

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, APRIL 12, 2010
7:00 PM

Mayor Randy Voller called the meeting to order at 7:00 p.m. and called for a brief moment of silence.

ATTENDANCE

Members present: Mayor Randy Voller, Commissioners Pamela Baldwin, Gene T. Brooks, Clinton E. Bryan, III, Michael Fiocco, and Hugh Harrington.

Staff present: Town Manager Bill Terry, Town Clerk Alice F. Lloyd, Town Attorney Paul S. Messick, Jr., Planner David Monroe, Assistant Planner Paul Horne, Public Works Director John Poteat, and Water Treatment Plant Superintendent Jeffery Scher.

AGENDA

Motion made by Commissioner Harrington seconded by Commissioner Baldwin to approve the Agenda as submitted.

Vote Aye-5 Nay-0

CEREMONIAL AGENDA

1. Resolution of Appreciation upon the Retirement of David L. Monroe, Town Planner.

Mayor Voller read the resolution into the record.

Resolution of Appreciation for the Services of David L. Monroe, Town Planner

Whereas, David Monroe has well and faithfully performed the duties of the Town Planner for the Town of Pittsboro from September 29, 2003 to April 12, 2010; and

Whereas, David Monroe's excellent management of the Town's Zoning Ordinance, Subdivision Regulations, Sign Ordinance and various other Town regulations has been instrumental in improving the quality of life for the citizens of the Town of Pittsboro; and

Whereas, David Monroe has consistently provided sound advice and counsel on various land use, zoning, development and planning issues to the Town of Pittsboro Planning Board and to the Town of Pittsboro Board of Commissioners.

Now, Therefore, Be It Resolved by the Board of Commissioners of the Town of Pittsboro, North Carolina, that David Monroe is hereby officially commended by this Town Board on behalf of the citizens of Pittsboro for valuable service rendered to the Town of Pittsboro in his official capacity as the Town Planner from September 29, 2003 to April 12, 2010; and

Be It Further Resolved by the Board of Commissioners of the Town of Pittsboro that we extend to David Monroe and his family our best wishes as he enter into retirement; and

Be It Further Resolved that this resolution be made a part of the permanent records of the Town of Pittsboro and that a copy of this resolution be presented to David Monroe, Town Planner.

Adopted this 12th day of April, 2010.

Motion made by Commissioner Baldwin seconded by Commissioner Bryan to approve the Resolution.

Vote Aye-5 Nay-0

A RESOLUTION OF APPRECIATION FOR DAVID MONROE IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 26

David Monroe addressed the Board, stating that he wanted to express his thanks to Commissioner Brooks for the many hours of information he had provided, the friendship he had given him, and the civility he had exhibited when they had disagreed, noting he truly appreciated that. Commissioner Brooks thanked Mr. Monroe for his professionalism and his concern for the community.

Mr. Monroe said he had been proud to watch Commissioner Bryan grow into his father's footsteps and to know that he would follow on in his stead, and thanked him for his service to the Town. Commissioner Bryan expressed his thanks for all Mr. Monroe had done for the Town and its citizens.

Mr. Monroe stated that he had very much enjoyed watching Commissioner Baldwin grow into her role as a Commissioner and providing for her constituents, noting she had been a wonder to him and he truly appreciated it. Commissioner Baldwin said she would surely miss Mr. Monroe and appreciated all that he had done for the Town and its residents.

Mr. Monroe stated that Commissioner Harrington had brought a whole new realm of challenge to the Board and he had so appreciated that. He said he was glad the Town had him, noting that with the Town in his hands the Town would be well served. Commissioner Harrington thanked him for his service, noting he was sorry to see him go. He thanked him for the many occasions he had spent time to answer questions, noting it had helped him a lot and Mr. Monroe had helped the Town a lot as well.

Mr. Monroe stated that he would miss working with Commissioner Fiocco likely more than any other of the Board members because he had a planning background and had directly challenged him to explain his positions, and for that he was truly grateful. Commissioner Fiocco congratulated Mr. Monroe on achieving retirement, noting he, too, would miss working with him to shape future regulations and the development of Pittsboro. He said for that, he would really miss him leaving at this time, but offered the best of luck to him and his family.

Mr. Monroe stated that he and Mayor Voller had spent many hours in conversation which had been stimulating and enjoyable. Mayor Voller stated the Town would miss his institutional

memory and all that he had provided to the Town, especially his professionalism that was sorely needed. He said the Town had been well served by Mr. Monroe's presence and they would very much miss him.

Mr. Monroe stated that he very much appreciated the guidance and acerbic wit Mr. Messick had shown him and very much appreciated working with him as he provided him counsel, and hoped that he had provided the same to him. Mr. Messick stated he had, and thanked him for his service. He added that Mr. Monroe had been the best planner the Town had ever had.

Mr. Monroe stated that he could not imagine the Town without Town Clerk Alice Lloyd serving the Board and its citizens. He said she kept everyone straight and had never let anyone, ever, waiver from the correct path. Mr. Monroe said he appreciated that and it had been a true pleasure to work with her. Ms. Lloyd stated it had been a joy to work with him and wished him all the best.

Mr. Monroe stated that John Poteat was a wizard when it came to water and sewer, and he was so glad the Town had him. Mr. Poteat stated Mr. Monroe would be missed.

Mr. Monroe thanked Jay Johnston for his engineering services, noting it had been a joy to work with such a competent and qualified person. Mr. Johnston thanked him for his service as well.

Mr. Monroe stated he had been unsure if he could work with a Marine, referring to Town Manager Bill Terry. But, he said, Mr. Terry was the best boss he had ever had and he had had a lot of bosses. Mr. Monroe said it had been a joy, noting Mr. Terry had given him his head and had not tried to rein him in, he had enlisted to his counsel and had not hesitated to disagree, and he had thoroughly enjoyed their time together. Mr. Terry returned the thanks, noting he had been a tremendous help. He said planning had not been one of his strengths but Mr. Monroe had made him stronger with each encounter.

2. Introduction of New Town Employee.

Mr. Terry introduced Jeffrey Scher, the new Water Treatment Plant Superintendent. He stated that Mr. Scher was well qualified and experienced in distribution systems, and after only a month with the Town had already begun to pull the team together and make progress.

Jeffrey Scher stated that he was dual certified in water and sewer in the State of Florida and would soon be obtaining his certifications in North Carolina, noting he held a Grade 4 wastewater license in North Carolina. He stated that he had been involved in water treatment utilities for about 30 years and had begun his Masters program with the University of Miami. Mr. Scher provided information on his background, which included safety, remediation, distribution, and collection systems. He said he was very pleased to bring his expertise to Pittsboro and was enthusiastic to move forward.

