

CITIZENS MATTERS

Karen McMaster a volunteer with Chatham Animal Rescue and Education (C.A.R.E.) was present to promote Woof-A-Palooza Day on September 16, 2006. Ms. McMaster gave information on the organization and the event. Jenny Boone was also present.

Motion made by Commissioner Walker seconded by Commissioner Baldwin to approve the Resolution for Chatham Animal Rescue and Education.

Vote Aye-5 Nay-0

A RESOLUTION FOR CHATHAM ANIMAL RESCUE AND EDUCATION IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 400

PUBLIC HEARING

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

Vote Aye-5 Nay-0

SPECIAL USE PERMIT PITTSBORO VILLAGE APARTMENTS

Conduct a public hearing for an amendment to a Special Use Permit for Pittsboro Village Apartments to consider addition of a property manager's office and community room.

PUBLIC TESTIMONY:

Tim Morgan – Evergreen Construction, Raleigh, North Carolina was sworn in by Mayor Voller. He testified they want to put an addition to the property manager's office. He said the addition would be compliant with ADA regulations, the current office was not. They are going to do a 1.5 million dollar renovation to Phase I & II. The office currently is not handicap accessible and they want to do a face lift for the project.

REZONING REQUEST RICKY SPOON

Conduct a public hearing to consider a rezoning requested by Ricky Spoon. Subject property is a 1.501 acre site bounded by Powell Place and the eastbound exit ramp of Hwy 64. Mr. Spoon requests a change from R-A2 to C-2.

Ricky Spoon – 2475 Redbud stated this is a small triangular parcel of 1.501 acres inside Powell Place and he would like it rezoned from RA2 to C-2. Mr. Spoon stated he has purchased 18 acres and this was a portion of that purchase. He said he needed the rezoning to make use of this land.

Motion made by Commissioner Bryan seconded by Commissioner Baldwin to go out of Public hearing.

Vote Aye-5 Nay-0

Motion made by Commissioner Bryan seconded by Commissioner Walker to send the requests to the Planning Board with comments.

Vote Aye-5 Nay-0

OLD BUSINESS

UPDATES

Updates of 3M reclaimed water system project schedule and discussion of contracts – summary from Hobbs Upchurch & Associates/Sam Misenheimer, Town Manager.

Manager Misenheimer reported the following project schedule update:

- Expect the project to be bid on or around October 15, 2006
- Expected date to award the contracts would be on or around November 15, 2006.
- Notice to Proceed should be issued on or around December 1, 2006. This will be the start date of the project construction.
- It is expected that the tank construction will require approximately one year for completion.
- 3M can expect to be using reclaimed water on or around January 1, 2008.

Commissioner Cotten stated he can not find (in all the summaries he has) the \$250,000 loan from Central Electric Membership. He stated at a previous meeting Mr. Hobbs stated they will be purchasing 200,000 gallons per day and the contract states 250,000 gallons per day. The contract also states they will be billed for 3 million gallons per month except for actual use.

Commissioner Cotten stated frankly he has been opposed to this from the start and his reason is corporate welfare – only the County and 3M will benefit. He stated according to the contract they will be paying only 1.50 per thousand gallons up to the 3 million. Our contract with the County states we have to charge everyone the same amount. He feels the contract needs to be reworked.

Commissioner Baldwin stated the areas of concerns Commissioner Cotten brought out need to be addressed.

Commissioner Walker stated the Town will gain extra capacity at the plant by producing reuse water. And he asked how much revenue the Town is receiving for dumping effluent into Robeson Creek. He noted this is a revenue stipend the Town has not received before.

Commissioner Brooks stated he is still reviewing some of these things and he agrees it does benefit the County as well as the Town and that it has dragged out too long. He

stated when the Board was originally considering the contract he stated we probably needed a specialist in contract law to do the contract but the board did not go forward with it.

Manager Misenheimer stated the contract states 3M will use up to 250,000 thousand gallons per day.

