

Commissioner Bryan stated there used to be a street light on the pole before one of the hurricanes came and it has never been replaced.

Commissioner Baldwin stated she did not see a problem with it if there was one there before.

Mayor Voller asked Commissioner Brooks why nothing was done before.

Commissioner Brooks stated a former Manager said to add another one would make them be closer than the Town would do. Commissioner Brooks stated he is not sure if maybe he was looking at some type drawing or what.

Mayor Voller asked Chief Collins what he thought.

Chief Collins stated he agreed with Commissioner Brooks it is a dark area.

The street light is located not far from the parking area in front of the Childcare Center.

Motion made by Commissioner Brooks to authorize staff to contact Progress Energy to place or replace the street light on JA Farrell Street.

Vote Aye-5 Nay-0

Chief David Collins was present and introduced Mitch Ham who was recently hired as a police officer.

The Board welcomed Officer Ham.

OLD BUSINESS

CONTRACT FOR ENGINEERING SERVICES WASTEWATER TREATMENT PLANT

Consider a contract agreement for engineering design services for the 0.40 mgd expansion to the wastewater treatment plant.

Interim Manager Misenheimer stated the contract has been gone over thoroughly with all legal parties and interested parties with Toll Brothers and agree to the conditions of the contract. It is before the board tonight for approval so that we can work with Diehl and Phillips to begin preparing for the Toll Brothers project that you are certainly aware of. Thanks to Jay Johnston, Patrick Bradshaw, Steve Percy (Toll Brothers) and Paul Messick as well has reviewed it and are ready to proceed.

Mayor Voller stated he had a couple questions for Attorney Messick. After he met with Mr. Bradshaw and a representative from Toll Brothers (Tom Anhut) there were a couple

of changes they had discussed that were going to be made. They are included and he wants to be assured that you are satisfied with these changes and we can proceed.

Attorney Messick said yes.

Mayor Voller asked how we would be protected if what the engineer does at the end of the day doesn't work or has problems. What is our protection under this agreement?

Attorney Messick stated the purpose of this is to prepare an application to be sent to the State to get a permit. That's the object of this lesson here is to prepare plans and specifications that can be permitted by the State of North Carolina. Presumably the State of NC will use its expertise and not permit something that won't work.

Mayor Voller stated that in his long years of expertise that is not necessarily so, things can be approved by the State and you go to build them and they are a problem. He is asking if that happens what protection do we have.

Attorney Messick stated this agreement does not have anything to do with that. If there is a flaw in design that is their responsibility they would be responsible for it. The whole issue whether it works or not could be attributable to a lot of things – could be the contractor that built it – it could be the Town's option to make changes that have affected the design in the way it is being implemented. It's really premature to prejudge a problem that does not yet exist. But if it is an engineering error their liability is there.

Commissioner Cotten stated he is not convinced the contract meets the Governmental Accounting procedures required by the Local Government Budget Fiscal Control Act. He does not see a mention of a guarantee of receiving the money from Toll Brothers and no letter of credit.

Attorney Messick stated this is a contract between the engineer and the town. It is not a contract between us and Toll Brothers, we already have a contract for that.

Commissioner Cotten said he realizes that, but it still involves them and we are depending on the money to come from them to pay for this contract.

Attorney Messick said that contract speaks for itself; it is not a part of this contract.

Commissioner Cotten said when you have to pay the bills – his concern is that the town might get stuck with the bill. Another thing he doesn't feel we need this expansion. We are currently treating about 50% of our capacity, the rest of it is on paper. In his opinion the cost is going to be prohibitive and it will not benefit the current residents of Pittsboro.

Commissioner Cotten stated we have applied for a discharge point on the Haw River and

when we get that (it may be a year down the road) we are going to need all the money we can scrape together to construct a wastewater facility at that point.

Mayor Voller asked Attorney Messick to address Commissioner Cotten's first concern.

Attorney Messick stated he understands that Commissioner Cotten is concerned whether the Town can afford to pay for this contract. Attorney Messick stated it is his understanding we can.

Commissioner Cotten stated that depends on where the money comes from. According to this law the finance officer of the Town has to do a pre-audit on any contract that the board approves. Unless we have a letter of credit he doesn't think she can properly attach the pre-audit statement on the contract. He is going to vote no anyway.

Motion made by Commissioner Walker seconded by Commissioner Bryan to approve the Engineering Services Contract with Diehl & Phillips.

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

AN AGREEMENT WITH DIEHL & PHILLIPS FOR DESIGN OF 0.40 MGD EXPANSION TO THE WASTEWATER TREATMENT PLANT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 10-23

PARKS AND RECREATION ADVISORY BOARDS

Reconsider making appointments to the Parks and Recreation Advisory Board.

Commissioner Cotten stated he asked that this be placed back on the agenda for further consideration.