Mr. Terry said he was particularly pleased to have Mr. Scher with the Town because this would be the first time the Town had had both its Water Plant Superintendent and its Wastewater Plant Superintendent cross-trained and certified in both areas. He said they would be able to back each

other up and serve as consultants for one another, and believed that put Pittsboro in a very strong position. Mr. Scher stated he very much believed in teamwork and empowerment and believed that would be very successful with employees.

CONSENT AGENDA

The Consent Agenda contained the following items:

1. Approve minutes of the March 22, 2010 regular meeting.
2. Approve minutes of the March 26, 2010 emergency meeting.
3. NCDOT Supplemental Agreement TIP #R-5181/C-5116.

Commissioner Harrington stated that on page 23, there was a motion that stated “Motion made by Commissioner Harrington seconded by Commissioner Fiocco to have Mayor Voller, Mr. Terry, and Mr. Messick work with the ABC Board to investigate how the ABC Board’s property could be protected.” Commissioner Harrington stated he believed Commissioner Baldwin had seconded that motion, but he had not made the motion. He said that he and Commissioner Fiocco had been appointed to work with the Mayor and someone else had made the motion.

Mr. Terry commented that he would ask Town Clerk Alice Lloyd to listen to the audiotape and make the necessary correction. (The motion was made by Commissioner Brooks seconded by Commissioner Bryan).

Commissioner Harrington said on page 2, he had made a correction to the March 8 minutes which was not correct in the March 22 minutes. He said the first quote in the correction was the correct language and would replace the language as originally written.

Motion made by Commissioner Bryan seconded by Commissioner Fiocco to approve the Consent Agenda as amended, including the correction to be made by the Town Clerk upon listening to the audiotape from the March 22 minutes to correct the mover of the motion as discussed. (Motion was made by Commissioner Brooks seconded by Commissioner Bryan).

Vote Aye-5 Nay-0

AGREEMENT WITH NCDOT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 27-30

REGULAR MEETING AGENDA

Citizens Matters

Beth Turner, P. O. Box 136, Pittsboro, read a letter from the Chatham County Circle City Citizens Group thanking the Town, its staff, and its elected officials for the Courthouse Tribute held on April 3. She offered special thanks to Mr. Terry, the Public Works staff, and the public safety officers for their time and efforts. Ms. Turner said that many thanks went to Police Chief

David Collins, noting that the event was a great success due in large part to the cooperation exhibited by the Town, the business community, and citizens who worked together to reinforce community spirit in downtown Pittsboro following the courthouse fire.

Ms. Turner offered thanks to Chatham County, the NCDOT, local law enforcement, and property owners who made their parking lots available. She said thanks also went to the Pittsboro Merchants Association, to Food Lion Manager John Clifford, to local businessman Jeff Foushee, as well as to the local musicians and everyone else in the community who contributed to that successful effort. Ms. Turner stated the tribute had generated substantial business for Pittsboro merchants, media coverage for Chatham County and Pittsboro, and contributions to the Chatham County Historical Association.

Ms. Turner's letter ended by stating that they were excited about the prospects for Pittsboro and Chatham County and fully endorsed the decision to rebuild the courthouse.

Steve Carr, 433 West Salisbury Street stated that the City Tap opened in July 2008 and provided music and entertainment for citizens and visitors. He said they were beginning their third music season, and in the past they had had to apply for a permit for every music event. Mr. Carr said it was their hope that they could simplify and clarify that permit process by asking for a blanket permit from April to October to cover their music season. He said they were requesting that the blanket permit allow 80 dB's measured at the property line, noting in the past they had received comments/complaints from only one person due to the music.

Steve Cote, 1109 Rock Rest Road, stated that Officer Troy Roberson had given them much help in the past. He said their music events were in the evenings and only one person offered any complaints. Mr. Cote said the permit did allow them to play music up to 11 p.m., but because there was a neighborhood nearby they stopped at 10 p.m. in order to be good neighbors.

Mr. Carr said the issue at present was that his amplified voice, right now, was at almost 60 dB's, and a small child could easily reach over 100 decibels when shouting or crying. He said for that reason, they would like to define the allowed dB levels somewhat better, noting that in his opinion the ordinance language was somewhat vague.

Mr. Cote said they were in the primary business district but did share the space with a neighborhood, and were presently the only business open downtown at night that made any noise and the sound did carry somewhat. He said they did not want to destroy anyone's peace and quiet, but they did need to operate a successful business and that included offering live music.

Mr. Carr said the current permit process did carry a cutoff limit of 11 p.m. and they would agree to have that end at 10:30 p.m., although they voluntarily ended now at 10 p.m. He said they hoped that a blanket seasonal permit could be issued that would cover their music season and would allow a somewhat higher dB level. Mr. Carr said that would allow them to come to the Town once and pay the permit fee for the entire season. He asked that the Board consider such a process and let them know what the next steps might be.

Commissioner Fiocco asked if they envisioned the seasonal permit to define the nights in which live music would be playing. Mr. Carr said Thursday, Friday, and Saturday would be the most likely times, noting that it made more sense to change the permit process rather than the ordinance.

Commissioner Fiocco said the other part of their request was raising the decibel limit from 70 to 80 and measuring that at the property line. Mr. Carr said at present without a permit you were at 70 and with a permit you were at 70, so it gave you no extra volume by having a permit. He said the problem was that general conversation of people on the porch exceeded the allotment of 70.

Mayor Voller said he certainly thought the issue should be examined, noting that the old PTA Thrift Shop had conducted loading and unloading after hours which would certainly have exceeded 70 dB's.

Commissioner Harrington asked Chief Collins if he was aware of any other towns that administered a sound permit. Police Chief David Collins said no, adding that City Tap was the only organization that requested permits and when a complaint had been received and City Tap was notified, they had been good neighbors and turned the volume down. He said he believed it was wise to look at moving the limit to 80 dB's and then determine if that was a better solution. Chief Collins said he also believed measuring from the property line was appropriate.

Commissioner Harrington asked if that was what other municipalities did. Chief Collins responded he had not researched that. Commissioner Harrington said it would seem to him that in the commercial district it was reasonable to measure the sound at that line.

Mr. Messick suggested that Mr. Terry be asked to investigate and bring a recommendation back to the Board as to how to proceed.

