

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
FEBRUARY 28, 2000  
7:00 P.M.

Mayor Charles R. Devinney called the meeting to order and gave invocation.

ATTENDANCE

Members present: Mayor Charles R. Devinney, Commissioner Cassie H. Wasko, Ethel F. Burns, Clinton E. Bryan, Jr., Max G. Cotten and Gene T. Brooks.

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

DISPOSITION OF MINUTES

Motion made by Commissioner Burns seconded by Commissioner Bryan to approve the minutes of the February 14, 2000 minutes with the correction mailed out on October 25, 2000.  
Vote Aye-5 Nay-0

CITIZENS MATTERS

NONE

Motion made by Commissioner Burns seconded by Commissioner Bryan to go into a public hearing.

Vote Aye-5 Nay-0

PUBLIC HEARING

PERSONNEL POLICY

Manager Montgomery stated the purpose of this public hearing is to receive comments from the public on the proposed personnel policy for the Town of Pittsboro.

PUBLIC COMMENTS:

NONE

MCMANNEN CONSULTING & ACCOUNTING SERVICES

Manager Montgomery stated we have received a request from McMannen Consulting and Accounting Services, B. Austin Mack, Jr., Chief Consultant, to amend the Zoning Ordinance: 1) Section 5.2.1 "Permitted Use Table" to allow Group Care Homes in a RA-2 District with a Special Use Permit; Amend Section 5.3.3.26 "Regulations for Special Use Permits – Group Care Home (a) and (b).

Mayor Devinney stated we received a letter today requesting that the request is withdrawn, but since the public hearing was already scheduled we will hold the public hearing.

PUBLIC COMMENTS:

NONE

Motion made by Commissioner Burns seconded by Commissioner Wasko to go out of the public hearing.                      Vote    Aye-5    Nay-0

REGULAR MEETING

TRIANGLE J COUNCIL OF GOVERNMENTS  
CABLE TV

Mr. Bob Sepe was present to update the board on Cable TV and stated they hoped to have the franchise renewal completed by May or June 2000.

There was discussion about customer service issues. Manager Montgomery stated we could include a message on the water bills (April) and have them call us if they have had problems.

The Board thanked Mr. Sepe for coming tonight.

RENAMING CHATHAM STREET

Commissioner Wasko reported she had been approach by Ernest Ramsey about renaming Chatham Street to Martin Luther King Drive. A public hearing should be scheduled and all residents that will be impacted by the renaming are notified by first class mail.

Attorney Messick stated it was up the board to make the decision on renaming the street.

There was discussion about at what point on Chatham Street would we start and end. The board stated Small & Fayetteville.

There was discussion about E-911 and Commissioner Wasko stated that most people get their mail at the post office so it would not effect most residents.

Motion made by Commissioner Wasko seconded by Commissioner Cotten to schedule a public hearing on the renaming of Chatham Street for March 27, 2000 at 7:00 p.m.

Vote Aye-5 Nay-0

### NC DOT MAINTENANCE PROGRAM

Manager Montgomery asked that the board consider requesting NCDOT to accept into their Street System the following streets: Log Barns Acres, McClenahan Street, Fairground Association Rd. and Thompson Street.

The NCDOT is requesting any street system changes within the corporate limits that relate to Powell Bill funds disseminated to the Town for street maintenance purposes.

In March of last year the Commissioners requested that the NCDOT accept Fairgrounds Association Road, the remainder of Thompson Street not currently on the State System and McClenahan Street. Our request was based on the premise that the above mentioned streets do not meet the Town's street maintenance program which is geared toward the operation of a street system that provided roadways for residential areas. The DOT did not accept responsibility for these streets.

Following is the list of streets:

- 1) Thompson Street – 0.64 miles – Indicate that Thompson Street should be considered a thoroughfare and not residential. At the present time NC DOT maintains Thompson Street from the east town limits to just West of Fire Tower Rd. Thompson Street is used by the motoring public to avoid the congestion at the Courthouse and then heads north on 15-501.
- 2) South McClenahan Street - .16 miles – This Street begins at NC HWY 64 and terminates at Pittsboro Elementary School Rd., which is a DOT maintained street. This street does not provide for residential traffic and principally serve the School Administration Building, maintenance facility and the Elementary School.

