

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
AUGUST 27, 2001
7:00 P.M.

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

ATTENDANCE

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

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

DISPOSITION OF MINUTES

Commissioner Brooks stated his motion at the top of page 7 since read : “Motion made by Commissioner Brooks to amend his motion that they pay the money up front and give them three years on the sewer capacity allocation, if nothing has been done on the property within the three years the capacity will revert back to the Town and a refund of half the monies received from Mr. Blair will be refunded to him”.

Commissioner Cotten stated his motion on the same page should read “...about moving to the south side of 64.”

Motion made by Commissioner Cotten seconded by Commissioner Brooks to approve the minutes of the August 13, 2001 meeting with the above corrections.

Vote Aye-5 Nay-0

CITIZENS MATTERS

Ms. Margaret Farrell, Ms. Lee Trimble, Betty J. & W. C. Austin were present to talk about the flooding on their property since Chatham Forest has been developed.

Lee Trimble stated the flooding has damaged the road they use for a driveway. The culvert under her driveway is filled up. She wanted to know why would it be their responsibility to solve the problem when they did not have one before Chatham Forest was developed.

Manager Montgomery stated Alley, Williams, Carmen & King and the former Planner reviewed the development's storm water design.

Mayor Devinney wanted to know what they could do as a board to get this problem corrected.

There was discussion about our engineer and the developer engineer working to come up with a meeting time so this can be discussed.

Mrs. Farrell stated she has called Mr. Voller numerous times and he did not return her call.

Commissioner Brooks suggested we request that the Division of Land Quality be called to access erosion control measures within Chatham Forest Subdivision.

That the Town staff clean out the ditch on our side, that would probably help.

Ms. Trimble stated they had a meeting scheduled with Mr. Sturdivant with the County and invited Manager Montgomery to attend.

Commissioner Burns stated we should use whatever resources are free first before we spend public funds on this issue.

Maybe would should contact NCDOT about the flooding since a lot of school buses use this road and also contact Ms. Joyce Thrift (school bus supervisor).

Manager stated we could tell the developer that no zoning compliance approvals would be issued until the storm water runoff provisions are in place.

PITTSBORO TEEN CENTER

Manager Montgomery reported that following up on Commissioner Brooks request to see if payment made by residential property developers in lieu of providing recreation facilities, he contacted Mr. Lewis Caraganis and asked him if the current operating budget for the Teen Center includes the purchase of equipment. His reply was that approximately \$1,500 was budgeted for the purchase of an Air Hockey Table and a few smaller items.

Section 6.5 "Public Use and Service Areas" A, (2).b reads as follows: "Any payments received by the Town pursuant to this section shall be used only for the acquisition or development of recreation, parks, or open spaces sites."

Motion made by Commissioner Brooks seconded by Commissioner Burns to approve the request for the purchase of an air hockey table in the amount of \$1,500.00.

Commissioner Cotten stated he has concerns about what is going to be the impact of putting this in the community building. How will it affect other activities that go on in the building. You are currently providing them at least \$2,400 in free use of the community building. The Community Building has not been designated as a recreation area as the ordinance states must occur.

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

INSTALLMENT PURCHASE

Manager Montgomery requests to be authorized to seek Installment Purchase Agreement for the purchase of two new Police cars and two pickups for the Enterprise Fund.

During the budget worksession for FY 2001-02 included discussions for the need to purchase the vehicles mentioned above. The expenditure narrative included in the proposed budget further explains the justification for the purchase of these vehicles.

308200.741 \$5,900 Capital Lease '01
 Use the installment purchase method to purchase new truck capable of hauling the trailer-mounted pump. The S-10 truck that is assigned to the WWTP will be moved to Public Utilities for use in meter reading and the '95 pickup at the water plant will be assigned to Mr. Jenkins.

308300.742 \$7,200 Installment Purchase '01
 Installment purchase on pickup to replace '91 truck with 132,000.
 Replace V-8 truck with V-6.

10-5100.742 \$19,613 Installment Purchase '01
 Installment purchase of two (2) 2001 model Ford Police cars with semi annual payments.

Motion made by Commissioner Brooks seconded by Commissioner Cotten to authorize the Town Manager to seek installment purchase agreement.

Commissioner Bryan asked how much is the total cost over the three years.

Manager Montgomery asked and stated the bidding will be under state contract.

Vote Aye-5 Nay-0

ENGINEERING SERVICES – SIDEWALKS

Manager Montgomery reported he had received a proposal for engineering services for the sidewalk program from HydroStructures.

There is a breakout of costs associated with each Phase of the first Enhancement Project to provide us with the maximum flexibility in determining what Phases we select.

Ms. Debbie Oliver, Enhancement Project Coordinator, has informed him that the dollars available through our Enhancement are secure in the sense that if we need to reduce the scope of the Project we would still have the same dollars assigned to us with the original application. We have also received an extension of time for submittal of engineering drawings until the first of 2002.

Commissioner Brooks stated he would like all comments to be made up front before a motion is made.

Attorney Messick stated the agreement appears to have everything we need incorporated in it. This agreement will also have to be approved by NCDOT.

Motion made by Commissioner Cotten seconded by Commissioner Brooks to approve the engineer agreement with HydroStructures for the sidewalk project.

Vote Aye-5 Nay-0

A COPY OF THE ENGINEERING AGREEMENT WITH HYDROSTRUCTURES AND A BREAK OUT OF COSTS ARE RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES

There was much discussion about the sidewalk construction on Hwy 64 West.

Motion made by Commissioner Cotten seconded by Commissioner Burns to send a letter to Mr. Rosser and Mrs. Kindley for their opinion on how we can solve this problem and if we do not receive a reasonable response then US 64 West project be dropped.

Commissioner Cotten stated he did not see McClenahan Street on the list.

Vote Aye-5 Nay-0

Commissioner Burns suggested it connect to the existing sidewalks.

It was the consensus of the board to get an opinion from NCDOT regarding what can be done at this intersection. We can not solve this problem ourselves.

PLANNING BOARD MEMBERSHIP

Motion made by Commissioner Bryan seconded by Commissioner Burns to table this until the next meeting. Vote Aye-5 Nay-0

COMMISSIONER CONCERNS

Commissioner Brooks wanted staff to call and send a letter to Sprint regarding the number of telephone lines grown into trees around Town.

Commissioner Cotten reported that Triangle J pasted a resolution at their last meeting expressing support for the establishment of extended area telecommunication service and endorsing same for approval by the NC Utilities Commission between Durham County and exchanges in Chapel Hill, Hillsborough, and Pittsboro.

Commissioner Cotten also reported that Triangle J discussed at their last meeting a proposal being developed that would possible create a four-county Rural Transportation Planning Organization (RPO) in Region J. It would involve Moore, Lee, Chatham and Johnston Counties. Approval of any such RPO will require concurrence by the DOT.

Commissioner Cotten stated since the twenty-one (21) months he has been on the board he is disturbed by the fact that when an agreement is made with someone we only have it documented in the minutes of the meeting. He would like to see individual agreements (contracts) made spelling out the stipulations.

Motion made by Commissioner Cotten seconded by Commissioner Griffin to have Attorney and Manager prepare a contract for Mr. Blair spelling out what he is to do and what the Town is to do.

Attorney Messick stated the contract should be done before approval.

Commissioner Brooks stated this is a bigger issue than he would be willing to vote on tonight.

This would be a benefit for both parties in the long run.

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

Mr. Blair stated he was bringing a check over tomorrow – how will that work.

The board agreed the time would start once he has paid the money since a contract has to be drawn up.

Commissioner Brooks stated he did not have a problem doing contracts with future items but this was approved at the last meeting.

Mr. Blair disagreed with the decision but stated he would look at the proposed contract.

Manager Montgomery stated we had received a \$600.00 grant for a bulletproof vest.

Manager Montgomery reported Chatham United Chamber of Commerce has request support for the printing of a new map in the amount of \$275.00.

Motion made by Commissioner Cotten seconded by Commissioner Bryan to authorize the expenditure of \$275.00 for maps.

Vote Aye-5 Nay-0

Manager Montgomery reported he had contacted Risk Management and they stated they did not see a problem with the arrangement with the Kiwanis Club if the Town is to be responsible for maintenance of the property as well as carrying general liability coverage.

Mayor Devinney asked Manager Montgomery to check into the signage on the Wolfe property across the street.

Mayor Devinney stated a property owner had contacted him about a problem with the Land Use on Martin Luther King Dr. it is currently zoned industrial and proposed to be changed to residential. He advised them to come to the public hearing so that this can be discussed.

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

Vote Aye-5 Nay-0

Mayor

ATTEST:

Clerk