Mr. Terry stated the Board could verbally instruct him to revisit that ordinance and regulations surrounding it and bring a recommendation back. He said they would check with other municipalities around the State for comparison to see how they addressed the issue.

Commissioner Bryan said changing the permitting process would make it easier for everyone.

Mayor Voller agreed, noting it would also be easier for staff to process only one permit for a business rather than multiple ones.

Commissioner Baldwin said she had no objection, but believed they needed to look at requests for permits on a case by case basis and perhaps not change the ordinance if they were going to consider a blanket permit.

Mayor Voller said each business would have to apply for such a permit, which would be revocable if there were issues.

Samantha Birchard, 210 Hanks Street, #2, stated that she was the owner of Pittsboro Toys and had been in discussion with other downtown merchants about two possibilities they believed

would aid a thriving downtown. She said the first was some type of ordinance that would assert that entry level spaces could be used for retail and food and that upstairs spaces could be used for offices, noting they believed that by allowing both uses would allow the downtown to thrive. Ms. Birchard said the second possibility was some kind of penalty system for landlords if a space was left open for excessive periods of time, noting it was in the interest of all downtown merchants to have those spaces used and not left empty, sometimes for years.

Commissioner Harrington said for clarification, many of the businesses downtown were only one floor, and one business in particular he could think of was a real estate office. He asked was her suggestion to exclude some businesses. Ms. Birchard said she was not suggesting such a policy be retroactive, but ultimately it would be in the best interest of businesses not to have spaces vacant for long periods.

Mayor Voller said this was a planning issue, and these comments should be forwarded to the Planning Board. He said vacant space was of concern but you could not tell an owner or renter how to use their property. But, he said, they could make suggestions about going forward. Mayor Voller said empty buildings in the downtown hurt everyone, but did not know what the Town could or could not do.

Commissioner Harrington asked what his thoughts were in regards to not allowing office space on the bottom floors in the future.

Mayor Voller said he would have to really think about that, which was why he wanted input from the Planning Board and others so that they would have more information about what other towns had done to address this problem. He said there was space that could serve other purposes, such as finance, real estate, insurance, and the like, but then you got into the issue of ownership of a property.

Commissioner Harrington said his concern was restricting an owner's use of his property.

Mayor Voller said that the parking issue folded into that concern, noting that the event held last week that Ms. Turner had spoken of was a success in part because owners of property cooperated by allowing visitors to park on their property. He suggested that Ms. Birchard and other merchants send the Town some suggestions on how to move forward, adding this was something that the Pittsboro Merchants Association should address first with each individual property owner as a private matter and then come back to the Board with some suggestions. Mayor Voller said Commissioner Harrington was correct that some of the buildings were just one story so the Board wanted to know where they stood, adding he understood the point that they were trying to promote retail.

Phillip Culpepper, consulting planner for Chatham Park, referred to his memorandum to Mr. Terry regarding the Highway Element of the Comprehensive Transportation Plan. He said previously the Board had agreed to set up a committee and move forward with the Transportation Plan, and NCDOT was indicating that it would take about six months for them to do that at no cost to the Town. Mr. Culpepper said the committee membership had been determined and believed that even with Mr. Monroe's retirement that they should move forward

with the project, noting that if they delayed it would likely delay completion of other related projects such as the Land Use Plan. He said this was the first hurdle, and they should move forward.

Mr. Terry said he had talked with Assistant Planner Paul Horne to judge his workload to see if that additional task could be taken on now, and Mr. Horne had agreed that he had the time to do that. He said he believed they should not see any significant delays in moving forward.

Mayor Voller asked if that was sufficient. Mr. Culpepper said as long as they continued to move forward that was all they could ask.

Sean Butler, 267 Bald Eagle Drive, speaking for the Haw River Christian Academy, addressed the Board regarding their request for a sign variance. He said the HRCA was a non-profit educational school and leased space from Rock Springs Baptist Church, and because of the lease they could not use the Church's sign. Mr. Butler said they were requesting they be allowed to place an HRCA sign and provided the Board with photos of the site so that they could see how much room there was for such a sign. He said they had had issues with people missing the school because there was no sign, causing them to do U-turns at the bridge area on 15-501, noting they were about a mile south of the bridge on 15-501 and just north of the water treatment facility.

Mayor Voller asked if the proper procedure would be to have Mr. Butler go to the Planning Board or to the Board of Adjustment. Mr. Messick said if they were asking for a variance from the sign regulations and had more than one on-premise free-standing sign, then they would need to go to the Board of Adjustment for a variance. Mayor Voller said what they were asking for was permission to post a sign indicating that the school was located at the church, adding that request had been made before.

Mr. Butler agreed, noting that the sign for the church was at the water treatment plant, but there was no sign indicating the HRCA was located on the church site. He said they were asking to post a sign beside the church sign directing people to the church.

Commissioner Harrington said he believed that the Sign Ordinance was coming before the Planning Board very soon. Mr. Horne stated that off-premise sign regulations were on the agenda for the next meeting.

Commissioner Fiocco said Mr. Butler had mentioned that there was a lease issue, and asked had they tried to work the issue out privately to share the sign. Mr. Butler replied a new sign would have to be built, and at present the church had a brick sign on a foundation so it would take a large amount of work to alter. He said the school only planned to lease the space for a few years, so the church was unwilling to share its sign due to the expense.

Commissioner Harrington asked what specific part of the ordinance the school would be violating if they mounted another sign.

Mayor Voller responded that the school and Mr. Monroe had been working on this issue for several months. Mr. Messick suggested the Board refer the issue to Mr. Terry so staff could continue to work on it. There was no objection from the Board.

OLD BUSINESS

None.

NEW BUSINESS

1. After Action Report on the Emergency Response to the Chatham County Courthouse Fire of March 25, 2010 (Daryl Griffin, Fire Chief; Tom Bender, Fire Marshal, David Collins, Pittsboro Chief of Police; John Mr. Poteat, Public Works Director).

Fire Marshal Tom Bender provided highlights of issues resulting from the tragic fire at the Courthouse, noting that his primary mission was to investigate the fire.

- The first question was could they save the courthouse, and that question was yet to be answered. Mr. Bender stated he had served in the fire service for 36 years and had trained thousands of firefighters over the years. He said with the circumstances that prevailed on that day he did not believe any fire department could have extinguished that fire any better than the Pittsboro Fire Department had done, noting that was a big statement to make. Mr. Bender said he made that statement because the fascia and soffit was off the building at the side the wind was entering the structure, which allowed a clear avenue of air to enter the building in approximately 17 to 19 mph gusts.
- There was a clock tower that was very old and acted like a chimney. Mr. Bender said the beams in the upper portion of the building were made from lighter timber which was part pine, noting they were as strong as any steel column but they were not fire resistant. He said coupled with the wind and the chimney effect that fire had likely extended far across the building before the fire was detected.
- There were comments made about there not being enough water. Mr. Bender said it would not have mattered what water system you were using unless it was a large city like New York, Philadelphia, Los Angeles, or a similar sized city in that particular instance. He said one of the nozzles used 750 gallons per minute and that would tax any water system, and then multiply that by up to 4 and you would have a huge taxation on the water system. Mr. Bender commended John Poteat and other staff for keeping that water coming. He said that was supplemented by good outside help who brought in portable tanks.
- The water supply of the Town was two-thirds the rating of the Fire Department's insurance rating. Mr. Bender said that meant that the better the water supply the better the insurance rating, which in turn resulted in a substantial savings for homeowners on their homeowners insurance policies. He said there were a couple of states in this country that by 2011 will be requiring sprinkler systems be placed in any new residential structure. Mr. Bender said he currently served as the 2nd Vice President of the NC State Fire Marshal's Association and he fully supported that requirement, because there never had been and never would be a better firefighter than a sprinkler system. He said 96% of all fires were either controlled or extinguished by the activation of only one sprinkler

head, so there was no substitute for a sprinkler system. Mr. Bender said he offered that information as a recommendation for consideration with future growth.

Mr. Bender said in regards to resources, the Pittsboro Fire Department was hard-working with great leaders. He stated the Fire Department was progressive in their training, their skills, and how they used their resources. Mr. Bender said he was impressed with their stations and the choices they had made in apparatus. He said the question had been raised as to whether Pittsboro needed to invest in an aerial truck, and that was a \$1 million item. Mr. Bender said it was up to the Fire Department and the Town to answer the actual question, noting there were few multi-story buildings but you also needed to consider any current or future residential areas where houses were built close together and the radiant heat that would be transmitted if one were to be on fire. He said such fires were hard to control, and the only way to do so was with an aerial ladder truck.

Mr. Bender recognized the citizens who had been present during the recent fire. He said firefighters needed water, but never asked for food. Mr. Bender said almost every time he turned around, someone was offering boxes of hamburgers and boxes of pizzas, and then food began to be served at the Agricultural Building. He said that said something about the people of the Town and the County, and knew that all those involved with fighting the fire including law enforcement really appreciated that.

Mr. Bender said that Fire Department operations had been well managed and well organized, and that was due to the direct leadership of the Chief and his officers. He said if they did not want to rely on his opinion for that, he could offer as evidence an email he had received. Mr. Bender said that he went to the University of Nevada-Reno every few years for training, and there was a person there that was one of the foremost experts in strategy and tactics. He said he had explained to him what Pittsboro's Fire Department had done and he had said it was brilliant. Mr. Bender said the gentleman had said there was no other way to fight that fire with the resources available, and he believed that was a testimony to the leadership of the Fire Department and its personnel. He said that not once was safety ever compromised during the firefighting operation and the Fire Department had preserved the scene almost perfectly, making his job that much easier. Mr. Bender said if it had not been for the intelligent use of water streams, and not damaging the top of the building any worse, the building had been left intact and they were able to pinpoint the point of origin. He said the Fire Department was responsible for good property conservation.

Mr. Bender said the firefighters were courageous and had never quit, noting their efforts were enormous and the Town should be very proud of them. He said he had served on 11 different fire departments during his career, and he was very proud to serve with the Pittsboro Fire Department.

The Board offered Mr. Bender their thanks for his comprehensive report and addressing the concerns that had been expressed regarding the firefighting operations.

Mayor Voller stated that this was not the first fire he had been witness to where Mr. Bender was present. He said his neighbor's house had caught on fire and after he had reported it to 911, the

Fire Department, along with Mr. Bender and his assistant had responded, put out the fire, and had saved his house as well as the neighbors' house on the other side. Mr. Bender commented that the Fire Department actually fought the fire, and he and his assistant had responded and investigated it. Mayor Voller said it was a very hot fire and could easily have burned down his house as well as the neighbor's house, so he could attest to the response and professionalism of all involved. He asked Mr. Bender to repeat what he had said regarding the Town's rating. Mr. Bender responded that almost two-thirds of the Town's ISO rating was based on its water system, although because the Town was so small the Department of Insurance via the State Fire Marshal oversaw the Town's rating. He said right now Pittsboro was rated 6/9 which was a very good rating, noting they looked at hydrants, distances, flow ratios, outlying areas, nearby ponds, and the reliability and adequacy of the water supply.

Mayor Voller said he believed that Chief Griffin received plans of proposed projects so that he could offer comments to the Planning Board. Fire Chief Daryl Griffin said he did receive notes on proposed projects. Mayor Voller said that was very important, noting that Chief Griffin's comments on new development were very important. Chief Griffin said he looked at water supply plans and used those plans to determine where new hydrants should be located.

Mayor Voller said for the record, on the day of the fire he had called Mr. Terry at 4:42 p.m., and by 4:54 Mr. Poteat was already on the job so that the water plant would be ready to provide the water the Fire Department would need. He said his point was that Town staff had responded and had responded in a timely manner.

Mayor Voller said another point was that when people saw such things as a fire they assumed that someone had already reported it to 911, but that had not been the case. He said it was important that if someone witnessed an emergency, they should call it in. Mayor Voller said many people saw the smoke but it would never be known just how long that smoke was visible before someone called 911.

Mr. Bender said he had met with investigators after the fire, and one of the things they had looked at was just how long the fire had burned before emergency personnel became aware of it, and there was no question some time had passed.

Chief Griffin said he wanted to recognize Mr. Poteat and Police Chief David Collins, noting they had been one of the first people he had seen at the fire and the first thing they had said was "What do you need?" He said Chief Collins knew he needed traffic control in the circle, and that had been taken care of immediately, and Mr. Poteat knew he needed an unrestricted water flow. Chief Griffin said between those two things he was left to worry only about the firefighting operation.

Chief Griffin said the Fire Department had likely preplanned an emergency at the Courthouse building a million times over the years, because they went by it every day and asked themselves what would they do if the worst happened. He said everything they had talked about and planned over the years stood them in good stead and made the job easier as far as where to place equipment and personnel.