There was a discussion about the placement of the tank (across the street).

Commissioner Brooks asked if 3M is in the waste management business. It was discussed that one of the subsidiaries could be.

Mayor Voller stated this is in our ETJ area.

Commissioner Brooks stated it is not in our ETJ area it is south of Charlie Brooks Road.

Mayor Voller stated this will provide a purple pipe program for the County it is not in the Town yet. He stated 3M may provide a recreation site across the street from the current plant. To place the tank across the street will be the highest available point for water distribution.

Commissioner Cotten stated we will be selling to 3M for less than it cost to make the water and he feels we should sell it at cost, at least.

Commissioner Brooks stated he has been in favor of the project since the beginning but he doesn't agreed with very much with what the Mayor said. He is very appalled that with all the land they have they are going to put the tank next to the residential area. They have over 1,000 acres it seems like they could find another place to put it.

Manager Misenheimer stated he has some legal information on this matter for closed session.

Commissioner Brooks stated he has been in favor of the project but it is not quite as wonderful as some of them have stated.

Manager Misenheimer stated it will benefit the Town in the long run. It is a win-win situation.

Commissioner Walker stated this water would be going into the creek. With no compensation to the Town.

Commissioner Cotten stated he may be more inclined if you could get 3M to double the current \$1.50 thousand. He feels the citizens of Pittsboro will pay the cost for 3M by raising rates for current customers.

Mayor Voller agreed with Commissioner Walker that it is an asset that we are not getting anything for. We still will have to upgrade the plant and make State regulation changes. This is a win-win situation.

Mayor Voller thanked Manager Misenheimer and asked that this matter be brought back to the Board at least once a month for updates.

STREET REALIGNMENT/DEDICATION BELLEMONT RIDGE ROAD

Reconsideration of street realignment/dedication Belmont Ridge Road – David Monroe, Town Planning Director.

Planner Monroe stated this was previously discussed. What was given is a suggestion to gain additional access to Mr. Spoon's property to the north and to provide the Town improved access between the two tank sites. The new water tank is at the other end of Belmont Ridge Road and currently in order to get access to that tank if you are at the old tank you have to drive around and re-enter Chatham Forest to get to the new tank. The Mayor/Voller Realty has proposed an extension to Belmont Ridge Road which would allow municipal vehicles to access both tanks.

Commissioner Bryan asked when this item was previously discussed by the Board.

Planner Monroe stated a couple of meetings ago.

Mayor Voller stated it was a meeting when he was ill.

Commissioner Bryan stated he didn't think we could slide things in like this.

Manager Misenheimer stated it was two meetings ago. It was the meeting you were absent.

Commissioner Bryan said okay. He thought it was a lot of hoops you had to go through.

Richard Bullock stated he was a surveyor with North Arrow Surveying and Mapping and he prepared the map in front of them. He addressed Commissioner Bryan's question about when it was discussed and told him it was discussed on June 26, 2006. Commissioner Bryan stated that was fine.

Mr. Bullock stated he represents Voller Realty and Construction and his client wishes to address the possibility of a win-win situation with the existing tanks sites.

Mr. Bullock stated Belmont Ridge Road as most of you know is a T-intersection at the top of Phase 9 in Chatham Forest. On the northeast corner of that subdivision is the new tank built by the Town and in the northwest section of the subdivision is the existing old tank which is on the map just off the west side.

Mr. Bullock stated the existing tank according to the drawing provided by Alley, Williams, Carmen and King back in 1968 or 72, somewhere in that area said the lower portion of the site would be saved/preserved for a future tank if you look on your map. There is a fenced in area around the existing tank which surrounds the tank which was called Phase I at the time. The remaining portion south and east was never developed by the Town for a second tank. The second tank I believe, it was decided to go east which is now north (excuse me) 1,000 feet east of their current site and therefore that portion of the site is not used for the water tank facility. Over the past few months he has visited that site with some of the Park members and they are interested in that site being a potential “pocket park” it has sufficient area that might be used for toddlers. Having a road extended to that site will connect the site with other existing sites to have a quicker route for the maintenance folks to go back and forth and it eliminates the need to drive up and down the smaller access to 15-501 that currently is being used by the maintenance crews.

