

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
JANUARY 13, 2003  
7:00 P.M

Mayor Nancy R. May called the meeting to order and gave invocation which included prayers for Mr. Johnny Richardson, Planning Board member who underwent serious surgery and Mr. Brad Brownie, public works employee who has been called to go to war.

ATTENDANCE

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

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 9, 2002 meeting.

Vote Aye-5 Nay-0

PUBLIC HEARING  
PETITION OF ANNEXATION  
POWELL PROPERTY I, II AND III

Motion made by Commissioner Walker seconded by Commissioner Brooks to go into a public hearing on the annexation request from Powell Property I, II and III.

Vote Aye-5 Nay-0

PUBLIC COMMENTS:

NONE

Motion made by Commissioner Walker seconded by Commissioner Brooks to go out of public hearing.

Vote Aye-5 Nay-0

CITIZENS MATTERS

Commissioner Brooks stated he had received many complements about the way Town Staff cleaned up from the ice storm.

Commissioner Brooks stated he spoke with Mr. Henry Hunt – 15-501 North and Mr. Hunt is concerned about the turn over in time getting a problem with his water bill corrected – he thinks the Town should do a better job communicating with its citizens.

Mayor May stated she has received complements from downtown business owners about new Community Policing Officer Kristina Miller the merchants really appreciate her coming in and talking with them.

#### SUFFICIENCY OF PETITION

Motion made by Commissioner Brooks seconded by Commissioner Bryan to instruct the Town Clerk to certify the sufficiency of a petition for annexation as provided in NCGS 160A-31.  
Vote Aye-5 Nay-0

#### PUBLIC HEARING DATE

Motion made by Commissioner Bryan seconded by Commissioner Griffin to set a public hearing on a Special Use Permit request from Tony & Penelope Boone for a Commercial Kennel and Pet Grooming in the RA-2 zoning district.  
Vote Aye-5 Nay-0

#### DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Motion made by Commissioner Cotten seconded by Commissioner Walker to approve the disaster assistance agreement including Attachments A, B-1 & B-2; designate the Town Manager as the agent for the Town for the declared disaster FEMA #1448, and to approve the authority of the Town Manager to enter into informal contracts associated with debris removal resulting from the ice storm of 2002 pursuant to NCGS 143-129.  
Vote Aye-5 Nay-0

#### ETHEL BURNS – PLANNING BOARD PRESENTATION

Ms. Ethel Burns was before the Board to request they investigate and install pedestrian crossing signs at the courthouse circle. And to look at other ways to remind the public that pedestrians have the right-of-way.

Mr. Jim Hinkley, stated Chapel Hill has done a city wide pedestrian program.

The Board advised Ms. Burns that signs installed on a state highway would have to be done by NCDOT.

Motion by Commissioner Cotten seconded by Commissioner Bryan to direct the police department to look at where pedestrian crossing signs should be installed.  
Vote Aye-5 Nay-0

#### UNAUTHORIZED WATER & SEWER CONNECTIONS

Manager Montgomery has requested procedural guidance from the Board associated with appropriate action following the discovery of water/wastewater connections and

subsequent use of these services by customers to the Town's utility systems without Town Board authorization.

Motion made by Commissioner Cotten seconded by Commissioner Bryan to direct the Town Manager that current ordinances and fees are to be enforced and that the violators (property owner) be notified in writing of the fees due and the appeal process and that no back charges be collected.

Attorney Messick stated you could go back three years and collect the minimum per month.

Commissioner Walker stated he would like to go back three years and collect the minimum per month.

Commissioner Cotten stated that once the new construction procedures are in place it can be enforced. It bothers him when staff is criticized for following ordinances.

Commissioner Brooks stated he feels everyone is in favor of fees.

Commissioner Bryan stated how about charging the current access fee and bill forward.

Vote Aye-5 Nay-0

Motion made by Commissioner Cotten seconded by Commissioner Bryan to instruct the Attorney to prepare and Ordinance that Plumbers and Contractors must follow and penalties that will be assessed for ignoring ordinances.

Vote Aye-5 Nay-0

#### JOINT MEETING WITH COUNTY COMMISSIONERS

Commissioner Cotten stated if we are to have a worksession we need to develop a consensus agenda.

Commissioner Brooks made a motion seconded by Commissioner Cotten to send a letter to each member of the County Board, County Attorney and County Manager requesting a joint meeting on January 23, 2003 at 7:00 pm at Town Hall.

Vote Aye-5 Nay-0

#### PHASE 1, PHASE 2 – SIDEWALK PROJECT

Motion made by Commissioner Cotten seconded by Commissioner Walker to budget up to \$90,000 from fund balance to pay the Town's share of Phase I and Phase 2 Sidewalk projects, freeing up Powell Bill funds to pave streets and to send a letter to NC Department of Transportation regarding pedestrian crossing signage.

Vote Aye-5 Nay-0

Commissioner Brooks stated he is still troubled that Small Street Extension has not be paved.

Commissioner Cotten stated we have a vacancy on the Solid Waste Committee to replace Steve Cockman and a seat on the ABC Board to replace Jack Justice.

Commissioner Cotten stated as important as solid waste is in the County he feels a member of the Board should be on this committee and he would be willing to serve on the committee if the Board desires.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to appoint Commissioner Cotten to the County Solid Waste Committee.

Vote Aye-5 Nay-0

Commissioner Cotten stated we should advertise for the ABC vacancy.

Commissioner Bryan said to give him a week to work on it.

The consensus of the Board was to put it on the next agenda.

#### DEANNEXATION OF PITTSBORO CHRISTIAN VILLAGE

Motion made by Commissioner Cotten seconded by Commissioner Bryan to send a letter in writing to Representative Hackney to reintroduce the de-annexation of Pittsboro Christian Village.

Commissioner Walker stated he feels we should drop this matter, he does not think the State will de-annex and he will vote against action at this time. We should sit down with Christian Home.

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

Motion made by Commissioner Brooks seconded by Commissioner Bryan to go into closed session pursuant to NCGS 143-318.11(3) to consult with an attorney employed or retained by the public body to preserve the attorney the attorney-client privilege between the attorney and the public body and NCGS 143-318.11(6) to consider the qualifications, competence, and performance of a public employee.

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

Commissioner Cotten stated the reason he voted no is because NCGS 143.311.11(5) prohibits the discussion of general personnel matters and he has no knowledge of the particular subject to be discussed.

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

Vote Aye-5 Nay-0

Motion made by Commissioner Brooks seconded by Commissioner Bryan to adjourn.  
Vote Aye-5 Nay-0

---

Mayor

ATTEST:

---

Clerk