Chief Griffin said they had received some reports as well as negative comments that the fire started at 4:15 and it took the Fire Department 30 minutes to respond. He said the first report they had received was from a gentleman who had run into the station and reported that flames were coming out of the roof. Chief Griffin said they were in the truck immediately and were on the scene in about 2 minutes.

Chief Griffin said as far as response, 90% of the credit had to go to the North Chatham Fire Department and the Siler City Fire Department who had brought in their aerial trucks. He said if it had not been for those trucks the building would now be a pile of rubble. Chief Griffin said they had searched the first floor and the second floor, but the smoke and flames prevented them from searching the third floor.

Chief Griffin said those that had responded were the North Chatham, Bonlee, Silk Hope, Moncure, Siler City, Goldston and Pittsboro, and out of the County they had West Sanford, Northview, Apex, Fairview, Parkwood, and White Cross. He said that Chapel Hill and Carrboro Fire Departments were on standby at the North Chatham Fire Department. He added they had a total of 144 firefighters on the scene and 30 pieces of apparatus, and not one person was injured.

Commissioner Fiocco said he had mentioned the number of times they had preplanned a potential fire at the Courthouse, and asked had 144 firefighters been a part of that plan. Chief Griffin replied no, noting when you preplan you were looking at the kind of attack you would use and how you would set up your apparatus. He said his point was they had been overwhelmed with professional help, noting they had people coming in from Moore County and Johnston County, and Randolph County had trucks on standby in case they were needed.

Chief Griffin said another thing that had helped the operation was that traffic had been quickly controlled even though it was nearing the peak traffic hour. He said that control had allowed firefighting personnel to move quickly into place without delay, providing the manpower that was needed when it was needed.

Chief Griffin said in regards to hydrants, they did experience some issues with hydrants but those issues had not had an effect on the firefighting operations. He said they had talked with Mr. Poteat about the fact that they had experienced loss of pressure in their main lines that were feeding the aerial trucks. Chief Griffin said those issues would be addressed so that should another fire occur they would be ready to respond.

Chief Griffin said the question was asked did they need a ladder truck, and the answer was yes they did, but ask if they could afford one and the answer was no, but they had to find a way to afford one in the very near future. He said as Mr. Bender had explained when you had a fire that threatened nearby structures then an aerial truck became critical to confining that fire. Chief Griffin said you had to risk a lot to save a lot, and if you risked nothing you saved nothing.

Chief Griffin said as far as reviewing plans for fire safety, they had not done a lot of that but they certainly needed to be more involved. He said Mr. Monroe had always consulted with him regarding hydrant placement, but everything the Town Board approved affected how the Fire Department operated. Chief Griffin said it was true that the water system had an effect on their

insurance rating, and believed the next time they were rated their rating would at least remain the same. He said they could not improve that rating with what they now had, but because of growth there was a chance that rating would decline in the future. Chief Griffin said his point was that as the Town grew, the Fire Department had to grow as well, and that was something that needed to be addressed. He said their budget had to increase just as the Town's had to increase, and that had to happen in order for the Fire Department to remain up-to-date and keep their insurance rating high. Chief Griffin said it was imperative that they find a way to make that work. He said the Fire Department was a team and worked as a team, noting that all the departments in the County worked just as hard as Pittsboro's did. Chief Griffin said no one wanted to see taxes go up, noting he lived in the County and he didn't like to see that either. But, he said, tax dollars that went to the Fire Department were well used and not one cent was wasted.

Commissioner Brooks said they needed to make sure they set up a system where the Fire Department was included in planning for major developments, including commercial buildings.

Commissioner Bryan thanked Chief Griffin for his report, noting he had grown up with many of the Fire Department members and knew them to be dedicated individuals. He said they did a fine job and the Board appreciated everything they did for the Town.

Commissioner Fiocco added his thanks as well, noting he appreciated his commitment to the Town. He said he wanted to know a little more about his planning role, noting he had mentioned that he had worked with Mr. Monroe regarding the location of fire hydrants. Commissioner Fiocco asked was that just in residential subdivisions, or for all site plans that came in for permits. Chief Griffin said as far as the County, he and Mr. Bender looked at those together, but for the Town he looked only at hydrant placement. Commissioner Fiocco said he would like to see the Fire Department more involved in planning, because not only was hydrant placement important but access was as well. He said that preplanning was important to make sure obstacles were not put in the Fire Department's way. Chief Griffin said he would be happy to help in any way possible and to offer opinions on planning projects.

Commissioner Fiocco said he believed they needed to get the Fire Department as well as the Police Department involved in planning projects. Chief Griffin said he believed it was important to include Fire Marshal Bender in that planning as well.

Mr. Terry said in the short time he had been with the Town there had not be a lot of development, but Mr. Monroe had talked with the Fire Department about planning projects as far as truck turning radius, hydrant location, and other issues which had resulted in recommendations for changes.

Commissioner Baldwin added her thanks to the Fire Department for the great job they had done during the fire, noting their efforts had been heroic and extraordinary. She said the same was true for all the departments and volunteers who had responded, noting it had been an extreme effort and it should be commended. Commissioner Baldwin said she agreed with Commissioner Fiocco that the Fire Department, Fire Marshal, and the Police Department should be involved with all planning projects. Chief Griffin thanked Commissioner Baldwin for her comments,

noting that when they looked at turning radii they always kept in the mind future need of an aerial truck.

Commissioner Harrington added his thanks as well, noting the Fire Department did many things that the Board and the public never even heard about.

Mayor Voller said it was his impression that years ago the Board had requested that the Fire and Police Departments be included in planning projects. He said somehow that had not come about in the way he believed it had been intended, and he wanted them to know that that kind of process needed to be put in place particularly with complicated developments. Mayor Voller said that the two departments as well as Mr. Bender had a lot of knowledge that needed to be included in the process. He said the courthouse fire had been a complex and dangerous fire, and they should be commended that other buildings had not caught on fire.

Police Chief David Collins stated that he wanted to commend the hard work and dedication provided by the Fire Department and the Police Department. He said it was a very emotional night with feelings running high, but the two departments had come together and exhibited their great working relationship. Chief Collins said it seemed at times that he and Chief Griffin were reading each other's minds, and it was their intent that that great working relationship would continue.