Mr. Bullock stated the benefit to having this access is that it benefits two developments Chatham Forest to the south and Spoon Development to the North (Bellemont Point). There was a plan submitted by Mr. Spoon (in town hall) a year or two ago showing a potential tie in from the north., the northeast corner of their lot (Bellemont Point) and the northwest corner of one of their lots 192 apparently it was an attempt to provide access to his roadway connectivity.

Mr. Bullock stated he made an attempt on his map to try to tie in with Mr. Spoon’s intent, although he thinks he is a little off because he is more on the town property than lot 192. He is here to answer questions.

Richard Bullock was present and had prepared the following:

Voller Realty and Construction, LTD., have asked that the Town of Pittsboro consider dedicating a portion of its abandoned water tank site for the purpose of providing roadway access to surrounding developments. This portion of the water tank site was to be used for expansion of the existing tank and that expansion did not happen because it made better engineering sense to build the new tank approximately 1000 feet east for pressure purposes. The Town has also extended a 12” waterline to connect the two sites and they are both in operation and are no longer using that area.

The rights of way will help improve roadway connectivity issues in the area. The Chatham Forest Subdivision has only two accesses for its 200 or so residences; one on Fire Tower and the other on Thompson Street. The Spoon development indicates a tie-in to the other end of Bellemont Ridge Road and a proposed roadway along the north side of the Tank Site that will tie into 15-501. One of the Spoon site plans for the development on record at the town indicates a connection to the north side of the Tank Site and the northwest corner of Chatham Forest Lot 192. This roadway will allow access for those who wish travel to 15-501.

The remaining portion has been looked at as a potential “Pocket Park” by a park committee member and other interested parties.

The Town maintenance personnel will now have a direct route between the two tank sites.

The old access easement to the west of highway 15-501 can be converted into greenway connectivity or open space access.

Commissioner Walker asked if the proposed improvements are to be paid for by Voller Realty. Mr. Bullock said that is correct.

Commissioner Walker asked how far down is this going to go – the distance from the pavement today. Mr. Bullock stated the length of the road would be approximately $\frac{3}{4}$ of the route of the town property or approximately 275 feet. Commissioner Walker asked if that would take it down to where the existing gravel (town) driveway is. Mr. Bullock stated no sir it will take it down to a left turn and a right parking area that is gated. The intention is to eliminate the need to use the gravel access to 15-501. Commissioner Walker asked if it was going to be taken down past the water tank and turn right. Mr. Bullock stated the intent is to go down approximately three quarters of the length of town property with access going south through Chatham Forest Development and will access going north before you get to the tank to the Bellemont Point Subdivision. Mr. Bullock stated that right turn right away is completely on town property as not to affect lot 192 which is an existing lot which is for sale. It will be affected somewhat by the slight radius turn out in order to facilitate the construction of the road.

Commissioner Bryan asked where on this map is Bellemont Road now. Mr. Bullock said it is on the right side of the map coming in from the east. Commissioner Bryan stated so that is not going to change. Mr. Bullock stated that was correct. It was going to be extended. Commissioner Bryan asked what was going to happen to the west side of the road that it dead ends to now, the west extension that goes no where. Mr. Bullock stated the intent is to turn south and access the Voller property there is a 90 degree turn left, if you turn right you will see the parking spaces or a gated access to a facility, whichever the town chooses to use that for (pocket park, it will facilitate 5-6 parking spaces).

