner Gene T. Brooks, Clinton E. Bryan, Jr., Max G. Cotten, Burnice Griffin, Jr. and Chris Walker.

Others present: Manager Hugh Montgomery, Clerk Alice F. Lloyd and Attorney Paul S. Messick, Jr.

DISPOSITION OF MINUTES

Motion made by Commissioner Bryan seconded by Commissioner Griffin to approve the minutes of the December 10, 2001 meeting.

Vote Aye-5 Nay-0

PARTNERSHIP FOR CHILDREN

Ms. Jenny Megginson was present and gave an update on the Playground Project and to seek approval of the lease agreement with the Kiwanis.

Ms. Megginson stated the Playground Committee has raised over \$2,000.

Present on behalf of the Kiwanis Club were E. Sullivan, Bill Baker and Bill Warfford.

Commissioner Walker asked what age group would this Playground be for.

Ms. Megginson stated 0-8 years of age.

Commissioner Bryan asked if there would be some type protection for equipment when no one is there.

Ms. Megginson stated that some sort of fencing will be required.

Motion made by Commissioner Brooks seconded by Commissioner Walker to approve the lease agreement with the Kiwanis Club.

Commissioner Cotten stated he was not opposed to a park, but he is opposed to the location and he feels the lease should be between Chatham Partnership and the Kiwanis Club and he had the following comments:

- Park should be on public land.
- Park should be all-inclusive so far as age is concerned or be located in close proximity to facilities for older children.
- Town needs to activate Parks and Recreation Committee and begin development of long-range park plan.
- He predicts the use will be limited. Working parents still have to take children to day care.
- Possible public sites:
 - Town Park – Pittsboro Elem.
 - C.C.C.C. Campus
 - County property purchased from Mr. Trageser

Manager Montgomery stated he has not checked on the insurance limit that is in the lease, he would like for it to be consistent with other Town facilities.

Commissioner Brooks amended his motion to include that the insurance limit would be consistent with other Town facilities, Commissioner Walker agreed to the change in the motion.

Commissioner Cotten stated Pittsboro's tract record as far as leases are concerned is not very good.

Vote Aye-4 Brooks/Bryan/Walker/Griffin
Nay-1 Cotten

CHATHAM HABITAT FOR HUMANITY

Motion made by Commissioner Brooks seconded by Commissioner Cotten to approve the request from Mr. Bob Gabor, Chatham Habitat for Humanity, for rezoning of approximately .95 acres of property located on the corner of West Street and JA Farrell Street from O & I to C2-CU.

Vote Aye-5 Nay-0

SITE PLAN – CHATHAM HABITAT FOR HUMANITY

Mark Ashness went over the site plan for the 4,800-sq. ft. building.

Commissioner Brooks asked what type lighting would be used.

Mr. Gabor stated they would be opened until 6 p.m. 3 days a week.

Commissioner Cotten stated he was concerned about Dr. Connelly's property where the placement of the water line is to be located.

Commissioner Bryan asked would they be used some sort of security lighting.

Ms. Ashness stated they can use a wall-mounted lighting, which can be control by a timer or switch.

Motion made by Commissioner Brooks seconded by Commissioner Griffin to approve the site plan for Chatham Habitat for Humanity for a 4,800 sq. foot building to be located at the intersection of West and Farrell Streets with the conditions to do the pipes as described and that the lighting not effect the adjoining residence.

Vote Aye-5 Nay-0

A COPY OF THE SITE PLAN CHECK LIST IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES

A COPY OF THE SITE PLAN IS ON FILE AT THE TOWN MANAGER'S OFFICE

HORTON TANK OVERFLOW

Manager Montgomery stated they have tried to make the tank overflow, therefore he feels a flange approach would solve the problem.

Manager Montgomery stated Mr. Foushee has suggested another approach.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to approve the proposal from Mr. Foushee if he will agree to do the additional line (for the lower 10-20 thousand gallons of water in tank) for the same amount.

Commissioner Cotten stated he has great concerns about the cost – don't feel they have enough information to justify this cost – he feels the flange approach would be adequate.

Commissioner Walker stated he do not want to spend this much of Town funds and he do not want to hang Mr. Blair out either.

Commissioner Walker asked Manager Montgomery how often this occurs.

Manager Montgomery stated it does not occur as often as in previous years since we installed the bypass line to Townsend - according to Mike Smith OIC, it has overflowed once in the past 18 months.

Commissioner Walker stated he would like to look at the flange way first and if it does not work that the board readdress the issue.

Commissioner Cotten asked where the monies would come from.

Commissioner Brooks stated Mr. Blair paid a considerable amount of fees up front. He feels if his neighbor is running water across his property he would want it stopped.

Vote Aye-2 Brooks/Bryan
Nay-3 Walker/Griffin/Cotten

Motion made by Commissioner Walker seconded by Commissioner Cotten to approve the flange approach and if it is not satisfactory, they readdress this issue.

Vote Aye-3 Walker/Griffin/Cotten
Nay-2 Brooks/Bryan

RELEASE OF PROPERTY TAXES – PITTSBORO CHRISTIAN VILLAGE

Motion made by Commissioner Cotten seconded by Commissioner Griffin to table this matter for further research, this legislation was passed by the General Assembly in 2001 he does not think it should be retroactive.