Motion made by Commissioner Cotten seconded by Commissioner Walker to adopt the Resolution Implementing Chapter 19 General Ordinances of the Town of Pittsboro.

Commissioner Walker stated we have a good thing going on with the Y and he doesn't want us to duplicate services. He would like for us to work with the Y.

Commissioner Baldwin stated she felt this was a good resolution and that it is a good idea to work with the Y, but there are some people that can not afford the Y. This would be an opportunity for them to utilize some other type recreation if we can find different ways of providing that.

Mayor Voller stated he does not feel anyone wants to duplicate services.

Commissioner Cotten stated that the purpose of an Advisory Committee is to involve citizens and unless the members of this board are willing to go out and look at the needs, it is essential that we have these committees. If we had not had the Safe Roads Committee we would not have gotten the grants for the sidewalks. Another reason to have these type committees active is because more and more state and federal agencies are demanding that you show evidence of involvement from the citizens.

Commissioner Brooks stated this is not something new. We have had a recreation committee for about as long as he has been an adult. Mostly they have been hands on as well. We need a hands on approach not just another quasi-judicial organization. We have had hands on volunteer citizens groups and he feels this one should be too. We have had that in the past – look at the bridge and trails at the lake, soccer fields, ball fields and a host of volunteers basically from the Town of Pittsboro put on a bicentennial celebration in 1971, which involved hundreds of people. He is not against this but he is sick of layers of government that do nothing. If we are going to do this we should have some hand on involvement.

Mayor Voller stated he agreed with Commissioner Brooks that we should have hands on committees. He thinks what has happened is that as people move on with their lives after their children grow up we need a new generation of people that are getting their hands and feet dirty.

Vote Aye-5 Nay-0

**A RESOLUTION IMPLEMENTING CHAPTER 19 GENERAL ORDINANCES
TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF RESOLUTIONS
NUMBER ONE, PAGE 24**

UPDATE ON HANDICAP RAMP

Updates for providing Pedestrian/handicap ramp on east side of Hillsboro Street.

Interim Manager Misenheimer reported that John Poteat is working on getting bids for this project hopefully, within the next two meetings. He stated we are going to have to work with NCDOT regarding safety factors. (former loading zone for the old Ford place on Hillsboro Street)since this is a state road.

Commissioner Cotten stated he appreciated the follow up.

NEW BUSINESS

NORTH CAROLINA ONE CALL CENTER, INC.

Consider membership agreement with the North Carolina One Call Center, Inc.

Interim Manager Misenheimer stated whenever we have utility calls for water leaks, damage to sewer lines, or any type of new construction within the Town's jurisdiction, this service is a service where the contractor calls in advance (typically 24 hours) to give notice to come out to the site to locate the utilities underground and give the information where the existing lines are at.

This past week we had a situation where fiber optic cables were bored through a main sewer line coming out of Chatham Forest in 2002. The subcontractor went through the sewer line in two locations. We had to work with Sprint and Hudson Cable to make sure everything was put back in place. This will allow us a very minimum fee. This past year we had approximately 300 calls. This is a valuable service to the Town.

Mayor Voller stated this is definitely a safety item that needs to be done to protect our utilities and our citizens.

Commissioner Walker asked if the phone call is made and there is still damage to the infrastructure who pays for it – presumably it is the one who does it. But, how do we avoid a situation like what happened in Chatham Forest – does this help us avoid situations like that.

Interim Manager Misenheimer stated yes it does, but it is not a 100% guarantee.

Mayor Voller stated there is one other thing besides joining One Call Center we should do, he has had discussion with staff of having a fee where if they are going to bore across any sewer line we video it before and after to make sure they didn't nick, scratch or go through it. The first step is going with the One Call Center.

Motion made by Commissioner Brooks seconded by Commissioner Baldwin to approve the Membership Agreement with the North Carolina One Call Center, Inc.

Vote Aye-5 Nay-0

AN AGREEMENT WITH THE NORTH CAROLINA ONE CALL CENTER, INC. IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 25-28

Interim Manager Misenheimer stated we have dedicated staff; they stayed there until the work was complete.

PITTSBORO YMCA

Consider Town of Pittsboro YMCA membership to develop employee wellness program. Bruce Murray to speak.

Mr. Murray stated he is here to help with the recreation needs of the community and that in no way do they want to have the doors closed for anyone. In Chapel Hill they work with the Town and businesses to raise money to offset a program they run called “Open Door” which is a sliding scale membership. He will be making that campaign here in Pittsboro this year for the first time.

This is an opportunity for the Town to use the Y to facilitate some of its fitness needs. They have a fitness center. They are starting Y.A.C.E.S.S. at the Chatham site to bring members in and train them and get them fit which will lower some of the Towns health care cost as well. It is a big benefit to any corporation to have healthy employees. They are about community involvement. If you choose to join the “Y” the police department program will have them working with personal trainers. The Y is not just a gym – they are about fitness.

Mayor Voller stated health insurance is a costly item, how will this type program lower cost.

Interim Manager Misenheimer stated obviously there is a cost involved and it does hopefully help avoid health issues. The whole fitness program will reduce health care insurance significantly. He does not have the numbers – he would like for us to be a model program for the Y here. He wants to make sure the board endorses this – whether for the police department or the whole staff.

Chief Collins stated the fitness program would work good for the police department.

Commissioner Cotten asked if a cost projection for the rest of the year had been done.

Interim Manager Misenheimer stated it has not but he can get it to the board at the next meeting.

Commissioner Cotten stated it bothers him that we have lowered the coverage for our employees July 1 last year and it doubled their prescription co-pays. His concern is these people that are already taking medicine and when you double co-pays for medicine it creates a real strain on those people. He supports the concept, but he wants to know some cost figures before we vote on it. Are we going to compel all the police officers to participate?

Interim Manager Misenheimer stated Chief Collins has been gathering information from other departments and they will have that information to share with you as well.

Mayor Voller requested that Interim Manager Misenheimer contact United Healthcare to see if you have a wellness program will we get a discount in insurance premiums. He said he would have that information for the next meeting.

Motion made by Commissioner Cotten to endorse the process and to direct the Manager to get all the information and bring it back at the next meeting.

Vote Aye-5 Nay-0

COPIES OF THE INFORMATION FROM MR. MURRAY IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 29-31

GREENBUILDING AND RENEWABLE ENERGY

Consider a resolution to endorse a public forum on greenbuilding and renewable energy.

Mr. Paul Konove and Mrs. Margie Ellison (Chatham Alliance for Sustainable Energy) were present to seek support of a public forum on green building and renewable energy economic development opportunities.

To promote the fiscal well being of Chatham County governments, and to enable the citizens of Chatham County to improve their daily lives, people in the county will have the opportunity to learn the economic and social benefits to be gained by encouraging green building strategies county wide in local construction and by supporting local production of renewable energy. Chatham Alliance for Sustainable Energy will host an open educational forum on the following topics: High performance schools and intuitional buildings; green home/development building programs; and local renewable energy production opportunities.

The goal of the forum is to create countywide understanding and support from decision-makers, professional staff, citizen-advocacy groups, and citizen's at large to develop strategies and policies that promote the implementation of these green building and renewable energy production opportunities. The forum will also focus on the potential economic development and job creation consequences of these strategies.

Commissioner Baldwin asked Mr. Konove how many requests have he received requesting assistance in the area. Mr. Konove stated Chatham County Homebuilders has asked. Hopefully with the Town support it will help promote this.

Commissioner Walker stated he wasn't sure about the wording "endorse"; it is like the town is funding it.

Interim Manager Misenheimer assured him that this resolution would not require a financial contribution.

Mayor Voller stated Progress Energy is behind this.

Motion made by Commissioner Brooks seconded by Commissioner Walker to approve A Resolution To Endorse A Public Forum On Green Building and Renewable Energy for information and educational purposes and to encourage citizens to attend..

Vote Aye-5 Nay-0

A RESOLUTION TO ENDORSE A PUBLIC FORUM ON GREEN BUILDING AND RENEWABLE ENERGY IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 32

WATER TREATMENT PLANT PUMPS

Consider purchase/upgrade of raw water and finished water pumps at water treatment plant.

Interim Manager Misenheimer stated Mr. Hughes had said this matter needed to be brought before the board. He met with staff and with the wear and tear and age of some of the equipment it needs to be replaced. Hydrostructures is endorsing what is recommended.

Interim Manager Misenheimer stated the 75 hp raw water pump is to be replaced with a 100 hp pump and that either a high service pump be purchased or a variable speed drive be installed on the existing 150 hp pump – our recommendation on that is the variable speed drive. The board obviously see the cost associated with each item and we will need to determine how the funding will be placed. It will take some time for order and delivery. He asked John what time frame they gave. John said at least 90 days.

Interim Manager Misenheimer stated Frank Efird was very involved in this as well as Mr. Poteat and our Engineering firm.

Motion made by Commissioner Brooks seconded by Commissioner Walker to authorize the purchase the 100 hp raw water pump and the variable speed drive to be used on the existing 150 hp pump as recommended by Mr. Frank Efird, John Poteat and our Engineering Firm.

Commissioner Cotten asked that something be added to the motion. That the funding of these items come from the Enterprise fund balance. Commissioner Brooks and Walker agreed to the addition.

The motion now is to authorize the purchase of the 100 hp raw water pump and the variable speed drive to be used on the existing 150 hp pump as recommended by Mr. Frank Efird, John Poteat and our Engineering firm and that funding come from the Enterprise Fund Balance.

Vote Aye-5 Nay-0

Mayor Voller asked if we could get a report on these pumps. He wanted to know why we need new pumps.

Commissioner Brooks stated some of the problem is some of the equipment is obsolete with the improvements we have made.

Mayor Voller stated if that is the issue it is just old equipment.

The Board agreed that is what they were told in the past.

Mayor Voller just wanted the board to be informed and stated if the board was satisfied that is all he wanted.

Jay Johnston, Hydrostructures stated they have not dealt with them much at all and he would not comment on that. The three distribution pumps were designed to go with that plant years ago, around 1980 or so. When Hydrostructures was hired to design the improvements to bring the new tank into the system the direction from Town Hall was to incorporate the existing pumps at the distribution pump house so that there would be no need for new pumping facilities. The project was designed around the middle pump and that pump does pump to and fills the new tank. But you only have one pump that will do it. So the proposal from Underwood was to replace the small pump with a pump very similar to the middle pump or to put a variable frequency drive on the big pump which has almost never been used, maybe fifteen minutes. He think it is a good solution.

ADVISORY BOARDS

Consideration to develop an ordinance to create advisory citizen committees in areas such as:

1. Economic development.
2. Streets/transportation
3. Public safety
4. Public utilities
5. Appearance and beautification

Commissioner Cotten stated he sees this as a way to involve the citizens. He would like the Board to start at least thinking about it. Economic Development would be his first choice. Citizen involvement is critical. He feels each committee should have at least one Commissioner. He is not saying we have to have all of them and he has no resolution prepared tonight. He just wanted to put it out for thought. This list is not that complete he could have used historical.

Interim Manager Misenheimer stated he could set this in ordinance format and it would be good to have each Commissioner take a committee. We can get examples from other communities.

Commissioner Bryan suggested that each board member mull over it and bring it back at the next meeting.

Commissioner Brooks stated we are living in a small town and that gives us the opportunity to have town meetings, public meeting or whatever you want, he is just not sure committees are the way to go.

If we are going to have the committees he feels we should:

- Have a sunset provision.
- Need people to be hands on. We have an agreement with the County for Economic Development. He has been told we have 10 more jobs than we had 10 years ago.
- Public safety you could not have hands on.
- Somewhat shocked with what he read in the paper last week about how committees had been publicized on the county level – if we decide to go this route he would like some type code of ethics for them.
- That the members of the committee be citizens of the Town and not the ETJ; since the citizens of the town would be responsible for cost hidden or otherwise.
- Would hope that the Appearance Committee would be just for public lands.(He has had people tell him that some places you have to get permission to paint their house) he does not want to do that to our citizens.

At mention on the Historical Committee he would like to say that they worked hard getting the district and that if a house is in a historic district the owner can do pretty much what he wants to it. But if it is a historical structure you get in all type of problems if you want to make changes to the house because the federal and state governments are involved.

Commissioner Baldwin agreed that we need citizen input with no political ties. She feels a volunteer type committee is a good idea.

Consensus of the Board was to have this item placed on the next agenda.

Staff Reports:

Interim Manager Misenheimer discussed each item for information.

- Update on search for Town Manager's position
- Review of water/sewer rate schedule provided by Region J Council of Government
- February 22, 2006 joint elected officials meeting with Town Board and County Commissioners

- Mayor Voller, Commissioner Baldwin, and Interim Town Manager Misenheimer will be attending “Essentials of Municipal Government” February 14th, 15th, and 16th
- Legislative and Quasi-Judicial Hearing: The Law, the Practice, & the Myths by David Owens, Institute of Government at the University of North Carolina in Chapel Hill
- Citizens College-How government works-sponsored by: CCEC Institute, Inc.
- Distribution of quarterly financial reports
- Other reports

COMMISSIONER CONCERNS

Commissioner Walker reported last week Sheriff Webster contacted him about a police officer felt that children were playing street hockey at the tennis courts and they were requested to leave. Something needs to be done at the courts. They are in really bad shape.

Chief Collins stated a pad lock had been placed on the gate, but they are always removed.

It is the Town’s responsibility as long as we have the lease.

Commissioner Walker asked about abandoning the court.

We are to follow up with the School Board regarding the tennis courts.

Commissioner Cotten stated at the last meeting the board enacted no parking on West Street and he has not seen it being enforced.

Chief Collins stated they started today.

When the food co-op opens in Chatham Mills there is going to be a dangerous situation in and out of the Chatham Mills entrance. Improvements to the entrance/exits need to be addressed. There was discussion about the original plan showing an entrance/exit on Park Drive extension.

The Board directed staff to research this matter.

ADJOURNMENT

Motion made by Commissioner Bryan seconded by Commissioner Cotten to adjourn.
Vote Aye-5 Nay-0

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk