

MINTUES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
JANUARY 8, 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 Clinton E. Bryan, Jr., Gene T. Brooks, Ethel F. Burns, Burnice Griffin, Jr., and Max G. Cotten.

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

DISPOSITION OF MINUTES

Motion made by Commissioner Bryan seconded by Commissioner Burns to approve the minutes of the previous meeting. Vote Aye-5 Nay-0

CITIZENS MATTERS

Chris Walker – 27 Hillcrest Drive – was present to ask the board why they did not want to receive the potential revenue from 3M. He stated he heard that Chatham County was going to Sanford for the water to serve 3M.

Mayor Devinney responded that the County has an available 400,000 gallons usage available to them per day.

Manager Montgomery stated he talked with Charlie Horne Friday and he advised him that the County Board has not made a decision on where they would receive the water from.

WATER LINE – THOMPSON STREET

Manager Montgomery stated during the summer of 2000 our employees installed approximately 250' of 6" ductile iron water line using an existing 6" hydrant leg located on the 8" water line near C-Mini Mart. The engineered water system improvements originally called for a 8" tapping sleeve and tapping valve to be placed on the Hwy 64 side of the project and to install 8" ductile iron pipe, 8" gate valve and with a 8" to 6" reducer to be installed prior to going under Thompson Street and tying in with the existing 6" on Thompson Street.

We have modified the plans and installed the new loop line as 6" vs. 8" ductile iron and connected to the existing hydrant leg and installed a 6" gate valve upstream of a new hydrant leg. The net result was to save the approximately \$4,200 cost associated with an 8" in line valve insertion, "a live tap", an 8" gate valve and 8" tee at \$1,280 material cost

and the 8" to 6" reducer at a material cost of \$680. There is no reduction in flow as a result in the reduction in pipe size because the original plans called for the 8" to 6" reducer. The water main on Thompson is only 6".

The 12" road bore necessary for a 6" water line is apart of the original engineering proposal.

FY 2000-2001 budget has provided for some \$41,000 – 308300.330, in the System Maintenance line item. As of January 1, 2001 we had approximately \$26,000 remaining in this line item. Should you approve this expenditure he would recommend that we move the budgeted dollars from the System Maintenance line item to the Capital Outlay line item 308300.740 so that the expense receives the proper accounting and can be considered as a capital improvement for system expansion.

Motion made by Commissioner Brooks seconded by Commissioner Cotten to approve the Town Manager's request to use an amount up to \$5,000 for the completion of the water line to loop existing facilities.

Vote Aye-5 Nay-0

SOLID WASTE FEES AND PROVISION OF SERVICE

Mayor Montgomery reported that over the course of the last several months we have identified several situations that are outside the norm of service provision and billing for service. We have taken steps to apply the monthly fee associated with a rollout container to the water bill. There are several of our commercial customers that have not requested solid waste service from the Town and do not feel that they should be required to pay for this service. In the first incidence the commercial customer has not been billed the cost of a rollout contained and had not requested the service. We have applied the monthly rollout charge to the water bill.

Question: As a mater of policy should light commercial customers whose businesses are located outside the C-4 district and do not request the service be required to participate in this service? The Board agreed they should be required to participate in this service.

SOLID WASTE REQUEST – EVERGREEN CONSTRUCTION CO. PITTSBORO VILLAGE APARTMENTS

Manager Montgomery stated we received a request from Ms. Annette Curtis, Property Manager to postpone accepting the charges associated with commercial pickup of solid waste from their complex until March 1, 2001 which would allow time for a newly revised budget and rent increase to be implemented.

Manager Montgomery further stated we are billing approximately 100 commercial customers for roll out and recycling pickup \$11.75 per month per container. Based on our cost from Waste Management for pickup and tipping fees we are collecting enough revenue to pay for this service. In the case of merchants in the C-4, Downtown, zoning district the Town pays for several 8-yd dumpster and merchants collectively use them. There are also approximately 12 rollout containers that are available for solid waste to the downtown merchants. Unfortunately the “street cans” often receive bags of solid waste as well.

Dumpster pickup and tipping fees for this service have traditionally not provided sufficient revenue to pay for this service. The last two budgets have results in very significant increases for dumpster pickup and tipping fees associated with these commercial accounts. We are still operating in the red based on a review of these commercial accounts. One area that has been identified as causing the short fall in revenues vs. expenses is the apartment complex that is receiving dumpster pickup. See below:

Customer	Type Service	Revenues*	Expenditures**	P vs L
Walnut Grove	2 – 6yd x 2 weekly	\$2,394	2,296	\$ 98
Credleemoor	1 – 4yd x 2 weekly	\$ 912	1,380	(\$468)
Pittsboro Village	4 – 8 yd x 2 weekly	\$3,876	8,707	(\$4831)

*Revenues are based on the number of units in the complex x \$57.00/unit

**Expenditures are based on our cost for pickup and \$0.90/cubic yard tipping fee

Walnut Grove \$97.78/month + \$21.60/week tipping fee
 \$1,173 + \$1,123 = \$2,296 per year

Credleemoor \$83.83/month + \$7.20/week tipping fee
 \$1,006 + \$374 = \$1,380 per year

Pittsboro Village Apts. \$476.00/month + \$57.60/week tipping fee
 \$5,712 + \$2,995 = \$8,707 per year

Recommendations:

Determine if One (1) 6 yd. Dumpster x 1 weekly pickup will be sufficient for Credleemoor. Costs would be reduced \$48.89/month + 280.80 year
 \$587.00 + \$281 = \$868 vs. \$1,380 at present

Remove the annual residential fee from the 68 apartments from the property tax bill for tax year 2001 for Pittsboro Village Apartments and bill them on a monthly basis as a commercial customer.

Ms. Annette Curtis and Wendy Andrews were present.

Commissioner Cotten stated he did not have a problem with postponing the change until March 1, 2001.

Motion made by Commissioner Bryan seconded by Commissioner Cotten to postpone the solid waste collection fee for Pittsboro Village Apartment from January 1, 2001 until March 1, 2001.

Vote Aye-5 Nay-0

Present Status of Solid Waste Activities

This fiscal year residential property owners are charged \$57.00 per year for all solid waste services provided by the Town of Pittsboro. These services include not only the weekly pickup of household solid waste and recyclable materials but also brown goods, white goods, limbs and leaves.

Brown goods are furniture and white goods are washers, stoves, etc. These items are staged at the Public Works Shop and ultimately taken to the Chatham County Landfill for disposal. We pay a tipping fee of approximately \$39.00 per ton for these items. Limbs brought to the curb as a result of improvements made by homeowners, not generated by commercial companies, are removed from the resident and staged at the Public Works Shop.

Given the large amounts of yard debris generated by Hurricane Floyd and the snow and ice storms of the last two winters we received permission to burn the materials collected around town at our Shop. The burning of yard waste collected around the Town is not something we will be able to continue to do on an indefinite basis. The current budget provides dollars for the on site chipping of these materials. On site chipping prevents our crew from having to make the trip to the County Landfill and paying tipping fees. The saving of time and not having to pay the approximately \$20.00 per ton more than offset the cost of on site chipping.

In order to provide adequate space for the staging of accumulated yard waste we have cleaned up the area behind the shop. Our first attempt to have our yard waste chipped failed because of scrap metal that was pushed into the yard waste pile precluding the chipping contractor from completing the job. The Fire Marshal allowed us to burn the material. We will do a better job of segregating materials so that we can effectively chip the collected yard waste in the future.

SCHEDULE PUBLIC HEARING – SUP
UNIVERSITY OF NC SCHOOL OF MEDICINE
CAROLINA LIVING AND LEARNING CENTER PHASE III

Manager Montgomery requested that a public hearing be established for January 22, 2001 as a date for a public hearing for the proposed amendment to a Special Use Permit.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to set a public hearing for January 22, 2001 for the proposed amendment to a SUP for Carolina Living and Learning Center Phase III for January 22, 2001. Vote Aye-5 Nay-0

CONSIDERATION OF SITE PLAN – DALLAS HURLEY

Manager Montgomery stated this item was taken to the Planning Board for recommendation and they recommended approval of the site plan to be in compliance with the maximum impervious surface being 36%.

The Planning Board did not discuss the site plan in the context of either outdoor storage or the LP fueling station.

Manager Montgomery stated he had advised Mr. Hurley that a Special Use Permit for a propane fueling station and for outdoor storage would need to be approved prior to the issuance of a Zoning Compliance Certification.

Attorney Messick wrote in a letter that he did not believe that it is necessary to require a special use permit. Since the principal use of the site is allowed as a matter of right in the C-2 district, these uses could properly be considered as accessory uses. They clearly are incidental to and customarily associated with the principal use by right, located upon the same site, and in common ownership and operation. Since the Town has site plan review authority, the requirements of the zoning ordinance can be assured.

Manager Montgomery stated asked that the board consider the following improvements to the site plan that relate to the LP fueling station and Outdoor storage.

LP Fueling Station

- 1) Limited to 1,000 gallons;
- 2) Setback requirements are to be similar to that of the principal structure
 - a. side setbacks in C-2 are “0” – given this I would suggest that we take into consideration future development that will occur on adjacent property and establish a location for the LP tank with this in mind;
- 3) Other considerations associated with the location of the tank are:
 - a. control of visual and safety impacts
 - b. size of refueling station area
 - c. access to tank for loading and unloading

Outdoor Storage

- 1) Open storage areas must be enclosed by a fence not less than 6' in height
- 2) Screening: Opaque screening is required when a site is adjacent to residential property. Section 7.4.1 "Screening Requirements" can afford the use of screening for the "separation of spaces and to and reduce the visual impacts of adjacent development"
 - a. Land Use Classification – The adjacent land use to the west, Premiere Motor Sports – restaurant and automotive repair in a fully enclosed building are both designated as LUC 3
 - b. In order to "reduce the visual impact" of outdoor storage would suggest that the mobile storage units and the shed be placed in the natural vegetation that exists in the rear of the property.

He would recommend approval of the site plan with the following conditions:

- 1) LP fueling station be located no closer than ten feet from the property line and within a fully fenced area which has good visual control from the principle building;
- 2) Outdoor storage to utilize existing natural screening in rear of property;
- 3) Provide the Zoning Administrator with a Site Plan, which reflects the above items and is in compliance with the watershed ordinance.

DISCUSSION:

The site plan needs to be approved by the Fire Marshall.

Commissioner Cotten stated he felt the changes need to be made on the site plan before it is approved.

Commissioner Brooks questions the mobile storage issue. He thought it was not allowed.

The site plan currently has several structures on it.

- does not meet the 36% rule
- denied by the Board of Adjustment
- no curb and gutter is shown
- entrances

Motion made by Commissioner Cotten seconded by Commissioner Burns to table this until it has been presented with the site plan meeting the requirements.

Vote Aye-5 Nay-0

Find out if these buildings would be counted as accessory buildings – only one accessory building is allowed per lot.

EFFLUENT FILTER

Manager Montgomery stated Mr. Wally Jenkins, Water Resources Director is present to discuss this matter.

Mr. Jenkins stated he received a cost estimate of \$65,000, including a \$5,000 contingency fund from Parkson Corporation for effluent filter rehabilitation. This is considerably more than what was requested in this year' budget. The two main factors in this cost increase is labor, which was estimated at \$5000 per filter, it will cost \$10,000 per filter because each filter is in a confined space which increases the time in labor to rehab each filter. Secondly, the control panels are failing on each of the filters along with some additional filter parts that were not figured into the original budget cost, plus replacement sand once the filter work is completed.

At the present time the filters are only operating at 35% to 55% efficiency which can cause problems at higher flows. In addition to filter rehab money which was approved in this years budget we request that the \$25000 that was approved for replacing the blowers at the WWTP on variable drive be used for the filter rehab project. The variable drives for the WWTP blowers will be resubmitted at a future year's budget request. He would request that an additional \$10000 be transferred to the capital outlay line item in the present budget by budget amendment.

Motion made by Commissioner Burns seconded by Commissioner Cotten to approve this request and bring the budget amendment back to the next meeting.

Vote Aye-5 Nay-0P

Further, Mr. Jenkins reported that price to replace #1 & #2 filter at the water plant came in at \$31,000 they budgeted \$30,000. They would like to know how the board would like for them to proceed with this.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to authorize the expenditure.

Vote Aye-5 Nay-0

PLANNING BOARD

Manager Montgomery stated a vacancy needs to be filled on the Planning Board, which was due to Mr. John Cooper's retiring after several terms of service to our Community.

Manager Montgomery requested that the Board instruct the Town clerk to provide a Resolution of Appreciation for Mr. John Cooper at the next meeting.

Motion made by Commissioner Bryan seconded by Commissioner Burns to instruct the Town Clerk to provide a Resolution of Appreciation for Mr. John Cooper at the next meeting. Vote Aye-5 Nay-0

Manager Montgomery stated that Mr. Kenneth Hoyle has stated an interest in serving on the Planning Board. He lives north of Town in the ETJ.

Motion made by Commissioner Cotten seconded by Commissioner Brooks to appoint Mr. Kenneth Hoyle to fill the seat on the Planning Board.

Vote Aye-5 Nay-0

REGIONAL LANDFILL

Manager Montgomery stated he received information from the Chatham County Managers Office regarding the new proposed landfill.

Please note the garbage trucks from Durham, Orange, Guilford and Alamance County will be forced to drive through the middle of town. Depending on the hours of operation of the Landfill we can expect to have the traffic between the hours of 2:00 and 6:00 pm, possibly six days a week.

While the notice from the County Manager indicates that truck traffic will not impact residential areas no consideration was apparent for the estimated 77 solid waste hauling trucks that will come down Hillsboro Street and Sanford Rd. and the new Hwy 87 connector. His count would be that over one hundred homes in Pittsboro along would receive the brunt of the traffic from the north and at the worst time of day.

Should you wish to take any exceptions to the proposed traffic patterns we need to get it by the time of the public hearing on January 16, 2001. Perhaps we should recommend/demand that solid waste from counties to the north be restricted to four lane roads.

Motion made by Commissioner Brooks seconded by Commissioner Cotten to approve the following resolution:

Resolution to the Chatham County Board of Commissioners
In Opposition to the proposed Regional Landfill in
Southeastern Chatham County

WHEREAS, the proposed regional landfill in Southeastern Chatham County will bring hundreds of garbage trucks each day into our Town and neighboring communities;

WHEREAS, the unfairness of the location of the proposed landfill being in the communities of Haywood, Moncure, Merry Oaks and Corinth that provide the home to the largest tax base in the County and receive only a miniscule amount of service in return;

WHEREAS, Chatham County will become nothing more than a place for urban neighbors to dispose of their trash;

NOW, THEREFORE BE IT RESOLVED, that the Town of Pittsboro Board of Commissioners are in opposition to the proposed regional landfill in Southeastern Chatham County.

Vote Aye-5 Nay-0

A RESOLUTION TO THE CHATHAM COUNTY BOARD OF COMMISSIONERS IN OPPOSITION TO THE PROPOSED REGIONAL DUMP IN SOUTHEASTERN CHATHAM COUNTY IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 1

FALSE ALARM ORDINANCE

Manager Montgomery stated the ordinance has been reviewed by Chief Clapp and is back on the agenda for a disposition from the board.

Commissioner Cotten stated he still has concern about the definition of false alarms, he wanted to know if Chief Clapp was happy with it.

Chief Clapp stated he was satisfied.

Motion made by Commissioner Brooks seconded by Commissioner Burns to approve the Ordinance Regulating False Security Alarms in the Town of Pittsboro.

Vote Aye-5 Nay-0

AN ORDINANCE REGULATING FALSE SECURITY ALARMS IN THE TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 1-6

DELEGATE & ALTERNATE DELEGATE FOR TJCOG

Manager Montgomery stated we need to appoint a delegate and alternate to serve as the Town of Pittsboro delegate at Triangle J Council of Governments.

Commissioner Cotten stated he was interested in attending, he would like to know what day and time for the meetings are held.

Motion made by Commissioner Bryan seconded by Commissioner Burns to appoint Commissioner Cotten as the delegate for the Town of Pittsboro.

Vote Aye-5 Nay-0

Commissioner Bryan stated he would serve as alternate.

Motion made by Commissioner Burns seconded by Commissioner Brooks to appoint Commissioner Bryan as the alternate delegate for the Town of Pittsboro.

Vote Aye-5 Nay-0

SOLID WASTE COMMITTEE REPRESENTATIVE

Manager Montgomery stated Commissioner Burns has resigned from the Solid Waste Committee as the Town's representative. They meet on the first Wednesday in each month at 7 p.m.

There was discussion about seeking a volunteer from the Community.

PITTSBORO CHRISTIAN VILLAGE TOWNSEND FOODS WASTEWATER STATIONS

Manager Montgomery reported that in the Spring of 2000 a formal request from Mr. Dave Dewhurst, was made to the Commissioners regarding the dedication of the wastewater pump station at Pittsboro Christian Village, PCV. Staff made general evaluations and recommendations over the last several months regarding this.

Recall that we are in the process of creating a set of standard specifications for the construction of new utility lines and other water and wastewater facilities. It is his recommendation, that prior to moving forward with acceptance of the pump station for maintenance and operations, a formal evaluation be completed in the context of our anticipated standard specifications for such facilities and that the results be shared with the Board of Directors of the PVC.

The PVC is planning significant expansion and renovation to their facility and has indicated to him that the station has the capacity for additional flows. This analysis would provide both the Town and the PVC with verification of that fact and provide a baseline understanding of the types control and pump systems present.

Given the joint benefits he would also recommend that the costs for the study be shared between both parties.

Townsend Foods – Recall that the developers of May Farms were advised by Mr. Darrell Russell, P.E. of Alley, Williams, Carmen and King that the wastewater pump station at Townsend could handle wastewater from the approximately 300 homes to be built there. The developer was required only to upsize the size of the pumps in the station.

We have received the construction plans for Phase 2 and 3 from the developer’s engineer, which is the precursor to submittal to the State of NC for approval. It has been a concern of the Mayor and the Board, as well as Mr. Jenkins and himself, that the capacity of the pump station to efficiently pump effluent from Townsend and May Farms may not be available. Should Townsend Foods, who paid to have the station built, need additional access to the Town of Pittsboro’s wastewater treatment plant, via the pump station.

The proposed study will accomplish three issues:

- 1) Evaluate the capacity and condition of the Townsend lift station;
- 2) Evaluate the Townsend Influent Flow meter;
- 3) Perform evaluation of the potential to gravity wastewater from May Farm Phases 2 and 3.

Based on the budget ordinance that requires developers to submit fees associated with construction plan review and inspections the fees associated with Phase 3 and 3 of May Farms are approximately \$20,000.

Motion made by Commissioner Burns seconded by Commissioner Bryan to approve the proposals submitted by Hydrostructures to perform analysis of the wastewater pump stations located at Townsend Food and at Pittsboro Christian Village with 50% of the cost coming from Pittsboro Christian Village.

Vote Aye-5 Nay-0

WATER & SEWER REQUEST

Manager Montgomery stated we have received a request from Tamara Trotter for relief of unexplainable water and sewer charges.

After discussion a motion was made by Commissioner Burns and seconded by Commissioner Bryan to deny the request.

Vote Aye-5 Nay-0

Manager Montgomery stated we have received a request from W. H. McAllister for a reduction in his water charges. He left a hose running.

Motion made by Commissioner Bryan seconded by Commissioner Brooks to deny the request.

Vote Aye-5 Nay-0

FYI

1. Financial Reports.
2. Proposed Franchise Agreement with Time-Warner for the provision of cable television service in the Town of Pittsboro(for your review). Ms. Renee Boyette – Program Coordinator, Mr. Bob Sepe – Consultant and Mr. Dave Permar – Attorney, for TJCOG Cable Consortium will be at our February 12, 2001 meeting to discuss and answer questions. He has made several requests for conformation insuring the attendance of Time-Warner representatives for the same date but have not as of this date received one.
3. Notice from Mr. Pat Davis – Water Resources Program Manager for TJCOG – regarding additional efforts to obtain grant dollars to study Robeson Creek.
4. Notice of increase in tipping fees for recyclable materials.
The board requested that Attorney Messick go over our contract with Waste Management to see if we will have to pay this increase and that he responds back.

COMMISSIONER CONCERNS

Commissioner Burns stated we requested that Time Warner come to the meeting on February.

Manager Montgomery stated they have not confirmed, but representatives from Cable Consortium will be present on February 12, 2001.

Commissioner Bryan commented on the financial statements.

Commissioner Cotten stated the report Ms. Lloyd supplied them with about who Chatham County made recreation payments to be what he expected. Town residents pay 4% of their taxes for recreation to the county.

Motion made by Commissioner Brooks seconded by Commissioner Burns to ask Chatham County Commissioners to make an all out effort, to request that State Parks allow Chatham County residents to use the facilities at Jordan Lake for free.

Vote Aye-5 Nay-0

It was requested that Manager Montgomery contact the prison system to get the sides of the roadways cleaned up.

It was stated that Pittsboro Press would be interested in renting parking spaces to local merchants. Commissioner Brooks asked Manager Montgomery to contact the Association and have them talk with Pittsboro Press.

Commissioner Brooks stated he has received a request from a citizen to refer the construction of dam to the very last and to have a scientific study done.

Mayor Devinney reported that he met with Mr. McCoy, NCDOT, and he promised to have an answer to the problem on 15-501 by the end of the week. He also stated that North Carolina would soon impose a helmet law.

Mayor Devinney further reported that they discussed the possibility of lowering the speed limit on the Goldston Road. The 87-connector road does not have a stop ahead sign or an arrow stating the end of road.

Commissioner Burns asked about the status of the stoplight at Kerr Drug.

Mayor Devinney stated he is supposed to get an answer to that question by the end of the week also.

Commissioner Burns asked if there is not something that can be done about the 87 stoplight.

There was discussion that the bridge on the Goldston Road needs to be repaired.

Manager Montgomery stated he would check on the status of the repair.

Motion made by Commissioner Burns seconded by Commissioner Bryan to go into closed session pursuant to NC GS 143-318.11(a)(6) to discuss personnel.

Vote Aye-5 Nay-0

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

Vote Aye-5 Nay-0

REGULAR MEETING

Motion was made by Commissioner Brooks seconded by Commissioner Burns to establish a public hearing to amend the Town Ordinance to prohibit 100,000-gallon propane storage in C-2 zoning district for January 22, 2001 at 7 p.m.

Vote Aye-5 Nay-0

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

Mayor

ATTEST:

Clerk