Vote Aye-2 Cotten/Griffin
Nay-3 Bryan/Brooks/Walker

Motion made by Commissioner Walker to authorize the release of the property taxes for Pittsboro Christian Village.

Vote Aye-4 Bryan/Walker/Brooks/Griffin
Nay-1 Cotten

TAX EXEMPT STATUS FOR PITTSBORO CHRISTIAN VILLAGE

Manager Montgomery stated as if the case with all non-taxable property within the Town limits, approximately 10% of the total valuation, the Town absorbs both direct and indirect costs associated with the provision of municipal services, especially fire suppression and police protection. There are no public streets in the Village for which we receive Powell Bill revenues.

Pittsboro Christian Village is a satellite annexation and if we were to deannex them from the Town (it would require legislative approval) then we can charge outside rates for water and wastewater services and the Circle City Fire Fee be paid by the Village and not thorough the largess of the tax payers in Pittsboro.

The request for an amendment to the Pittsboro Christian Village Special Use Permit was amended on June 10, 1996 with the following conditions with the exception that it be applied to the original property/houses and not on the expansion as long as they are paying taxes on the original property/houses and that the 15 new spaces be shown on the site plan map:

- If any of the property subject to this permit shall be granted exemption from payment of ad valorem taxes, the owner of said property shall pay to the Town of Pittsboro in lieu of said taxes sums which shall correspond to the amount otherwise payable based upon the annual tax rate established by the Town and the appraised value of said property. Said payments shall be due and payable, if all, on September 1 of each calendar year for which said property shall be exempt for such taxes. Such payments in lieu of taxes shall be represent the reasonable charges for providing governmental services to such property including police, fire, solid waste and general governmental services which are reasonable and appropriate in order to safeguard the community and the property permitted hereunder.
- If any of the conditions affixed hereto, or any part thereof, shall be held invalid or void, then this permit shall be void and of no effect.

Commissioner Cotten stated he feels this needs more research.

Motion made by Commissioner Bryan seconded by Commissioner Brooks to have the Manager and Attorney do some research and report back to the Board how we should act on this.

Vote Aye-5 Nay-0

RESOLUTION – PLANNING BOARD VACANCY

Motion made by Commissioner Bryan seconded by Commissioner Brooks to approve the Resolution Declaring a Vacancy on the Town of Pittsboro Planning Board.

Vote Aye-5 Nay-0

A RESOLUTION DECLARING A VACANCY ON THE TOWN OF PITTSBORO PLANNING BOARD IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE

RESOLUTION ESTABLISHING PROCEDURES
FOR APPOINTMENT OF MEMBERS TO THE PLANNING BOARD

Motion made by Commissioner Cotten seconded by Commissioner Walker to approve a Resolution Establishing Procedures for the Appointment of Members to Town of Pittsboro Planning Board.

Commissioner Walker wanted to know why the resolution states just the Mayor would make the recommendation to the Board.

Commissioner Brooks stated he feels the entire Board should review the applications.

Vote Aye-4 Bryan/Cotten/Walker/Griffin
Nay-1 Brooks

A RESOLUTION ESTABLISHING PROCEDURES FOR THE APPOINTMENT OF MEMBERS TO TOWN OF PITTSBORO PLANNING BOARD IS RECORDED IN THE BOOK OF RESOLUTION NUMBER ONE, PAGE

CLOSED SESSION

Motion made by Commissioner Bryan seconded by Commissioner Griffin to go into closed session in accordance with NCGS 143-318.11(a) 3 for so that the Public Body may consider and give instruction to the Town Attorney concerning an administrative procedure and for discussion of the amount of compensation and other material terms of an employee contract as allowed under NCGS 143-318.11 (a) 5 (ii)

Vote Aye-5 Nay-0

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

Vote Aye-5 Nay-0

TOWN MANAGER

Motion made by Commissioner Cotten seconded by Commissioner Griffin to approve a 3% salary increase for the Town Manager.

Vote Aye-5 Nay-0

COMMISSIONER CONCERNS

Motion made by Commissioner Brooks seconded by Commissioner Cotten to send a letter of thanks to the Street Department head for all the good work they done during the snow, with copies to employees and for their personnel files.

Vote Aye-5 Nay-0

Commissioner Brooks stated he his received complaints from several citizens about business owners and employees parking in the parking spaces in front of their business. We need to enforce the parking between the hours of 9-4. We should issue warning tickets first.

The Board agreed to have a letter hand delivered to merchants that enforcement will begin on parking and that if they or an employee(s) are parking they need to find other parking.

Commissioner Bryan stated a white pickup was parked in front of the florist for about six weeks.

Commissioner Bryan stated he had received some complaints from two citizens about their high cable bills.

Manager Montgomery stated he was going to be meeting with Bob Sepe.

Commissioner Walker stated the business owners and homeowners would love to know that the police department has stopped by their business at night and checked their doors, homeowners would like to know that while they are out of Town the police are patrolling their property.

Manager Montgomery stated the police department does do nightly patrols of businesses. Homeowners can call and request a house check while they are out of Town.

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

Vote Aye-5 Nay-0

Mayor

ATTEST:

Clerk