

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
MAY 9, 2005  
7:00 P.M.

Mayor Nancy R. May called the meeting to order and gave invocation.

**ATTENDANCE**

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

Other staff present: Manager David Hughes, 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. Vote Aye-5 Nay-0

**CONSENT AGENDA**

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

- Minutes of the April 25, 2005 Board of Commissioners meeting.  
Vote Aye-5 Nay-0

**CITIZENS MATTERS**

Betty Marsman stated she was a member of the safe roads committee. She has a situation she would like resolved. At each end of Toomer Loop Road there is a sign that say "No Truck Thru", she came for clarification. There is a resident who parks an eighteen wheeler at the dead end of Roberts Street. She is going to be leaving the community and would like this resolved.

Manager Hughes stated the signs are for Toomer Loop Road.

Ms. Marsman stated the truck degrades the neighborhood and affects property values.

Commissioner Cotten stated the signs do not pertain to Roberts Street.

Ms. Marsman stated she had to call an ambulance and the ambulance had to squeeze by the truck one night.

Commissioner Brooks stated he thought the purpose of the sign is to keep large trucks off residential streets. Clinton Taylor talked with him today about this matter. Nesbitt Dixon has had concerns in the past.

Ms. Marsman asked if the board could designate a place for 18 wheelers to park. The man that parks the 18 wheeler there has a four year old grandson who lives there with him – it's not safe.

Ms. Marsman stated she has some buildable lots that she is going to be building some small homes on. The neighborhood has children – this is a safety issue.

Manager Hughes stated we could do an ordinance prohibiting parking on or adjacent to a residential street.

Staff will check to see what can be done.

#### **OLD BUSINESS**

There is no old business.

#### **NEW BUSINESS**

#### **MINORITY BUSINESS ENTERPRISE RESOLUTION**

**Consider a resolution to utilize minority business enterprise participation. This resolution is required to receive funds from the North Carolina Rural Economic Development Center.**

Motion made by Commissioner Walker seconded by Commissioner Griffin to approve the resolution to utilize minority business enterprise participation.

Vote Aye-5 Nay-0

**A RESOLUTION TO UTILIZE MINORITY BUSINESS ENTERPRISE PARTICIPATION IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 58**

## **FINAL PLAT – POWELL PLACE 1B**

### **Consider a final plat for Powell Place 1B.**

Planner Monroe stated the Planning Board has recommended approval of Powell Place Phase 1B Final Plat with the following conditions:

- A bond or other financial guarantee in the amount of \$387,488.38 shall be delivered to the town;
- The note referring to block “A” through “F” should be modified to incorporate the words “conveyed and”;
- Lots 60 through 67 shall not be conveyed until Barton Row is completed;
- The plat shall not be recorded until the waterline and stone base for Millbrook Drive and Danbury Court have been completed and approved by the town.

Planner Monroe stated that the first two of the four conditions have been met.

Commissioner Walker asked if a breakdown of what the guarantee covers is necessary.

Planner Monroe stated it was not because his office would have a copy of the letter from Robbie Oldham (Withers & Ravenel) with a breakdown.

Commissioner Cotten stated his question goes back to the master plan approved and later revised. It is pertaining to the ten acre site to be dedicated to the Town for development of a school or another compatible public use. Would like to know if the deed has been drafted and if not when it would be.

Bryson Powell said back when they were working on the master plan they decided it would be best to hold that 10 acres in their possession and to continue paying property taxes on that 10 acres until the time when either the town needed it or they saw a use they could recommend to the town. At that point they could sit down and discuss the transaction. At this point it's still owned by the landowners. If you want discussion to take place about a use for it or the town taking it over they would certainly welcome those discussions. Always considered it in the town's best interest for tax purposes for them to hold on to it until the time when the Town needed the land for a civic use.

Commissioner Cotten stated quite frankly he would like to see it resolved.

Patrick Bradshaw stated at the time the master plan was approved the town required the landowners to deliver a letter (don't have a signed copy) what it say in regards to time is “we will work together to determine the appropriate time for conveyance. Obviously it will take some time to plan the exact location, engineer the related infrastructure, and develop

design guidelines, etc. If the phases of Powell Place have not reached this area and the Town has a need to use the property we will work together for plan approvals and promptly convey the property.”

Bottom line, landowners are prepared to convey the property when the Town would like. At this point they are still paying taxes on it. That area of the Community has not yet been planned.

Commissioner Cotten stated the location is not conducive for what he had hoped it would be for – public safety – fire station. If it’s going to be for a fire station it needs to be on 15-501 not in the residential area. This is his personal feelings. He still thinks it needs to be resolved.

Motion made by Commissioner Walker seconded by Commissioner Griffin to approve Powell Place Phase 1B Final Plat with the following conditions:

- A bond or other financial guarantee in the amount of \$387,488.38 shall be delivered to the town;
- The note referring to block “A” through “F” should be modified to incorporate the words “conveyed and”;
- Lots 60 through 67 shall not be conveyed until Barton Row is completed;
- The plat shall not be recorded until the waterline and stone base for Millbrook Drive and Danbury Court have been completed and approved by the town.

Vote Aye-5 Nay-0

### **DISCUSSION FY 2005-2006 BUDGET**

#### **Conduct discussion of 2005-2006 Budget.**

Manager Hughes went over the following:

#### **General Fund:**

- Anticipate 26% increase in Fire Service Contract	\$35,000
- Anticipate significant increase in Health Insurance cost Also impacts Enterprise Fund (15-20%)	\$20,000 - \$32,000
- Police Department: Two patrol cars	\$55,000
- Community Building: repair windows, trim, repaint	\$10,000
- Expand BOC Meeting Room: removable partition	\$12,000

-Planning Department: Land Use Plan, Subdivision/Zoning Ordinance	\$50,000
-Citizens Survey: Custom Design survey, printing, mailing, Postage and envelopes, enter data, organize/ Analyze data, publish report, and transcribe comments Present findings to BOC	\$4- 6000
-Republish Municipal Code	\$4800
-Road resurfacing: Equal Powell Bill funding	\$85,000
<b>Enterprise Fund:</b>	
Wastewater Plant: Spare blower (used spare blower)	\$3200
Dissolved Oxygen Sensor	\$1000
Metering pumps (chemical feed pumps)	\$3800
Mower	\$2500
Water Plant: Replace caustic pump	\$1200
Repair roof	\$3500
Repair leaking sedimentation basin	\$4000
Modifications/Repairs to water plant as Recommended in Wooten report (give breakdown)	\$267,000
4X4 Truck	\$16,000
Public Utilities: Gas Detector (enclosed space entry)	\$1300
Air Compressor w/ Jack Hammer	\$8500
Pavement saw	\$1300
Mud pump	\$1400

Water meters (120 units)	\$24,600
Camera for lateral inspections	\$8,800
Rehab Sewer Lines (Rural Center match)	\$200,000

Manager Hughes provided the following projected fund balance at July 1, 2005:

Beginning Fund Balance July 1, 2004 – General Fund	Unreserved	Total
	\$1,540,000	\$1,783,554

Probably will increase fund balance this year.

Beginning Fund Balance (Retained earnings) July 1, 2004 – Enterprise Fund

Unrestricted	Total
\$1,525,439	\$1,905,854

Unrestricted is actually closer to \$1,660,000 due to sewer rehab project being under budget.

Should add about \$700-800,000 at end of this year due to Buck Mountain impact fees. Also should add about 150,000 due to Lowe’s Home Improvement impact fees.

Commissioner Cotten stated he would like the position of Finance Officer included in the new budget. As we grow it will be a requirement and we will be forced to employ one.

Manager Hughes stated the CPI for this year is 3.1%.

Motion made by Commissioner Cotten to retain the current .43 cent tax rate and eliminate the \$144.00 fee.

Commissioner Bryan stated it would appear to him that we need to find out what we are going to include first.

Commissioner Cotten stated he wanted the \$144.00 moved into the regular tax. He feels that the only one’s paying as far as water bills go is the minimum customers and he feels the rate is unfair to them.

Commissioner Cotten withdrew his motion reluctantly.

Commissioner Bryan stated we need to look at things that are necessary right now.

Commissioner Brooks said we need to do some things that were brought to our attention during The Wooten Company's report.

Manager Hughes stated some of the safety issues are currently being addressed.

Commissioner Cotten stated his big objective to The Wooten Company's report is the addition of another chemical. It bothers him that the reports draw up to give the engineers more work.

Manager Hughes stated The Wooten Company was suggested by the Public Water Supply Section.

Commissioner Cotten stated that may be a conflict of interest.

Commissioner Brooks stated citizens have been receiving a report about the water. There are some health concerns about using chlorine. We owe it to the citizens to do whatever is best for them. Doing the safest thing possible.

Commissioner Cotten stated he would like to see the \$35,000 added for debt retirement.

Commissioner Walker stated if the bonds are callable we can pay them off earlier.

The board stated they would like to see all the items mentioned above included in the budget for discussion.

Commissioner Cotten stated he would like to see at least a 2% COLA minimum included, he was not aware that the COLA for this year is 3.1%.

### **COMMISSIONER CONCERNS**

Commissioner Brooks stated he would like to make a presentation. Mr. Messick was kind enough to include in the agenda packets some of the spelling for Robeson Creek and stated they were inconsistent in earlier deeds.

Commissioner Brooks gave a time line of some of the spellings.

- 1500 The first state map does not help.
- 1700 Shows the creek but does not name it, which makes sense because we were still apart of Orange County.
- 1771 Chatham County was created.
- 1808 Robinson
- 1833 Robinson

- 1870 Robinson & Roberson
- 1879 Robeson – Map prepared by Lucy W. Jackson who was a resident of Pittsboro, during the civil war.
- 1974 Historical Map - Robeson

Commissioner Brooks stated he really doesn't know. It's been pronounced and spelled many ways. Based on Lucy Worth Jackson's work he is inclined to think Robeson.

Commissioner Cotten stated maybe the board should consider a resolution naming it something since it is in the ETJ.

### **CLOSED SESSION**

Motion made by Commissioner Brooks seconded by Commissioner Bryan to go into closed session pursuant to NCGS 143-318.11(a)5 to consider acquisition of real property after a five minute break.      Vote    Aye-5    Nay-0

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

### **ADJOURNMENT**

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

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Nancy R. May, Mayor

ATTEST:

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Alice F. Lloyd, CMC, Town Clerk