Commissioner Cotten asked if this would call for widening of our present drive would it not. Mr. Bullock stated our present drive is coming from the west off 15-501 with a 30 ft. wide easement about 50% of it is owned by Mr. Spoon before it gets to town property, coming in from the east on Bellemont Ridge Road. There is no widening of the existing easement they are asking for a new dedication. If you extended Meadow Ridge Road to the west the town’s portion would be approximately 25-26 ft. wide and the Voller portion would be 24 ft wide. It basically straddles the property line. Right now they (Voller) are in a position where our (town) south property line meets up with the middle of their road so they can’t really back up before they get to our property. They will have to do some rearranging of their property.

Commissioner Cotten stated he was not too enthusiastic about opening up easy access to our water tank, to him it appears that would be accomplished if we do this.

Mayor Voller said you already have easy access to the water tank. Do we not Mr. Poteat? There is a road coming out to 15-501.

Mr. Poteat said presently we do have a road, but we keep it locked. There is a gate going across the road so you can't access it without a key.

Mayor Voller said somebody can presumably come there at any time. If this was done you would not need this access. That access could go away. Mr. Bullock said that is correct. It is their intention to have a gate similar to what the town currently has but put in a new position at least to prevent vehicular access.

Commissioner Bryan stated maybe all of that needs to be shown on the map. He doesn't understand what you are doing with the road. He knows you are going to have to rebuild Bellemont Road because it was never built right anyway. The road Bellemont dead ends to; you are just going to get rid of the western part, right? Mr. Bullock stated he didn't follow him. Commissioner Bryan stated that is because the map don't show everything. The road is not dog legged like you have it. Mr. Bullock stated that is correct. It is still straight. Commissioner Bryan said it is not straight on the map. Mr. Bullock said he's without a copy of the map. Commissioner Bryan stated you needed one if you were coming to the meeting. There was discussion about the location of Bellemont Road. Commissioner Bryan stated he was thinking it was the other tank, but he thinks we should look at this more before it is voted on. Mayor Voller explained to Commissioner Bryan that if they gave the Town a nice road here (point to on the map) you don't have to have the old road. John and them would not have to use that crummy road. That is all this is.

Motion made by Commissioner Bryan to table this. There was no second.

Commissioner Brooks asked where Bellemont Ridge Road ends going west there is a lot of gravel and there has been a lot of erosion up there. A lot of water coming off the long stretch, if it is paved on down to water tank where would the water go. Mr. Bullock stated the water would be controlled better. Right now the water is coming off the end of the road and is being slowed down by gravel. This way it would go into a sediment trap before it leaves the site. When it travels on town property where the water line was recently built there were no sediment control measures put in place. Commissioner Brooks said he has been up there three times and the water is coming like a stream down Bellemont Road onto the dirt, and right at the end of the road he would be reluctant to take a four wheel drive vehicle off in there and the sedimentation pond he saw was about the size of a large bathtub and he doesn't know how it can control too much. Mr. Bullock said the size is 10x20 feet. The water coming down the road could be contained. Commissioner Brooks said there is a grate at the end. Mr. Bullock said it is two grates and they are designed to catch the water that is in the gutters and to divert it to a sediment trap; a heavy storm will overflow that and go to the next one. The Town is using that

road he believes to go back and forth to the different sites. Commissioner Brooks stated what he is trying to find out is if the road is extended and paved he is not clear how the runoff is to be accommodated. We have had water lines from that tank in the past that have flooded those people's property between the water tank and 15-501 (old tank). Commissioner Brooks stated it is a good grade down there for the water to run. Mr. Bullock stated a lot of the grade occurs right near the end of where they are proposing to extend their right-of-way. They will design water retention, storm retention and erosion control devices, but he does not currently show any on the map.

Manager Misenheimer stated it is required that curb and gutter be installed, correct. Mr. Bullock said yes. Manager Misenheimer said to take Mr. Brooks question further once the road is extended and it is ended there at the gate for the tank. Obviously there will be some build up on the north side of the road with the slope of the land the water will go south so you are going to have to have erosion control measures on the property below this map. Mr. Bullock stated the slope of the land is nearly directly west of the end of the road. If you do a rain drop analysis it comes westerly through the Bruce Stewart property where there currently is a ravine (waterway). The erosion control will be designed to prevent any erosion to get off site and slow all the water down. Manager Misenheimer said which will be done, right? Mr. Bullock said yes the water coming under the road from the proposed road and Mr. Spoon's property would also be collected. As most developments occurs once the subdivision starts developing and the curb and gutter and the storm system are in and the houses have hilled the erosion becomes less and less as the development continues. It would be their wish to fix the end of the road. They could go ahead and put in a big pile of rip-rap right there and dream about it. But if they do that, it is a little more difficult to access their land.

Manager Misenheimer stated the Town policies regarding stormwater/erosion control and curb and gutter would be required.

Manager Misenheimer stated he thinks it would clearly be an advantage to the town crews. With both the tanks being separate, our staff has to go out to check on the tanks and service these tanks. It would be better access for them. Naturally the gates would always be locked with the exception of staff checking and those type things.

Motion made by Commissioner Bryan seconded to table this until we get all the items we just talked about down on this piece of paper because that is what any other developer would have to do, because it has to be shown exactly what they are going to do, so he would like to see it on paper before anything is approved.

Ricky Spoon asked Commissioner Bryan if he would include in his motion notifying the adjoining land owner which would be Ricky Spoon where he is asked about this before it is brought back to the board.

Mayor Voller asked Planner Monroe to please explain to the Board what type of information this is. This not a subdivision plat or a rezoning plat it is just a conceptual design because there is no development involved here. Planner Monroe said it is just a

conceptual design. Commissioner Bryan stated Randy, we have been through this before and he don't want to get any misunderstanding. He wants to be sure this is what is done. Mayor Voller stated he agreed with him, so lets go down the list – what would you like Mr. Bullock to bring back because there is no pressure in doing this. Commissioner Bryan stated he didn't want to reinvent the wheel since he wasn't here, he just wants to make sure that if the board is going to approve something that is to be done – he wants to be sure what it is going to be done and he is not sure right now. He is either turned around on that piece of paper is he can't quite figure it out. Mayor Voller said fair enough. Mayor Voller asked Mr. Bullock if he could get it turned around so that all of Mr. Bryan's questions can be answered. Mr. Bullock said if he knew everything there was.

Manager Miseneheimer stated it would be just as if it was anyone else all the stipulated development requirements, etc. some type of right-of-way agreement, stormwater design criteria, etc.

Commissioner Brooks stated we have a motion on the floor.

Commissioner Walker seconded the motion made by Commissioner Bryan.

Commissioner Walker requested that Mr. Spoon please speak.

Ricky Spoon stated first of all he doesn't know who this guy is (referring to Mr. Bullock). He has never met him and he had a conversation with you (Mayor Voller) in the hall and you told him about how you are going to make his (Spoon) subdivision better by connecting the road. If you are going to connect this road, are you going to pay to connect and pay to have it paved all the way down to 15-501? Mayor Voller said this has nothing to do with going to 15-501. Mr. Spoon said maybe Mr. Bryan is not the only uninformed one here because he has a map showing the whole property. Mr. Bryan, if you would ask that they look at it. What it has got would be a proposed subdivision that will show him showing up to 15-501 – maybe he just don't understand – but how are you saying you are going to connect to that road because if it's his road he is going to build it. The old water tower is here (pointing to the map) here is where you have got Bellemont Ridge to dead end to his property that he feels he is obligated to connect to because this is what you and this board approved. Now how else are you planning to connect to that road and build it?