Chief Collins said his staff had been placed so that they could easily communicate with Chief Griffin and his staff. He said one of their main concerns was crowd control and traffic control, as well as making sure those working the fire were given water and were fed. Chief Collins said they had even arranged for Port-a-Potty's, noting that those working at the fire were there the entire evening and through the next day. Chief Collins stated that Town Clerk Alice Lloyd had stood next to him that night and helped him tremendously. He stated his family, his two children, and other citizens had jumped in and offered assistance. Chief Collins said many people approached him and offered help, and those citizens had assisted with putting up safety tape and keeping people away from the fire equipment. Chief Collins said that Ms. Lloyd had kept them fed and watered, and had constantly checked to make sure everyone was okay and to provide whatever was needed.

Chief Collins sent out a special thanks to Lieutenant Gary Franks with the State Highway Patrol. He said Lt. Franks had shown up and immediately offered help, and without hesitation had called in SHP personnel to help with crowd and traffic control. He said that Lt. Franks had contacted the NCDOT and gotten barricades, lights, and traffic cones brought in.

Chief Collins said the Chatham County Sheriff's Office had assisted with answering calls and had offered relief in the form of personnel to help at the scene. He said the Sheriff's Office had also assisted in making sure that those associated with the school and its bus drivers knew about the traffic detour and how to get around the circle. Chief Collins said all of that had gone like clockwork due to the teamwork that had been exhibited during that time, and he was proud of each of those organizations.

Chief Collins said after the fire they still had to provide security 24 hours a day at the building, and they had already been sleep deprived and very tired. He said once again, the Sheriff's Office had offered relief and had taken over the security at the traffic circle.

RECESS

Upon a motion by Commissioner Bryan seconded by Commissioner Baldwin the Board moved to recess the meeting for a five-minute break.

Vote Aye-5 Nay-0

RECONVENE

Upon a motion by Commissioner Brooks seconded by Commissioner Bryan the Board moved to return to open session.

Vote Aye-5 Nay-0

Public Works Director John Poteat stated he wanted to commend the staff at the water plant for their work during the fire, noting that Kay Willis had stayed by the phone to respond to him every time he called to check on water pressure, line pressure, and tank levels. He said it was nearly 5:00 p.m. when they had begun their activities, but everyone had pulled together to make sure there was plenty of water available.

Mr. Poteat said at the time of the fire, they had 59 feet of water in the standpipes, noting it held 70 feet. He said 16 feet of water in the tank equaled 1 million gallons, and it held 20 feet, and they had 22.7 feet in the Horton tank which had an overflow level of 32 feet. Mr. Poteat said most of the water for the firefighting activities was taken from the Horton tank which was surprising to him at the time because he had thought they would get water from the 1 million gallon tank on the north side of Town but all the water was coming from the south side of Town. He said during the fire he had worked with Chief Griffin to try and draw water from the million gallon tank, and had not been successful to the point of it making a difference.

Mr. Poteat said the Horton tank had started out at 22.7 feet, and at the 3 foot level he had worked with Chief Griffin to get some fire hoses moved around so that water could be taken from different locations. He said 5 hours from the point they had begun to draw water, they had used 130,000 gallons of water, which was a lot of water with a fast draw down. Mr. Poteat said when they reached the 3 foot level they had about 19,000 gallons left in the Horton tank, and they had not wanted to use any more and decrease pressure on that side of Town. He said at the end of the fire, they had actually gained a foot in the million gallon tank, so while they were using water from one tank they were gaining water in another. So, he said, at the end of the night they had about 1.2 million gallons of storage in the system after the fire. Mr. Poteat said his point was they had plenty of water, and some of the issues they had experienced had been unexpected. He said an example was when lines went flat and they had had to address that pressure issue.

Commissioner Fiocco asked if the lines he had referred to as going flat were fire hoses. Mr. Poteat responded yes, noting the fire hose lines were 4 and 5 inch lines and the water lines were

8 inch lines, and because they were almost the same size it had created a pressure issue. He said his theory was that the hydrants they were using at one time were pulling from the same source, which was substantiated by the water level in the Horton tank. Mr. Poteat said if you added up the gallons per minute being pulled from the hydrants and multiplied that by the 5 hours that was almost exactly 130,000 gallons of water which was what they had estimated was used.

Commissioner Harrington said to put that in perspective, how much water was typically used in a day. Mr. Poteat said on an average day their entire use was about 500,000 gallons.

Mayor Voller said then they had more than enough capacity to handle any average day. Mr. Poteat said they had plenty of capacity, but the issue was getting the volumes to where they needed it to go.

Commissioner Bryan asked was there a way to direct which tanks they were pulling from in situations like the courthouse fire. Mr. Poteat responded there was, noting there were a couple of things they could do. He said they could redirect the standpipe in Chatham Forest so that all the water went to the Town, but the problem was that it was a 500,000 gallon tank and the infrastructure in the Town was so weak that the pressure created could compound their existing problems. Mr. Poteat said if you increased the pressure on those weak lines to compensate for problems with hydrants you may eventually cause a water line break in Town which would be a bigger problem.

Mayor Voller said what Mr. Poteat was saying was it was an asymmetrical water system with a split zone. Mr. Poteat said that was correct, but there were ways to get more pressure to a certain area. He said one way was to bypass the pressure reducing valve at Chatham Forest which would allow them to send more water back to the Town. Mr. Poteat reiterated that putting that much pressure on a weak line could cause other issues which had to be taken into account.

Commissioner Fiocco said he believed the pressure issue went beyond their public infrastructure and to the buildings themselves that were not use to seeing that pressure. Mr. Poteat agreed, noting that was particularly true downtown.

Mayor Voller said if they took off the pressure reducing valve they were getting pressure at the end of Chatham Forest of 110. Mr. Poteat said that was correct, but did not know what kind of pressure they would get if they removed that valve.

Jay Johnston remarked that you could not take the pressure reducing valve from the Chatham Forest tank and put it into the other two tanks because it would overflow those other tanks. Mr. Poteat said when the fire was occurring they would not have had that problem because the Horton tank was up 3 feet at the point they were considering doing that.

Mr. Johnston said the Chatham Forest tank was at a 100 foot higher pressure zone, so if you took the pressure reducing valve off it would commit two pressure zones that would empty into the Chatham Forest tank and overflow the other two tanks.

Mayor Voller said that would then put pressure on the infrastructure.

Mr. Terry said he thought there was a way to move water from the 1 million gallon tank to the Horton tank, and apparently they had been unable to do that. Mr. Johnston said that was the crux of the problem they were having now and was a part of the project they were getting ready to execute.

Mr. Poteat said even if they had a brand new pump there was no guarantee that it would work if you had the bypass open so you could get more pressure from the Horton tank, so when the booster pump was running and you had the bypass open that water was simply recirculating and spinning in the tank. He said to have a booster to pump water to the tank when you were trying to get water to the fire point, it would have been working against what they were trying to do which was to pull out what water they could as quickly as they could.

Mr. Johnston said the 1 million gallon tank was feeding the fire demand and caused the Chatham Forest tank to empty, and the Chatham Forest tank fed the 1 million gallon tank.

Mr. Poteat said they did not entirely empty that tank, reiterating they had about 10 feet of water left in the standpipe at the end of the fire. He said they pumped to the standpipe, and they fed from the standpipe to that million gallon tank. Mr. Poteat said they had 10 feet left in the standpipe, but they had gained 1 foot in the million gallon tank.

Mr. Johnston said they lost 20 feet in the standpipe, and gained a foot or so in the tank, and that told him that the million gallon tank was feeding water to downtown, but it was a lot easier for the hydraulics to pull water from the Horton tank. He said the Horton tank would never catch up even though the million gallon tank was trying to feed it, and it could not do so very well because they were at the same elevation and had a long way to travel through a really poor distribution system downtown. Mr. Johnston said you experienced much head loss exacerbated by the massive fire flow demand, and the water just could not get from the million gallon tank to the Horton tank. He said the shape and connectivity of the distribution system downtown was some relic of trying to force feed the downtown from many years ago.

Commissioner Fiocco asked if they had gained the pressure head from the higher elevation of the Chatham Forest tank, in other words had that helped to push more water. Mr. Johnston responded yes, almost certainly. He said the Chatham Forest tank only fed to the north, fed back to the plant, out to the Chapel Ridge pump station, and down to the pressure reducing valve. Mr. Johnston stated the pressure reducing valve basically made the system mimic a lower tank as it passed through, so that it did not gush through and come back around to blow out the top of the Horton tank. He said what was really happening was that the million gallon tank was trying to get water down there, and the altitude valve would periodically open and allow water to move through. Mr. Johnston said it was working the way it was meant to work, but the problem was and continued to be the bad downtown distribution system, connectivity, and piping.

Commissioner Harrington asked was there any way to put some kind of backflow valve that would actually prevent that circulation problem he had mentioned. Mr. Johnston said the way the system was configured was not the problem, noting what needed to be fixed was the old system. He said there had been a problem a few months ago in front of the soda shop downtown

and that had allowed them to actually see a part of the problem. Mr. Johnston said with new or normal aged pipe they would be using a C factor of 130 or 140, and sometimes 150 but rarely. He said 10 years ago when he had calibrated the downtown model, his C factor within miles of the downtown was 55, which was less than half of what it should have been.

Mr. Johnston stated what he believed was happening during the fire was that when the hoses began to surge they were pulling more water out than the head sources could put in. He said what Mr. Poteat had to do was near brilliant, in that he used a valve that really should never be used but if he had not used it he would never have gotten water out of the Horton tank because the way the system was configured it was profoundly problematic around the Horton tank. Mr. Johnston said water did not want to flow back to the north, and that was why having the County put its courthouse annex in its present location was problematic because there was not enough water pressure to meet the Fire Code requirements for the architectural design of that annex. He said you could almost throw a stone from there to the Horton tank, but it was because of some crazy valving and disconnectivity that appeared to have been done back in the early 1980's where a larger diameter pipe was put in that went around the downtown and directly to that booster pump so that the booster pump could pull directly from the million gallon tank, bypass the downtown, and sling it to the south and not allow the downtown to pull from it. Mr. Johnston said if Mr. Poteat had not opened that valve then that water would have been fighting massive head loss from both directions to get to the downtown.

Commissioner Harrington asked was Mr. Poteat able to make a call and get that done automatically, or did someone actually have to go and open the valve. Mr. Poteat said he sent someone with a valve wrench to open the valve.

Chief Griffin said they had been opening it and closing it to try to fill the Horton tank faster.

Mr. Johnston pointed out on a map the flow rates for the hydrants that were downtown, noting the hydrants where the zone of the distribution system exhibited noncompliant results were circled in yellow. He said 80 psi of static pressure was good pressure for distribution, but when they cranked it open and made it flow, the pressure dropped to below 20 psi. Mr. Johnston stated that State Code required that hydrants stay above 20 psi during demand, so the two yellow circles indicated areas of noncompliance and it also corroborated the 55 C factor that he had calculated which was simply head loss. He said the psi had dropped to between 10 and 15 psi.

Mr. Johnston said the project that Mr. Terry had now authorized them to do was directly related to that issue, noting he had been on the phone with Mr. Poteat throughout the entire evening of the fire. He said of all things they had not needed such a fire to demonstrate the failings of the system. Mr. Johnston said for him, what that said was that the project that they had designed, permitted, and were trying to get funded could have always been born. He said what he had tried to do was to take advantage of that 10 inch line that bypassed the downtown and connect it back to the middle so that water could be brought into the vicinity of the courthouse annex. Mr. Johnston said that would boost pressure somewhat, but you would still have all that head loss and all the other issues. He said the recent fire made him wish even more to do what he had always wanted to do, which was replace the entire downtown distribution system.

Commissioner Fiocco asked if he had a number of places where they were confused as to whether pipes were interconnected or if the pipes were going up or below. Mr. Johnston replied yes and no, noting that Phase 1 of the project included 10 exploratory excavations with a clause to fix it the way it should be if it was not as it should be. He said that was only 10 intersections, and there was likely 35 he would like to do. Commissioner Fiocco asked did that mean they would correct those connections and fully valve them. Mr. Johnston stated that was correct, noting that was another problem that affected line breaks in that the system was not nearly well valved enough.

Mr. Poteat said they had installed valves and fixed some of the problems, noting the last time they had to cut off water to fix a valve was 8 years ago.

Commissioner Fiocco asked if that 25 number he mentioned was over the entire area, in other words were there just 25 places to look. Mr. Johnston said there were 25 additional places he would like to look at, noting that was a random number. He said the 10 he had identified were the most critical and were all within the yellow circled areas on the map.

Commissioner Brooks said years ago there had been a gentleman who worked on the Town's system for many years, and he was currently living in Sanford. He said his name was Jimmy Elixson and believed it would be useful to have him look over the map Mr. Johnston had created to see if he had any useful memories of how the system was connected.

Mr. Poteat said he had talked with Mr. Elixson a few times in the past about some lines they could not locate, and he had been very helpful. He said that Lawrence Miller had worked with Mr. Elixson at that time and he had been helpful as well. Mr. Poteat said Mr. Miller had been able to put them in the vicinity of where a valve should be, and they had found several valves in that manner.

Commissioner Fiocco agreed making those contacts was a good idea.

Mayor Voller said there had been a project years ago on Old Graham Road, and asked how that would help the system if it was connected. Mr. Johnston said he did not believe it would have helped with the courthouse fire, because the water would have been coming very far from the head source and once the water reached the downtown it would have suffered the same head loss. Mayor Voller asked was there a 16 inch line coming down Russell Chapel Road. Mr. Johnson replied yes. Mayor Voller said then depending on how they designed it, they should have less head loss down Old Graham Road. Mr. Johnston responded it was still a long way for water to travel and he believed they would need another head source. He said they had high pressure zones in between the low pressure zones controlling the whole system, and he would rather see the taller tank moved to the north where the high pressure zone really was, and then they could control it better.

2. Petition to Rename Formosa Court (private road) to Briar Court.

Mr. Terry stated he had talked with Mr. Monroe about this petition, noting this was a resident trying to make sense of where the post office believed he lived and how the streets were labeled.

He said there was only one resident in that cul-de-sac, and he had checked with the Emergency Operations Center who indicated no reason why the cul-se-sac should not be renamed.

Commissioner Harrington asked was it the normal procedure for a resident to petition the Board to have a street renamed. Mr. Terry replied this one was somewhat different because there was only one person living there.

Commissioner Harrington asked how Park Drive had been changed to Ramsey without a petition.

Mayor Voller responded that the County had come forward and said that there was already a Park Drive and the Emergency Operations Center had requested a change.

Commissioner Harrington said it never came before the Board for approval, but that was likely a minor point.

Mayor Voller said the normal process was that the Emergency Operations Center approved street names and changes. Mr. Messick said it was up to the Town to determine the name of a street, although the Mayor was correct that the EOC should be asked to approve a name so there was no confusion with the 911 system. He asked was there another Briar Street or something similar.

Mr. Terry stated they had already checked with the EOC and they had signed off on it. Mr. Messick said the only issue he could see was whether all the property owners on the cul-de-sac knew of the proposed change.

Commissioner Brooks asked if the Board approved the change, would all the property owners have to change their deeds. Ms. Messick replied no, because the property description would remain the same with only the street name changing. He said his concern was that the petition should have included all the property owners and whether or not they were for or against the change.

Upon a motion by Commissioner Harrington seconded by Commissioner Fiocco the Board moved to table the issue and instruct the Assistant Planner to gather information on any additional property owners who would be affected by the change in name.

Vote Aye-5 Nay-0

CAPITAL PROJECTS REPORT

1. Manager's Update on Capital Projects.

Due to the late hour, Mayor Voller requested that Mr. Terry provide only the necessary information in his update.

Mr. Terry said the most important information was that the Town now officially owned the 3M Park and the deed had been recorded.

Commissioner Harrington stated since it was now Town property, he would be interested in walking the site and seeing exactly what they had. Mr. Terry said he was welcomed to do that.

Mayor Voller said there was a survey that had been recorded and was available to anyone who was interested. Mr. Messick stated that the water tank was fenced, however, and it was not safe for the public to wander around that facility.

Mr. Terry indicated that it was surrounded by a locked fence. He noted that the dedication ceremony for the 3M reuse system was scheduled on May 22 from 10 a.m. to noon. Mr. Terry stated the Board and the County Commissioners would be invited as well anyone who had worked on the project along with other guests. He said they were working now to set up a collection system for the revenue stream the reuse system would create for next year.

Commissioner Harrington asked how much they were anticipating. Mr. Terry stated the contract had a minimum monthly payment of \$4,500 which bought them 3 million gallons, and if more than that was used there was a fee schedule to address that. He said for budgeting purposes he was using the minimum figure of \$54,000 until after the first year.

CLOSED SESSION

Motion made by Commissioner Bryan seconded by Commissioner Fiocco to enter into Closed Session pursuant to G.S. 143-318.11(a)(6) to receive information and hear discussion regarding personnel matters at 9:30 p.m.

Vote Aye-5 Nay-0

RECONVENE

Motion made by Commissioner Brooks seconded by Commissioner Baldwin to reconvene the regular meeting at 10:30 p.m.

Vote Aye-5 Nay-0

Mayor Updates

None.

Commissioner Concerns

Commissioner Harrington asked what did the Board of Adjustment do in such situations as when they decided that it made sense for a particular property to be commercial, but as Commissioner Fiocco had pointed out there must have been good reasons the ordinance was written the way it was in the first place. He asked if the Board of Adjustment could say that a property could be rezoned without a change in the ordinance. Mr. Messick stated that the Board of Adjustment could grant variances from the strict requirements in the ordinance. He said that for certain kinds of variances, you could not get them just because you wanted them. Mr. Messick said the Board of Adjustment could also hear an appeal from the Planning Director who could issue an

interpretation or position about the terms of the ordinance, and the Board of Adjustment could also question the interpretation of the ordinance itself as far as how a property was zoned, where boundary lines were located, and so forth. He said typically in Pittsboro not many variances were granted.

Commissioner Harrington said then it would not be at all appropriate to handle the situation with the Blair property by changing the ordinance, but to say that in this case they could make an exception to the ordinance. Mr. Messick said only if you could demonstrate that it rose to that level for some reason. Commissioner Harrington said in the case of the Blair property, he believed providing a variance would be justified because it was land locked. Mr. Messick remarked that a variance was very difficult to obtain.

Commissioner Fiocco asked wouldn't a variance only be a question of the site plan as opposed to a rezoning. Mr. Messick said a rezoning was a legislative act and you could not vary that. Commissioner Fiocco said once it was rezoned, you could then say there was a unique condition on the property which said the owner should be allowed to do a particular thing.

FYI

1. Record of Decision for the EIS on the Pittsboro 3.2 MGD Wastewater Treatment Plant dated March 29, 2010.
2. Proposed Plan for Powdered Activated Carbon Pilot Study.
3. Town of Pittsboro letter of March 25, 2010; RE: Letter of Intent to Apply for a Round 4 Jordan Lake Water Allocation.
4. Philip Culpepper memo of April 6, 2010; RE: Highway Element of the Comprehensive Transportation Plan.

ADJOURN

Motion made by Commissioner Brooks seconded by Commissioner Fiocco to adjourn the meeting at 10:35 p.m.

Vote Aye-5 Nay-0

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk