

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

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

DISPOSITION OF MINUTES

Motion made by Commissioner Burns seconded by Commissioner Griffin to approve the minutes of the September 24, 2001 meeting.

Vote Aye-5 Nay-0

CITIZENS MATTERS

Mayor Devinney stated we received a copy of the agreement with Mr. John Blair about 10 days ago and there was a blank within the contract. He said all blanks must be filled in for him to sign the agreement.

Commissioner Brooks made a motion that the blank be filled to say that the Town have a method of operation to prevent the water from over flowing on the Blair property by December 31, 2001 seconded by Commissioner Bryan.

Commissioner Cotten stated he has a problem with that – the way he reads the contract Mr. Blair is giving us a release from liability why should we include this in the agreement.

Mr. Blair explained to the Board nothing can be done to develop his property until water is diverted, he has given an adequate easement to accommodate the installation of a drainage line should an overflow occur.

Mayor Devinney stated that only if the booster pump was turned and the tank was full would water flow down on the Blair property.

Commissioner Burns stated something needs to be in the contract it should not have a blank, but what if the time frame is not adequate.

Commissioner Brooks stated he does not feel it could be up to the landowner to take care of overflow caused by the Town. Why not run a line down the ditch line in the easement provided by Mr. Blair.

Commissioner Cotten wanted to make sure the easement is recorded in the courthouse so there would be no problem at a later date.

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

#### WILLOW SPRINGS SUBDIVISION

Mr. Bob Hartford was present to request assistance if possible, from the Town for the extension of the sewer outfall. The outfall lies mostly on Town property and is a tangible asset to the town. All of the lands lying along it may be served by gravity flow sewer lines. Future failures of private septic systems in Governors' Commons and other residences within the Town's jurisdiction along the outfall may be remedied at little or no cost to the municipality by connection to the line.

Motion made by Commissioner Cotten seconded by Commissioner Griffin to pay \$15,000 to Mr. Hartford, because the outfall he installed will also serve the properties on Diane Street, Town Lake Road, within Governors Common Subdivision and that the monies come from the Enterprise Fund.

Manager Montgomery was asked what potential revenues would we receive it surrounding properties connected to sewer.

Manager Montgomery stated that he did not have specifics but that 30 acres developed for residential purposes would yield approximately 60 homes. With capital recovery and access fees totaling around \$200,000.

Vote   Aye-4   Brooks/Burns/Griffin/Cotten

#### HUNTERS RIDGE

Manager Montgomery reported that Mr. Charles Lewis has requested a second extension of the preliminary Plat for Hunters Ridge Subdivision. They are requesting a 12-month extension.

Manager Montgomery stated their Capital Recovery fees have been paid.

Motion made by Commissioner Cotten seconded by Commissioner Burns to approve the 1-year extension according with the subdivision ordinance.

Mayor Devinney stated this would be a total of two and one-half years.

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

Motion made by Commissioner Burns seconded by Commissioner Brooks to approve a six-month extension with the reduction in water usage to 6,400 gallons per day.

Vote Aye-5 Nay-0

### INSTALLMENT PURCHASE

Manager Montgomery reported we received the following proposals for our current fiscal years installment purchase program.

Responses were received from the following institutions based on \$100,000.

1. Central Carolina Bank – Fixed Rate of 5.15% for three years with two payments a year.
2. First Bank – Fixed Rate of 5% for three years with two payments yearly on the days specified by the Town.
3. First Citizens Bank – Fixed Rate of 4.36% for three years with semi-annual payments of \$17,577. Origination fee of \$300.00.
4. First National Bank – Fixed Rate of 4.32% for three years with semi-annual payments and a Commitment Fee of \$250.00.

Motion made by Commissioner Cotten to accept the proposal from First National Bank for the installment purchase agreement seconded by Commissioner Griffin.

Commissioner Brooks stated he was in favor of getting the equipment our employees needed so they can do their jobs. He was wondering if we should postpone this because of the economy in general.

Manager Montgomery stated the payment amounts were budgeted for this year.

Vote Aye-5  
Nay-0

There was discussion about an early pay-off penalty. Manager Montgomery stated he would check into this.

#### RECOMMENDATIONS FROM PLANNING BOARD

Manager Montgomery reported that at the October 1, 2001 Planning Board Meeting several recommendations were made in response to comments, which came from the public meeting held in September.

1. Recommendation to instruct the Zoning Administrator to procure appropriate signs to post on properties where zoning requests are to be considered.
2. Establish a Political Action Committee to seek out solutions and funding sources to expand water and wastewater systems and treatment capacities.

Motion made by Commissioner Cotten seconded by Commissioner Bryan to approve request #1 from the Planning Board.

Attorney Messick stated there will have to be an amendment to the Zoning Ordinance.  
Vote Aye-5 Nay-0

Motion made by Commissioner Bryan seconded by Commissioner Brooks to schedule a public hearing for October 22, 2001 to amend the Zoning Ordinance to require posting of signs on properties where zoning requests are to be considered.  
Vote Aye-5 Nay-0

Commissioner Cotten the Board will need to delineate the exact duties for the members of the committee.

The Board had concerns about establishing a PAC after much discussion a motion was made by Commissioner Burns seconded by Commissioner Brooks to table this request until the next meeting and to come up with another name for the Committee.  
Vote Aye-5 Nay-0

#### ROCKY HILLS ACRES HOMEOWNERS ASSOCIATION

The Board received a letter from the Homeowners Association stating Mr. Pat Hayes has violated his SUP for the Eagle's Landing. Their letter did not say what the violations were.

Motion made by Commissioner Burns seconded by Commissioner Cotten to table this until the next meeting and to be provided what violations are occurring.

Vote Aye-5 Nay-0

Mayor Devinney stated he had received a letter from Haw River Assembly regarding the North/South bypass and a letter from a resident on Brown/Thrift Street and that they are included in the agenda packet for the next meeting.

#### FYI ITEMS

- Copy of letter to Mr. Will Garner regarding guidance toward the location of new stop signs on SR 1701
- Copy of letter from Community Policing Officer Chris Cooper regarding the first Community Watch Meeting.
- Copy of notice given to all affected property owners on Brown and Thrift Street.

Manager Montgomery explained that Mr. Will Garner, NCDOT, Division Traffic Engineer, stated stop signs should not be used as traffic calming devices on their street system. Stop signs are used on the NCDOT system to determine what vehicles approaching an intersection have the right-of-way.

Request funding for sidewalks for Thompson Street and on Old NC 87.

Commissioner Brooks asked if Mr. Garner had any suggestions.

Manager Montgomery stated he said there should be additional enforcement of the speed limit.

Manager Montgomery stated he talked with him about the situation at the Florist at the intersection of US 64 and NC 87.

Manager Montgomery reported UV system work is moving forward.

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

Vote Aye-5 Nay-0

---

Mayor

ATTEST:

---

Clerk