Mr. Bullock stated he saw a site plan regarding Mr. Spoon at the town office. This is Bellemont Road (pointing to map) he is not sure why there is a cul-de-sac there but Bellemont Ridge Road is all the way across to here to the line which is to the southeast corner of the Town of Pittsboro property (he pointed to both tanks). What they propose to do there is a set of plans in David's office that show a road coming this way and tying in from the north so he assumes that was your intent at the time. That's why he has the road going north. Ricky Spoon said yes, that is something he done about three years ago. He tried to get Mr. Voller to let him join the property because he did not have access right here (he pointed to the map). He had been dealing with Mr. Gaither Rodgers from

Maryland for about five years trying to buy this. It really is funny that this just happens to be presented tonight within 60 days after he bought Mr. Rodgers' property. So he has got it and has access, he would like Mr. Voller's engineer to show him how it is going to help him and who is going to pay for the road. He asked Mayor Voller is he going to pay for the road from here to there. Mayor Voller said for your subdivision, he don't think the Town of Pittsboro nor Voller Realty have any business paying for your subdivision. Ricky Spoon said he don't think the Town of Pittsboro has any business connecting a road for you (Voller) to go on the Town. Mayor Voller said there is nothing on that information that has to do with connecting a road to you. This is about extending a road to the existing water tank. There is a right-of-way shown on there for the planning board but it can be removed. Ricky Spoon stated he would be glad to dedicate anything you need for the town. We can build a little road right there (pointed to map) and also here for you to access both of those water towers. We have the connection here therefore it will be connectivity between the subdivisions. If there is anything else he needs to provide he will be glad to. But he don't understand why you would want to connect there to the water tower. Your purpose here presumably is to have connectivity between the two water tanks right. Mayor Voller said we have a road that connects to the property. There is a road that Mr. Brooks, Mr. Bryan and Mr. Cotten elude to that goes to the property, that's it, pretty simple. Ricky Spoon said he will be glad to do anything the board wants him to, but that is his plan if you ask him to change them he will be glad to do so. Mayor Voller said he is very appreciative that anything the board asks that you would do, that would be wonderful.

Commissioner Walker called for the vote.

Vote Aye-5 Nay-0

PARKS AND RECREATION BOARD APPOINTMENT

Recommendation to appoint Chris Bouton to fill vacancy on the Town Parks and Recreation Advisory Committee – Sarah Carr, Chairman Parks and Recreation Advisory Committee.

Motion made by Commissioner Bryan seconded by Commissioner Brooks to appoint Chris Bouton to fill the vacancy on the Parks and Recreation Advisory Committee.

Vote Aye-5 Nay-0

PUBLIC HEARING PROCEDURES

Consideration to request Planning Board to revise procedures for handling public hearings and recommendations to Town Board on zoning and planning matters.

Manager Misenheimer stated this is as a follow up to an earlier meeting.

Motion made by Commissioner Cotten seconded by Commissioner Baldwin to send this matter to the Planning Board for a recommendation.

Commissioner Brooks stated he would like for the process to be more user friendly.

Vote Aye-5 Nay-0

NEW BUSINESS

PURCHASE OF POLICE VEHICLES

Consideration to authorize the purchase of proposed vehicle replacements under Ford Municipal Lease – Purchase Finance Plan – Sam Misenheimer, Town Manager and Chief David Collins.

Don Strickland, Phillips Ford was present. He presented the board with a cost breakdown for the vehicles. He stated they have quoted “turn key” vehicles. Mr. Strickland suggested that the Town get an extended warranty through Ford for maintenance on the vehicles up to 100,000 miles.

There was discussion about financing the vehicles.

Commissioner Cotten made a motion to purchase the four vehicles and to pay cash and not finance them since they were budgeted for; seconded by Commissioner Walker.

Commissioner Brooks stated this company gives excellent service.

Commissioner Walker stated he would like to get a rate from local banks for financing.

Commissioner Cotten withdrew his motion and Commissioner Walker withdrew his second.

Motion made by Commissioner Cotten seconded by Commissioner Bryan to purchase the vehicles at a cost of \$104,010.00 (4 vehicles) and deal with financing later.

Commissioner Baldwin asked about the life of the vehicles – Mr. Strickland said five years and the one’s we are going to replace are 9-10 years old.

Vote Aye-5 Nay-0

Commissioner Bryan would like for us to get on a yearly replacement program that will keep the fleet relatively new and maintenance cost low.

Mr. Strickland stated they also can do this type service for pickups and other equipment also.

Mr. Strickland stated Ford is gearing toward hybrids in the next couple of years.

SPEED REDUCTION

Consideration of speed reduction from 35 MPH to 25 MPH on N. Masonic Street beginning at Thompson Street and ending at Chatham Mills Market – Chief David Collins, Police Department.

Commissioner Cotten stated we already have an ordinance in place regarding speed in residential districts all that has to be done is the sign installed.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to install a 25 MPH speed limit sign on N. Masonic Street beginning at Thompson Street and ending at Chatham Mills Market. Vote Aye-5 Nay-0

PLAN ADVISORY TEAM

Consideration to appoint plan advisory team members for the Land Use Plan updates – David Monroe, Town Planner.

Planner Monroe stated the following is a list of potential members to the Plan Advisory Team, which was established to work with the Planner, Triangle J and the Planning Board regarding land use matters. The list consists of in-town residents, ETJ residents and Town business owners;

- Ken Hoyle – Planning Board
- Pam Baldwin – Commissioner
- Rouse Wilson – Parks and Recreation Board
- Jeffrey Starkweather
- Barrett Powell
- Richard Bullock
- Cindy Perry/Vance Remick

Commissioner Cotten stated he has a list of five professionals that he thinks should be on the committee:

- Soil Specialist
- Engineer
- County Employee (Planning)
- Law Enforcement
- School System Representative

The list that was presented to the Board has residents outside the ETJ area and he does not think we need anyone out of the ETJ.

Planner Monroe stated he had invited the assistant county planner to be on the committee but the County Manager felt it would be inappropriate.

Planner Monroe stated he feels seven members would be enough for the group.

Motion made by Commissioner Cotten seconded by Commissioner Bryan to table this and that the board members submit names for the committee.

Vote Aye-5 Nay-0

Mayor Voller stated he feels it is important to consider people that not only live in Town/ETJ but business owners also.

Commissioner Walker asked to be excused. Motion made by Commissioner Cotten seconded by Commissioner Bryan to excuse Commissioner Walker.

Vote Aye-4 Nay-0

Motion made by Commissioner Baldwin seconded by Commissioner Bryan to take a five minute break.

Vote Aye-4 Nay-0

Motion made by Commissioner Bryan seconded by Commissioner Baldwin to go back into the meeting.

Vote Aye-4 Nay-0

UPDATED POLICE VEHICLE PURSUIT POLICY

Consideration to update Police Department's vehicle pursuit policy – Chief David Collins, Police Department.

Motion made by Commissioner Bryan seconded by Commissioner Cotten to approve the update to the Police Department's vehicle pursuit policy.

Vote Aye-4 Nay-0

A COPY OF THE UPDATED POLICE DEPARTMENT'S VEHICLE PURSUIT POLICY IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 501-507

LETTER FROM LARRY WITEK

Review request from Potterstone Village regarding solicitations in neighborhood – Larry Witek, developer.

Letter from Mr. Witek (addressed to Sam Misenheimer) reads:

Thank you for speaking with me last week concerning the problem that we are having in Potterstone Village with hucksters selling door-to-door everything from meats to furniture in the neighborhood. As you are aware, two semi-trailers full of furniture came into Potterstone the other weekend and refused to leave the neighborhood even after we called the police department and a policeman arrived and asked the hucksters to leave. They refused, citing that they had a permit (unsubstantiated) to sell from the Town of Pittsboro. Their trucks were parked on the road shoulders and blocked mail delivery and created a driving hazard (not to mention tire marks on peoples' grass in the rights-of-way). I am asking for your assistance in this matter.

At the annual meeting of the Homeowners Association back in January of this year, the homeowners requested that the Board of Directors look into installing “No Soliciting” signs at both entrances to Potterstone Village. Another homeowner (Cliff Webb) and I researched the issue and were told by the Town that the police would be able to tell a huckster to leave if “No Soliciting” signs were posted (similar to posting “No Trespassing” sign). These signs were installed in early spring. However, if the Town issues permits to hucksters, then a conflict arises with having the police trying to legally ask them to leave the neighborhood; and the homeowners are once again deprived of quiet enjoyment of their properties.

What I am asking on behalf of the homeowners of Potterstone Village is that the Town exclude Potterstone Village from any huckster permits that it may issue in the future. That way, if any hucksters enter the community and a policeman asks them to leave he will do so knowing that there are posted “No Soliciting” signs as well as a permit exception to selling in Potterstone. Please let me know what else I can do to help you affect his procedural change.

Commissioner Brooks stated he thinks what ever we do it should apply to all of Pittsboro not just for one neighborhood.

Motion made by Commissioner Cotten seconded by Commissioner Bryan to table this until a recommended revised policy can be presented to the Board with a copy of the current policy we have. Vote Aye-4 Nay-0

2006 LITTER SWEEP

Proclamation in support of NCDOT/Governor’s Fall Litter Sweep 2006 to be held September 6 – 30, 2006 which encourages local governments to promote and support the statewide efforts for roadside cleanups.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to authorize the public works director to contact individuals to participate in the Fall Litter Sweep.

Vote Aye-4 Nay-0

Staff Reports/Manager updates

- Update on water line breakage/repairs on Thompson Street and Fire Tower Road.
- Tennis/basketball courts project updates
- WWTP 104(g) technical assistance report
- C/D quotes – date 8/23/06
- Updates on Community Building roofing repairs and improvement.

COMMISSIONER CONCERNS

Commissioner Brooks wanted to commend Mr. Poteat and staff on their work to repair the broken water line on Thompson Street.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to place a letter of commendation in the personnel files of all the employees who worked to repair the broken water line on Thompson Street, and for their dedication to this Town.

Vote Aye-4 Nay-0

Commissioner Brooks stated he would like for the Town to furnish the employees food when they are working late nights like that. He would also like for them to have the necessary lights, etc. they may need.

Mayor Voller stated he would like for the Public Works department to have more pipe and stone on hand for emergency situations and some conditions for authorization for Mr. Poteat to get the things he needs to make the repairs.

The Board agreed that some type of policy should be implemented giving Mr. Poteat special authorization to purchase in emergency situations.

Mr. Poteat stated they can only store so much pipe at the Town shop because the pipe cannot be stored outside.

Commissioner Brooks suggested checking to see if a building at the water plant would hold some extra pipe.

Commissioner Bryan stated he was asked by a citizen if the lights are going to be put back up at the tennis courts.

Manager Misenheimer stated he will be working with Progress Energy regarding the lights at the tennis courts.

Mayor Voller stated he had spoken with Norman Clark and he is interested in working with the County to get the building situation (who owns them) straightened up.

Commissioner Baldwin reported that she attended the Cable Franchise meeting last week.

Commissioner Brooks stated he is not opposed to 3M reuse but he realizes that most businesses are interested in making money.

CLOSED SESSION

Motion made by Commissioner Bryan seconded by Commissioner Baldwin to go into closed session pursuant to GS 143-318.11(a)(3) to consult with an attorney regarding a legal matter and 143-318.11 (a)(6) for personnel matters.

Vote Aye-4 Nay-0

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

Vote Aye-4 Nay-0

ADJOURNMENT

Motion made by Commissioner Brooks seconded by Commissioner Bryan to adjourn.
Vote Aye-4 Nay-0

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk