

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
FEBRUARY 14, 2005
7:00 P.M.

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

ATTENDANCE

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

Other staff present: Manager David Hughes, Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr. and Planner David Monroe.

AGENDA APPROVAL

Motion made by Commissioner Bryan seconded by Commissioner Griffin to approve the agenda as presented with the addition of a discussion of County impact fees.

Vote Aye-5 Nay-0

CONSENT AGENDA

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

- Minutes of the January 24, 2005 Board of Commissioners meeting.
- Set a public hearing date of February 23, 2005 for a rezoning request by James A. Webster, Jr. The rezoning is for five contiguous parcels (9742-20-70-5560, 9742-19-70-2673, 9742-19-60-9810, 9742-19-60-7671 and 9742-19-60-6623) located on the north side of Park Drive and west of Webster Chevrolet. The property is currently zoned R-15 and the applicant requests a change to R-12.

Vote Aye-5 Nay-0

CITIZENS MATTERS

NONE

OLD BUSINESS

Consider Rate Order for Time Warner Cable service. Time Warner has declined to provide the requested accounting for the FCC Form 1265. Bob Sepe of Action Audits has recommended that the Town file the Rate Order as originally drafted. The original Rate Order was on the January 10, 2005 agenda.

Commissioner Walker stated that he and Manager Hughes met with a Time Warner representative today. He feels we should contact local, state and federal representatives about the FCC regulations.

Motion made by Commissioner Walker seconded by Commissioner Griffin to accept the rates contained in the FCC Form 1240 and Form 1205 filed by Time Warner Cable for 2005 and rejecting the Form 1235 rate requested by Time Warner Cable because the Form FCC1235 "Add-on" rate no longer complies with the FCC's cost of service rate rules and ordering that a revised Form 1235 and financial upgrade cost recovery summary statement be presented to the Town of Pittsboro within 30-days from the date of this rate order.

Vote Aye-5 Nay-0

A COPY OF THE RESOLUTION ACCEPTING THE RATES CONTAINED IN THE FCC FORM 1250 AND FORM 1205 FILED BY TIME WARNER CABLE FOR 2005 AND REJECTING THE FORM 1235 RATE REQUESTED BY TIME WARNER CABLE BECAUSE THE FORM FCC1235 "ADD-ON" RATE NO LONGER COMPLIES WITH THE FCC'S COST OF SERVICE RATE RULES AND ORDERING THAT A REVISED FORM 1235 AND FINANCIAL UPGRADE COST RECOVERY SUMMARY STATEMENT BE PRESENTED TO THE TOWN OF PITTSBORO WITHIN 30-DAYS FROM THE DATE OF THIS RATE ORDER, IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 14-16

Consider a request by Ebony Grissett, Assistant Director for Brittany's Dance Studio to reserve the Community Building for the periods February 2005 through June 23, 2005 and September 1, 2005 through June 22, 2006.

Commissioner Walker stated his daughter attends Brittany's Dance Studio and they are already using a building in Pittsboro.

Commissioner Bryan stated if he understands how the deed is worded he does not think we could do anything anyway.

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

Vote Aye-5 Nay-0

NEW BUSINESS

Consider a request for \$2,500 for the FY 2005/2006 Budget from the Chatham County Economic Development Corporation.

Mayor May stated Economic Development has worked to get the business park started.

Motion made by Commissioner Walker seconded by Commissioner Griffin to approve a request for \$2,500 for FY 2005-2006 Budget from Chatham County Economic Development Corporation.

Commissioner Brooks personally feels the commission should be paid for the number of jobs they create. What kind of organization is it? It receives funding from Chatham County although they are not a county department. What is the director's salary?

Commissioner Bryan stated he would be in favor of considering it but not approving it.

Commissioner Cotten stated he would reluctantly approve it.

Commissioner Walker changed his motion and Commissioner Griffin agreed to the change which is: Motion made by Commissioner Walker seconded by Commissioner Griffin to consider a request for \$2,500 for the FY 2005-2006 Budget from the Chatham County Economic Development Corporation.

Vote Aye-5 Nay-0

Consider the application of Mr. Shannon Plummer to be considered for appointment to the Planning Board.

Commissioner Cotten stated his only concern is conflict of interest with Mr. Plummer being a real estate broker.

Mr. Plummer stated he would excuse himself if that were to occur. He is only a part time realtor. He works full-time at the restaurant.

Motion made by Commissioner Cotten seconded by Commissioner Brooks to approve the appointment of Shannon Plummer to the Planning Board for a three-year term.

Vote Aye-5 Nay-0

Consider a request from Harry Smith to waive the fee for a private street sign.

Planner Monroe stated Mr. Smith felt that since he was directed by E911 to name the private street that he should not have to pay for it. He further stated that we may see more of these requests in the future because E911 is working to get all the streets with three or more residences on them named.

The Board asked Manager Hughes his opinion on the matter.

Manager Hughes stated since the request was directed by E911 and it is within the Town limits, he feels we should absorb the cost.

Motion made by Commissioner Brooks seconded by Commissioner Griffin to waive the cost for private street signs within the Town limits (not ETJ) when requested by E911.

Vote Aye-5 Nay-0

Consider the authorization of an additional patrol officer for the Police Department effective February 21, 2005. Sergeant Cooper will be returning to duty on this date. The officer currently employed to fill his position while he was on leave (Jeremy Wright) will remain in the new position.

Motion made by Commissioner Cotten seconded by Commissioner Griffin to approve a position for an additional patrol officer for the Police Department.

Mayor May stated she felt the board needed to talk about it.

There was a question about how many reserve officers we currently have.

Chief Clapp said we currently have three but after next year we may not have any. Effective next year reserve officers will have to have the same training as full-time officers.

Commissioner Brooks asked wouldn't we have to have a budget amendment for this.

Commissioner Cotten said yes but on other occasions things were approved without a budget amendment at that meeting.

Commissioner Walker asked if funding the additional officer would guarantee two officers working on Saturday and Sunday during the daytime.

Chief Clapp said it would most of the time (unless there is sickness, etc.).

Vote Aye-5 Nay-0

Staff was asked to prepare a budget amendment for the next meeting.

Consider termination of lease from Chatham County Board of Education for area which tennis courts are located.

Manager Hughes stated he has received requests to replace the tennis courts. He is in the process of trying to solicit funds to repair the tennis courts. Looking at matching funds from the County and other avenues to fund replacing the tennis courts.

Commissioner Cotten stated he does not think the Town should pay anything to put something on someone else's property. He is not for spending town monies.

Commissioner Walker asked how much the lease is. Manager Hughes stated it was \$1.00 for the life of the lease. He further stated he feels we should continue with the lease.

Motion made by Commissioner Brooks to continue the lease and that Manager Hughes continue with his negotiations seconded by Commissioner Walker.

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

Discuss implementation of General Ordinance Chapter 19 Parks and Recreation. The goal is to create a Parks and Recreation Commission for the purpose of development of a long range recreation and parks program for the Town and ETJ.

Commissioner Cotten stated he wanted this item on the agenda. We currently have an ordinance to create a Parks and Recreation Commission and we need to start planning ahead. We need to develop an application form, add one member to make it seven because the ordinance was written when the ETJ was only one mile.

Commissioner Brooks stated we needed to change where it references "parks and recreation director" since we don't have one.

Commissioner Cotten stated he does not have any faith in the County recreation committee. When they did their master plan we were not included in it.

Motion made by Commissioner Walker seconded by Commissioner Cotten to approve the implementation of a Parks and Recreation Commission for the purpose of development of a long range parks and recreation program for the Town and ETJ.

Vote Aye-5 Nay-0

Discuss a resolution to request inclusion of projects in the Transportation Improvement Program (TIP 2006-2012).

TOWN OF PITTSBORO PROJECTS

US 15-501 proposed Pittsboro by-pass, two lanes on a multi lane right of way.

US 15-501N (Hillsboro Street) widening to provide continuous turn lane with curb, gutter and sidewalk on west side from Launis Street to SR 1599 (Rock Springs Cemetery Road).

NC 87 widening by adding two feet to each lane from US 64 by-pass to SR 1516 (Old Graham Road).

US 15-501S (Sanford Road) widen bridge over Robeson Creek.

US 15-501S (Sanford Road) widen to provide continuous turn lane from Robeson Creek to NC 87.

NC 87-NC 902 widen bridge over Robeson Creek.

US 64 Business install traffic signal at JA Farrell Street.

US 15-501N (Hillsboro Street) install traffic signal at Park Drive.

Planner Monroe stated the above priorities are ones the Planning Board recommended.

Commissioner Cotten asked if there is anything we can do to speed up the proposed 15-501 project?

Planner Monroe put it as a top priority on the list.

Commissioner Cotten stated the indefiniteness causes problems with property owners.

Commissioner Brooks stated the request for an installation of a traffic signal at JA Farrell Street came about when the nursing home was on the street. He does not think the streets off Thompson will hold up under so much traffic.

Motion made by Commissioner Brooks to approve the list of priorities and that a study be done on JA Farrell Street and to authorize the Mayor to sign the Resolution seconded by Commissioner Cotten. Vote Aye-5 Nay-0

A COPY OF THE LIST OF PRIORITIES IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 18

CHATHAM COUNTY IMPACT FEE ORDINANCE

On February 7, 2005 Bunkey Morgan made a motion to change the Chatham County Educational Facilities Impact Fee Ordinance as follows:

A district consisting of property within the boundary of the Harrison, North Chatham and Pittsboro Elementary School Districts. The fee will be \$4,000.

A district consisting of property within the boundary of Silk Hope and Siler City Elementary School Districts. The fee will be \$2,500.

A district consisting of property within the boundary of the Moncure Elementary School District. The fee will be \$1,400.

A district consisting of property within the boundary of Bennett, Bonlee and JS Waters Elementary School Districts. The fee will be \$0.

This ordinance change shall be effective on and after the 1st day of March 2005. This ordinance shall only apply to residential dwelling units for which building permits are issued on and after the effective date hereof.

The Board was very concerned about the impact this would have on affordable housing within the Town.

Motion made by Commissioner Brooks seconded by Commissioner Cotten to prepare a letter to the Chairman of the County Board of Commissioners requesting that they approach this matter with great caution and that they hold public hearings to get input from citizens.

Vote Aye-5 Nay-0

COMMISSIONER CONCERNS

Commissioner Brooks asked Manager Hughes to get in touch with the prison system to see if we can't get them to clean up the major thoroughfare as they have in the past.

Commissioner Bryan said he searched the newspaper last week for the announcement that water would be cut off and could not find it. Mayor May stated it was in there because she read it.

Manager Hughes stated the outage for tomorrow night has been cancelled.

Commissioner Cotten asked that he be notified of any outages.