- 3) Fairgrounds Association Road – 0.31 miles – This street is used by the School Bus Garage, substation and equipment storage for NCDOT, the County Solid Waste Facility, a cemetery and for the County Fairgrounds. (We have budgeted dollars to resurface approximately 500’ of this street beginning at the school bus garage property to US HWY 64.
- 4) Log Barn Acres – 0.19 miles – This section of street begins on 15-501 and ties into a State maintained street.

Total requested mileage would be 1.3 miles.

Manager Montgomery stated we would lose approximately \$3,000 in Powell bill funds.

Motion was made by Commissioner Brooks seconded by Commissioner Burns to authorize the Manager to request that the above named streets be deleted from the Town’s Street system and to the State street maintenance system.

Vote Aye-5 Nay-0

#### MUNICIPAL TAX CONSULTING AND MANAGEMENT

Manager Montgomery stated he had made additional inquiries into this.

The Federal excise taxes on fuel are collected at the refinery and not at the pump like State taxes. The Town is able to recover the State taxes paid on fuel and it is done on a quarterly basis. Municipal Tax Consulting and Management proposed to provide collection of the Federal dollars on behalf of the town for a collection fee of 33.3%. The 25% rate paid by other municipalities was an “introductory” offer, which Pittsboro did not elect to participate in when the offer was made several years ago.

We now purchase gasoline and diesel fuel through Fuelman. With Fuelman our excise taxes are “reimbursed” to the town prior to our payment for fuel. In essence Fuelman does not pass the Federal tax on to us with the price per gallon we pay, reflecting this “reimbursement”.

Collection of the federal excise paid for fuel by the Town through the services of this firm will be a one-shot deal for both parties. This being due to the fact that we no longer pay this tax through the use of Fuelman.

Commissioner Bryan asked if we would have to get the information for them, if so why can’t we fill it out and get all the money back.

Motion made by Commissioner Burns seconded by Commissioner Wasko to table this.

Commissioner Bryan suggested that we contact the Town of Siler City, because it is his understanding that they fill out their own refunds.

Vote Aye-5 Nay-0

## PERSONNEL POLICY

Manager Montgomery stated this would be on the agenda for the March 13, 2000 meeting.

Manager Montgomery stated he had some items concerning personnel that he would like the board to address that is not included in the policy. Such as an employee having to work when there is a disaster and not receiving overtime because they had not worked 40 hours during that week (i.e. they had approved vacation or sick leave) and if a department head has to work doing a declared disaster they should be compensated somehow.

Commissioner Brooks said that he would like for us to look into paying health insurance for our retired employees or a portion of the premium. He would like to look at some surrounding governments.

There were questions about whether we could make it retroactive to former employees that retired earlier.

The Board asked that Manager Montgomery prepare them a list of all his concerns.

## MCMANNEN CONSULTING AND ACCOUNTING SERVICES

Motion was made by Commissioner Brooks seconded by Commissioner Wasko to drop the matter since the request has been redrawn.

Vote Aye-5 Nay-0

## ABC COMMISSION APPOINTMENT

Commissioner Bryan stated he has had a hard time trying to find someone willing to serve on the board. After having a conversation with Jack Justice he agreed to go back on the board to have them work some on the things out that need to be taken care of.

Motion made by Commissioner Wasko seconded by Commissioner Brooks to appoint Jack P. Justice to the ABC Commission as Chairman.

Vote Aye-5 Nay-0

DARRELL RUSSELL, P. E. – ALLEY, WILLIAMS, CARMEN & KING, INC.

Mr. Russell was present to discuss the additional improvements for the relocation of the water transmission main from the Water Treatment Plant due to the widening of 15-501.

Motion was made by Commissioner Cotten seconded by Commissioner Wasko that this be done.  
Vote Aye-5 Nay-0

Mr. Russell discussed the water supply situation to Chatham Forest Subdivision. (A copy of the letter is attached to the minutes.)

Commissioner Bryan suggested that Mr. Russell bring the board back a price to due Option A (1) that he discussed tonight.

Manager Montgomery discussed the Horton tank not being used with the proposed options.

After much discussion a motion was made by Commissioner Wasko seconded by Commissioner Burns to table this matter for one month to get information together.  
Vote Aye-5 Nay-0

Motion made by Commissioner Bryan seconded by Commissioner Brooks to authorize Darrell Russell to prepare the drawing by April 1, 2000 for the 24" raw water line and additional encasements under the new 15-501 widening project.  
Vote Aye-5 Nay-0

Mayor Devinney stated the board should be asked about open pavement cuts or bores for projects.

## COMMISSIONERS CONCERNS

### LETTER OF APPRECIATION

Motion made by Commissioner Brooks seconded by Commissioner Burns to send a letter of appreciation for the board to members of Pittsboro Police Department that help Siler City during the David Duke Protest Rally on February 19<sup>th</sup>.  
Vote Aye-5 Nay-0

Commissioner Brooks wanted to know what we were doing to get sewer to the property on Thrift Street that has not been able to connect to sewer?

There was discussion about assessing the property owned for the line. The board did not feel that Mr. Sugg should be assessed because he is currently on sewer.

Motion made by Commissioner Brooks seconded by Commissioner Wasko to authorize the Town Manager to prepare a preliminary assessment roll at 100% of the cost for residents on Thrift Street that do not have sewer available to them; and that prices be obtained so that the project can be moved forward.

Vote Aye-5 Nay-0

Commissioner Brooks wanted the Thrift's to be notified that the board was working on this project.

Commissioner Cotten wanted to know if the County/Town has an agreement with 3-M.

Manager Montgomery stated the County has applied for a grant.

Commissioner Cotten reported that the lease with County for the tennis court expired almost four years ago. They are in the process of surveying with the intent to make changes, if the board is interested he would like them to direct Manager Montgomery to meet with the Board of Education.

The Board said they would like for it to be a joint effort and to ask the County to repair the tennis court.

Manager Montgomery suggested inviting Tracy Burnett meet with the board with the County's Recreation Plan.

Motion was made by Commissioner Wasko seconded by Commissioner Brooks to direct the Manager to meet with the Board of Education and invite Tracy Burnett to meet with the Board.

Vote Aye-5 Nay-0

The Board asked Commissioner Cotten if he would be willing to work with the Manager on this. Commissioner Cotten agreed.

#### CLOSED SESSION

Motion made by Commissioner Bryan seconded by Commissioner Brooks to go into closed session pursuant to GS 143.318.11(a)(6) to discuss a personnel matter.

Vote Aye-5 Nay-0

Motion was made by Commissioner Brooks seconded by Commissioner Bryan to come out of closed session. Vote Aye-5 Nay-0

#### REGULAR MEETING

Motion was made by Commissioner Wasko seconded by Commissioner Bryan to excuse Commissioner Burns. Vote Aye-5 Nay-0

Commissioner Cotten stated he would like to resign from the Safe Road Committee and would like to start attending the Land Use Meeting.

Motion was made by Commissioner Brooks seconded by Commissioner Wasko to accept Commissioner Cotten's resignation from the Safe Road Committee and appoint him to serve as a representative from the Town Board at Land Use Update meetings.

Vote Aye-4 Nay-0

There was discussion about the leak on Sanford Road, and the dip in the road on Hillsboro Street in front of Flynt's Florist it has been there for years.

Motion made by Commissioner Brooks seconded by Commissioner Wasko to put a moratorium in effect when we reach 70% of our available capacity.

Attorney Messick said the board would need to have an Ordinance to approve.

Commissioner Brooks withdrew his motion and Commissioner Wasko withdrew her second.

Motion by Commissioner Brooks seconded by Commissioner Wasko to bring this back to the next meeting. Vote Aye-4 Nay-0

Mayor Devinney stated the sign at the corner of CCB on Hillsboro (New Horizon Trading Post) is not in compliance with our ordinance and blocks handicap accessibility.

Motion made by Commissioner Brooks seconded by Commissioner Wasko to take the sign down on W. Salisbury Street along where the old post office was.

Vote Aye-4 Nay-0

Contact the Safe Road Committee to see how much money we have received from the grant the Town has not received notification yet.

There was discussion about the speed limits on 15-501 North, 87 N and Thompson Street.

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

Vote Aye-4 Nay-0

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Mayor

ATTEST:

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Clerk