

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, OCTOBER 25, 2010
7:00 PM

Mayor Randy Voller called the meeting to order at 7:00 p.m. and called for a brief moment of silence.

ATTENDANCE

Members present: Mayor Randy Voller, Commissioners Pamela Baldwin, Gene T. Brooks, Clinton E. Bryan, III, Michael Fiocco, and Hugh Harrington.

Staff: Town Manager Bill Terry, Town Clerk Alice F. Lloyd, Town Attorney Paul S. Messick, Jr., Planning Director Stuart Bass, Public Works Director John Poteat, and Finance Officer Mandy Cartrette.

AGENDA

Motion made by Commissioner Baldwin seconded by Commissioner Fiocco to approve the agenda as submitted.

Vote Aye-5 Nay-0

CEREMONIAL AGENDA

1. Introduction of new Town Finance Officer, Amanda J. “Mandy” Cartrette.

Town Manager Bill Terry introduced Mandy Cartrette, the Town’s new Finance Officer who began work today. Mayor Voller welcomed Ms. Cartrette to Pittsboro.

CONSENT AGENDA

The Consent Agenda contains the following items:

1. Approve minutes of the October 6, 2010 special meeting.
2. Approve minutes of the October 11, 2010 regular meeting.
3. Schedule a public hearing for November 8, 2010 at 7 p.m. on the North Carolina Department of Commerce Small Cities Community Development Block Grant (CDBG).

Commissioner Fiocco stated that on page 21 of the October 11, 2010 minutes, third paragraph, next to the last sentence, “Commissioner Fiocco” should read “Commissioner Harrington.”

Motion made by Commissioner Fiocco seconded by Commissioner Harrington to approve the Consent Agenda as amended.

Vote Aye-5 Nay-0

REGULAR MEETING AGENDA

Citizens Matters

Former Mayor Charles R. Devinney, 443 Oakwood Drive, noted he was concerned about how water and sewer was being provided to the new Courthouse and the new building on the Community College campus. He said he had thought that there was no available sewer capacity and wondered why, if there was capacity, it was not being used for the Town's economic development. Mr. Devinney asked what impact providing that water and sewer would have on the Town, as well as the impact of additional streets. He said he believed the citizens of Pittsboro should have input on how the old courthouse was being rebuilt and how it would affect the Town.

Mr. Devinney also expressed concern about the traffic circle at the Community College and its cost, noting that if money was available for that then money should be available to get sidewalks on US 15-501. He said the traffic round-about needed lighting, and apparently there was right-of-way available to do that. Mr. Devinney said that lighting was also needed down Old Graham Road, noting the State had closed that road to do the sidewalk and would be closing it again, but if the work was not going to be done now the signs erected should be covered or removed. He said those signs had resulted in opening up Park and Oakwood Drives to traffic including tractor trailers and trucks. Mr. Devinney said the entrance to Park Drive was narrow and people were cutting it short, and they needed to consider putting a traffic island or something like that at that entrance. He said that that road was not built for that kind of traffic, noting it had been dedicated as a three axle road but it was being used for all kinds of traffic.

Mr. Devinney said the Town Board had also adopted some time ago improvements to Springdale, but those improvements had not yet been done. He said if the Town Board was not going to follow through, then they should have a road cut across Park Drive with either a traffic circle or a stop light. Mr. Devinney said when the Town Board said something was going to be done, then it should be done and he expected them to do it. He said it made the Town Board look bad when they could not enforce their own rules, and asked how they could expect others to do what was expected of them.

Angela Glover, 396 Rolling Meadows Road, said she had been told a week ago that the Town Board had determined that Halloween was no longer on October 31 but was on October 30. She asked who had changed that and why, and what gave the Town Board the right to change a holiday. Ms. Glover asked was the Town Board considering changing other holidays as well. She said if the Town Board was not going to respond, she wanted access to the minutes of the meeting where the date was changed.

Commissioner Harrington stated that the minutes of all Board meetings were available on the Town's Website. He said the process for the public expression portion of the Agenda was that questions could be asked but would not normally be answered at that time. But, he said, he wanted to assure Ms. Glover that no other holidays would be changed.

Commissioner Harrington said as to the point about whether the Board had the authority to change a holiday, he stated that he would not say that the Town Board had the "right" to change a holiday, but as other communities had done the Board had encouraged citizens to "trick or treat" on Saturday. Ms. Glover asked for what reason. Commissioner Harrington said it was for the convenience of others who had requested the change. Ms. Glover asked for the names of those who had made the request. Commissioner Harrington said he would be happy to discuss the issue further with Ms. Glover after the meeting. Ms. Glover said she had made the effort to attend tonight's meeting to see if she could get the Board to change the holiday back to October 31. She asked in future years when the holiday fell on something other than a Sunday would the Town be changing the date. Ms. Glover said that the Town Board had no right to change a holiday, especially trick or treating, noting she found it rude and ridiculous. She said many people did not know about the change and it had caused a lot of confusion because people would be trick or treating on Saturday as well as on Sunday.

Commissioner Harrington said he wanted to address the comment about "rude and ridiculous." He said he had grown up in North Carolina and believed it was a small town Southern tradition to celebrate Halloween on a Saturday night in the years it fell on a Sunday. Commissioner Harrington said it may seem unusual to some people but to others it was what had been done when they were growing up. Ms. Glover asked that the Town Board change the date back to October 31 so that there was no confusion and trick or treating took place on Halloween and not some other day.

Commissioner Baldwin said that people could trick or treat on Sunday if they choose to do so, noting that the Town Board had simply said they would observe the holiday on Saturday, October 30. She said no one had ever said, demanded, or officially indicated that citizens could not trick or treat on Sunday. Ms. Glover said she had been told a notice had gone out with water bills. Commissioner Baldwin said the notice said the Town would "observe" Halloween on Saturday, but no one said that citizens could not trick or treat on October 31, 2010. Ms. Glover said that would cause citizens to have to provide candy for trick or treaters for two nights rather than one, and that was completely ridiculous and uncalled for. Commissioner Baldwin said it was the option of each citizen to choose which day they wanted to observe. Ms. Glover said a holiday was a holiday and not an option, and did not understand why it had been changed but had a feeling why. Commissioner Baldwin asked what her feeling was. Ms. Glover responded that this was the Bible Belt and Halloween was a pagan holiday.

Commissioner Baldwin said that several individuals had asked that the Town Board consider changing the observance this year because the holiday fell on a Sunday and why was not important. Ms. Glover responded it really was important because those few individuals had decided to change the holiday. Commissioner Baldwin said the Town Board had made the decision to change the observance and no one else. Ms. Glover said to have a few individuals determine such a change was like a dictatorship and it was ridiculous. Commissioner Baldwin

said the Town Board had simply determined that the official observance would be on Saturday, but citizens were free to choose to observe the holiday on the date of their choice.

Ms. Glover said she had emailed two members of the Town Board over a week ago but had not been given the courtesy of a response, and asked was that how the Town Board operated.

Commissioner Harrington said that Ms. Glover was very welcome to come to the Town Board meetings twice a month and observe how they worked. He said the Board's deliberations were very open, and the observance of Halloween had been on the advertised agenda and had been discussed openly just as Ms. Glover's concerns were being discussed now. Ms. Glover asked why her email had not been responded to. Commissioner Harrington said he had not received an email. Ms. Glover stated she had emailed two of the Board members and wondered if the only time the Board could be reached was at a Board meeting.

Commissioner Brooks noted he could be reached by telephone. Ms. Glover responded none of the Board members' numbers were listed. Commissioner Brooks responded she was mistaken; he had had the same telephone number since 1964 and it was listed. Ms. Glover asked why he had not responded to her email. Commissioner Brooks indicated he did not have a computer. Ms. Glover asked if they were still in 1940.

Commissioner Harrington noted that Ms. Glover had stated her concern and she should not insult the Board or Commissioner Brooks who had served the Town for a very long time. He said Commissioner Brooks did not have a computer but he should not be talked to like he was an idiot. Ms. Glover said that in 2010 the Town Board should have computers, and if she emailed one of them then she should respectfully receive a response.

Mayor Voller said Ms. Glover had had the opportunity to state her concerns. He said there had been a robust discussion regarding the observance of Halloween and he had questioned what the tradition had been in the past when Halloween had fallen on a Sunday. Mayor Voller said the tradition had been to observe the holiday on a Saturday in the years that Halloween fell on a Sunday for the convenience of all citizens. He said the same number of people appeared to be in agreement as had been opposed to it, and there was always the likelihood that people would trick or treat on both days.

Mayor Voller said if Ms. Glover would like to participate in what should take place seven years hence then that would be productive. He said he had felt as she did that changing the observance may be problematic but it had been a tradition to make that change, and the only change that had been made was the use of Town resources for safety. Ms. Glover said by making the change the Town had to provide security for two nights which would cost even more, and that was not logical. She said she wanted to see the Board change that tradition now and leave Halloween on October 31. Mayor Voller said the Board had made its decision and had stayed with tradition, and it was too late to make a change now. Ms. Glover suggested putting the issue out for citizens to comment on, noting it would be more cost effective and less confusing to make the change now.

Mayor Voller said unless the Board wanted to reverse its decision, which he did not believe they were willing to do, the observance would remain on Saturday, October 30, 2010. He also asked that when Ms. Glover addressed the Board in future that she not appear insulting. Ms. Glover responded it was not insulting to ask that Board members to be respectful and respond to emails.

Commissioner Brooks stated that the normal procedure would be to email the Town Manager who would provide the email to all Board members.

Mayor Voller stated they appreciated Ms. Glover's input on the issue and noted the Board was aware it had caused some consternation. Ms. Glover said the decision was causing a lot of problems and inconvenience, and asked why do that. She said the Town Board was suppose to make things simple, not diverse and complicated, and now they had done both. Mayor Voller indicated the Board would take her concern under consideration.

Commissioner Harrington remarked that in any case Halloween was not a holiday.

OLD BUSINESS

1. Town of Pittsboro Comprehensive Transportation Plan.

Planning Director Stuart Bass said that the resolution before the Board recognized the Town's participation in the development of the Comprehensive Transportation Plan, and its adoption would inform NCDOT of that relationship and would enter it into the record of the Town.

Commissioner Fiocco said in the first "Whereas" paragraph the resolution referred to "travel" needs, and he believed that should say "transportation" needs. He said in the fifth paragraph, last line, it referred to designating US 15-501 as an Expressway facility south of US 64 Bypass and as a Boulevard facility north of US 64. Commissioner Fiocco said that should be referred to as a "Bypass" facility and not a "Boulevard" facility.

Mayor Voller said he believed the Board had appointed an alternate to the Comprehensive Transportation Plan Committee to serve with Commissioner Fiocco, and asked should that be included in the list of members. Mr. Terry said the alternate was Commissioner Bryan, and they would add his name to the membership as an alternate.

Commissioner Harrington said he believed the Chair of the Planning Board, Kenneth Hoyle, was supposed to be included on the Committee. Mr. Terry said he did not recall that but it certainly made sense to do so. Commissioner Harrington agreed.

Motion made by Commissioner Fiocco to adopt the resolution to officially confirm the need for and participation in a Town of Pittsboro Comprehensive Transportation Planning Study and formalizing the relationship between the Town and NCDOT in preparation of the CTP, amended to include in the Committee membership the Chair of the Planning Board and to recognize Commissioner Bryan as the alternate to Commissioner Fiocco's membership, as well as the following amendments: in the first "Whereas" paragraph the word "travel" be amended to read

“transportation;” and, in the fifth paragraph, the word “Boulevard” be amended to read “Bypass.”

Commissioner Harrington asked if the language in the resolution, such as the reference to “travel” and a “Boulevard”, were used in particular or was it just the way the resolution had been written. Mr. Bass said it was his understanding that it was a part of the original scope of work by NCDOT. Commissioner Harrington said when you used the words expressway or boulevard, those had different meanings to certain people.

Mayor Voller said then the question would be what that would bind the Town to by changing the labeling to Bypass rather than Boulevard. Scott Walston, with the Transportation Planning branch of NCDOT, said that several years ago NCDOT had developed a strategic highway corridor initiative, and one of the things that initiative had done was to allow NCDOT to plan improvements State-wide to make sure the highway corridors would continue to flow. He said that plan identified US 15-501 as a Boulevard north of the US 64 Bypass, with a Boulevard being defined as a four-lane divided facility with access along its length. Mr. Walston said an Expressway was a level up and did not have stop lights to provide access except at major interchanges.

Mayor Voller asked how you would create accesses on such roads if they were not at the same level of service as a Boulevard. Mr. Walston said the big difference between a Boulevard and an Expressway was the traffic lights, so if you took out the traffic lights you removed the interchanges. He said it was envisioned to be an Expressway all the way from US 64 Bypass almost all the way to Sanford.

Mayor Voller said then there would be points of access but it would be handled under the Expressway definition. Mr. Walston said they could exceed the Expressway designation and build a Freeway, and he would encourage if a Bypass happened that the Town look at doing a Freeway like the US 64 Bypass because they would not have to worry about bypassing a Bypass 30 years from now.

Commissioner Fiocco asked what was meant by the term “interchange.” Mr. Walston stated that was engineering jargon, but basically an interchange had a grade separation and was where a Freeway such as the US 64 Bypass had a ramp and at the end of the ramp you turned one way or another and perhaps went under a bridge.

Mayor Voller commented that Mr. Walston and his team staffed the Triangle Area Rural Planning Organization for NCDOT. Mr. Walston said their intent was to create a plan that would allow Pittsboro to meet NCDOT’s strategic highway corridor initiative, which would be that Expressway. He said it was not their intent to move forward with anything the Town would not be comfortable with.

Commissioner Harrington seconded the motion made by Commissioner Fiocco, with the stated amendments.

Vote Aye-5 Nay-0

A RESOLUTION OF CONFIRMATION OF THE NEED FOR AND PARTICIPATION IN A COMPREHENSIVE TRANSPORTATION PLANNING STUDY FOR THE TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 117-118

Mr. Walston provided to the Mayor a document which contained depictions of the differences between expressways and boulevards.

2. Legal Services Agreements in Support of the Town's Application for a USDA Loan/Grant for the Downtown Water System Improvement Project.

Mr. Terry said that adoption of the resolution would authorize the Town Manager to sign two legal services agreements in support of the Town's application for a USDA Loan/Grant for the Downtown Water System Improvement Project, and approval of the budget amendment would amend the budget for that project to account for the legal services fees in the amount of \$21,500.

Mr. Terry said to add clarity, on page 2 of the agenda item it explained the USDA process for funding the project, which was essentially that bonds would be issued not to exceed \$1.6 million, and after the USDA approved the Town's application they would be informed what would be a loan and what would be a grant. He said after the bonds were issued the Town would solicit proposals for a bond anticipation loan that would be used to fund the construction project. Mr. Terry said upon completion of the project, the USDA would buy the bonds issued by the Town and the proceeds of the bond purchase would be used to pay off the bond anticipation loan. He said the bonds would then be paid off by the Town over the course of an amortization schedule. Mr. Terry stated that once they received some written quotes from at least two other lending institutions and provided that to the USDA, that would complete the grant application process.

Commissioner Harrington asked how they had selected the law firm of Parker Poe and determined that the fee of \$14,000 was a reasonable amount. Town Attorney Paul Messick said he had recommended Parker Poe based on his work with them in the past as a bond counsel. He said that Parker Poe was a recognized bond counsel in the State and had worked with the Local Government Commission, noting they were extremely competent and had much experience in that area.

Commissioner Harrington said when they talked about transfer of funds, was that a real transfer from funds now or could it be put underneath the loan or the grant and then charged back to the grant. Mr. Terry said it was his understanding that the cost of legal services was a part of the project and could be financed and rolled into the grant or the loan.

Mayor Voller asked once they had received the two written quotes from the other lending agencies and that was provided to the USDA, what was left to do to move forward. Mr. Terry said that was the only remaining issue that had to be completed before they could move forward. Mayor Voller said then if everything went through when he anticipated USDA providing their final answer. Mr. Terry responded the USDA had been very encouraging and he was optimistic it would be approved, adding it should not take more than two to three weeks to get the price

quotes and submit them. He said once they received the quotes they should be able to move forward in a couple of months.

Motion made by Commissioner Harrington seconded by Commissioner Brooks to adopt the resolution authorizing the Town Manager to sign two legal services agreements in support of the Town's application for a USDA Loan/Grant for the Downtown Water System Improvement Project and to adopt the project budget ordinance by adding \$21,500 for legal services.

Vote Aye-5 Nay-0

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SIGN TWO LEGAL SERVICES AGREEMENTS IN SUPPORT OF THE TOWN'S APPLICATION FOR A USDA LOAN/GRANT FOR THE DOWNTOWN WATER SYSTEM IMPROVEMENT PROJECT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 119

AN ORDINANCE AMENDING FY 2010-2011 FY OPERATING BUDGET IS RECORDED IN THE BOOK ORDINANCES NUMBER ONE, PAGE 36

3. Update on Solid Waste Services Contract.

Mr. Terry said that the Town's contract with Waste Management of Carolinas, Inc. expired on June 30, 2010, and since that time they had been operating on a month-to-month basis for solid waste services. He said they had completed a draft set of bid documents for waste collection and recycling services, and although it was not yet ready for advertisement it could be made ready with a few hours of work.

Mr. Terry said they had received a proposal from their current provider which was a favorable proposal and merited consideration by the Board, so they had included that proposal in the packet. He said that Chip "Jean" Dodd with Waste Management was present to respond to any questions the Board might have. Mr. Terry said tonight he was seeking guidance from the Board as to whether they wanted to pursue bidding the service out or preferred to extend the existing contract with Waste Management at last year's prices which would also provide enhanced recycling services by providing 96-gallon roll carts for pickup every other week, or 26 times a year.

Mr. Terry said in the 2010-2011 budget they had increased the annual fee for residential solid waste collection from \$180 to \$190 per year billed on the property tax bill, and had increased the commercial rates by 5%. He said those rate increases were to cover the expected shortfall in revenues for solid waste services in 2009-2010 which they had in fact experienced. Mr. Terry said that increase coupled with Waste Management's willingness to hold the rates at the current level would in all likelihood balance their solid waste management budget for the current year.

Mayor Voller asked where the recycling and trash was going now. Chip "Jean" Dodd said the trash was going to the Chatham County transfer station in Siler City, and was hauled from there to Sampson County. She said the recycling was sent to Waste Management's Sanford facility

and was loaded onto trucks and sent to a Waste Management recycling processing facility in Raleigh.

Commissioner Bryan said then the proposal was to replace the recycling bins with roll carts, which would be picked up every other week. Ms. Dodd responded yes, noting that the roll-out carts would hold much more than the current bins so moving to every other week collection was warranted. She said that type of schedule using those size carts had proven to work well in other communities. Commissioner Bryan asked would those carts be serviced on the same day as waste collection. Ms. Dodd said she was not sure but that could certainly be considered. She said they would put together information that would be provided to all residents which might include a calendar with the service days marked so there would be no confusion. She said that information would include the materials that could be recycled, and that list of materials would likely be expanded from what was currently accepted for recycling. Ms. Dodd said previously they took plastics no. 1 and 2, but now they accepted nos. 1 through 7, as well as all sorts of paper, glass, aluminum, and steel.

Mayor Voller said the key was that having a larger cart would increase recycling and less would go to the landfill. Ms. Dodd said that was correct, noting they had found that with the bins people sometimes had more than what the bins would hold and simply threw the remainder in the trash. She said using carts would promote more recycling.

Commissioner Harrington said his immediate thought would be to vote no for personal reasons as well as that it would inconvenience a lot of people. He said as an example that in his neighborhood they had a rule that you could not have a trash receptacle stored outside of the house where it could be seen from the road. Commissioner Harrington said for him it would be a big deal, in that he would have to find another place to store a 96-gallon cart which would likely have to be inside the garage. He said even though that was a personal reason he believed that many others would have the same problem. Commissioner Harrington said he believed other neighborhoods, such as Chatham Forest, Potterstone and Powell Place, had the same rule. Mr. Terry said his neighborhood had that rule and most people would store the carts in their garages. He said for him that would not be a problem but he could not speak for his entire neighborhood.

Commissioner Harrington said those three neighborhoods accounted for a large number of citizens, and it would be an inconvenience for at least some people. Ms. Dodd asked was he talking about multi-family complexes. Commissioner Harrington responded no, and that was another issue in that apartment complexes would not have an area for roll-outs and would have to provide one that was separate from the trash receptacles. He said especially in the summertime people would not want their trash receptacles in their garages and they would likely have to build a fence so the cans could be stored outside where they could not be seen. Commissioner Harrington said if you lived in a neighborhood where such a rule was enforced then it was a big issue to have to deal with another roll out.

Ms. Dodd said she understood, but on the flip side a cart was easier to get to the curb than carrying an unwieldy bin. She said the carts would be heavy-duty plastic with lids and could be left outside in the weather. Ms. Dodd proposed they look at how they might deal with exceptions to the rule such as in Commissioner Harrington's neighborhood. Commissioner

Harrington said he was on a corner lot so he was an exception, but did know that many other people had built corrals on the sides of their property for the purpose of shielding waste cans. Ms. Dodd said it was not out of the question to consider allowing people to continue to use bins if they chose to do so, although they would need to determine what that number might be.

Commissioner Harrington said his other question was how the rates were tied to the Consumer Price Index, and asked would that become a problem if they entered an inflationary period. Mr. Messick said it was tied to that Index now, and had always been that way.

Ms. Dodd said for the Board's information last year the CPI had gone down for the first time so they had passed on a decrease to their clients.

Commissioner Fiocco asked what percentages in tonnage they were seeing in making the transition from the smaller bins to the larger roll carts. Ms. Dodd said she could not answer that now but would like to get that information and provide it to the Board. She said in one case where they had gone from a bin to a roll-out cart the recycling had increased over 200%, so obviously the tonnage going to the landfill had decreased.

Commissioner Fiocco asked what the cost was per ton to take trash to the landfill versus the recycling center. Ms. Dodd said she would have to get that information for them, although the rate at the transfer station was in the high \$50's. She said that included the operation at the transfer station and the transportation to get it to the landfill, as well as the disposal fee at the landfill. Commissioner Fiocco asked when the transition would be made. Ms. Dodd said they would determine that should they be awarded the contract, and it should take a couple of months for that to happen. She said they would need to order and receive the carts and get the new program up and running.

Commissioner Fiocco said he would appreciate Ms. Dodd coming back with that information about the landfill fees versus the recycling fees per ton. Ms. Dodd said she did not know that they had hard facts and figures on that but she would investigate and see what she could determine. She said she believed they would see a lot more difference if they did not have a recycling program and then began to recycle. So, Ms. Dodd said, the tonnage would be added on to what they were already pulling out of the waste stream now. Commissioner Fiocco said that a 200% increase was substantial. Ms. Dodd said she had been referring to a 200% increase from what was picked up in the 18 gallon bins as opposed to the use of a 96-gallon roll cart. Commissioner Fiocco said he understood that, but his assumption was that anything going into the recycling bin was not going into the trash bin. Ms. Dodd said that was correct.

Mr. Terry asked Commissioner Fiocco to reiterate exactly what information he was requesting Ms. Dodd return with.

Commissioner Fiocco said he wanted a comparison of the tipping fees at the landfill versus the recycling center, and what the cost was per ton to get waste to the landfill versus the recycling center, which he understood would include fuel charges and possibly other costs associated with a ton of materials. Ms. Dodd remarked that at present there was not a tipping fee for materials going to the recycling facility, although there were processing costs.

Commissioner Fiocco suggested tabling the issue until the Board's next meeting in two weeks. Ms. Dodd said she could provide the requested information at that time.

Commissioner Harrington asked how apartments had dealt with this in the past when suddenly faced with having to provide a location for recycling bins. Ms. Dodd said different areas had determined different solutions, with some providing one very large container for recycling such as a compactor. She said they were continuing to investigate ways to serve multi-family complexes, but some did use the roll-out carts depending on the amount of room available while others used a dumpster. Commissioner Harrington said then there was the possibility that a dumpster would be provided in such cases rather than individual roll carts. Ms. Dodd said they were working through those issues, noting that areas across the country were using that method. She said some places had provided dumpsters on town property such as at a public works facility where citizens could bring their recycling.

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to table the issue until the Board's next meeting.

Vote Aye-5 Nay-0

4. Project Ordinance Amendment: Haw River Intake De-silting Project.

Mr. Terry said they had two capital projects related to the Haw River intake, one of which was an engineering study and the other was the annual maintenance for de-silting. He said initially they had reported they believed they could wait until the spring to do the de-silting, but recently they had experienced an issue at the intake where a valve had gotten stuck in the closed position and they had had to bring in a maintenance contractor to open a gate valve that slid up and down. Mr. Terry said the contractor had been able to get the valve opened and it was now blocked in the open position temporarily. He said there was some concern that they may have to accelerate their de-silting schedule, and tonight he was asking that the Board amend the project budget to fund the de-silting while they continued to investigate how to guarantee that the intake remained functional.

Public Works Director John Poteat provided the Board with photos of the intake as it now existed with the valve propped open, noting that it had been over a year since the silt had been removed and it was particularly thick at present. He said de-silting really needed to be done every year, and it had not been done since last August. Mr. Poteat said the bracket had rusted causing the valve to remain in the closed position.

Commissioner Harrington asked how long had the valve been closed before they realized what had happened. Mr. Poteat said water was coming through at a good rate, so it had not been known immediately. He provided the Board with a diagram depicting the valve and the dark line which was the mud, or silt in the line. Mr. Poteat said the contractor would have to pump out the silt before scuba divers could perform the work on the valve which would be on the order of \$10,000 to \$15,000. He said by removing the silt now they would save the cost of the de-silting later and would pay only for the work on the valve.

Commissioner Harrington said the good thing was that the de-silting had already been provided for in the budget. Mr. Terry said the lines would close up somewhat as they got into cold weather but that was typical.

Mr. Poteat said they had only about six to seven inches of visibility between the mud and the water line, and the advantage of waiting until the spring to do the de-silting was it could cut down on the organic flow into the plant. But, he said, they would not be able to wait that long because it would be more costly than doing it now. Mr. Poteat said there were not many contractors who did that type of work, noting they had been able to locate only two with one being in another state.

Commissioner Harrington asked had they contacted the other firm. Mr. Poteat replied they had contacted a company in Columbia, SC, but if that company was used they would likely have to absorb the \$2,500 already spent. He said if they got another company to come in, they would have to perform the same investigative work to determine the repairs needed so the Town would have to pay that cost again.

Commissioner Fiocco asked if the trash rack was removable. Mr. Poteat replied yes. Commissioner Fiocco said then they had a concrete shelf. Mr. Poteat responded yes, noting the valve was right behind that concrete shelf. Commissioner Fiocco asked had he said they had the opportunity to save \$15,000 if they did the work now. Mr. Poteat said if they got the valve repaired without de-silting it would likely cost between \$10,000 and \$15,000 because they had to clear out the wet well area in order to do the repairs. He said if they pumped that out more would steadily be coming from the river, so they had to get rid of a certain amount just to get to the intake. Mr. Poteat said so, while doing that repair they may as well go ahead and remove all of the silt particularly since it should be done yearly in any case.

Mr. Terry said for clarification, were they replacing the valve or repairing it. Mr. Poteat said they would completely remove it because it was not needed. Mr. Terry said then that begged the question of why it was in there in the first place, and was there a down-side to not having that valve. Mr. Poteat said the valve was put in so that if they ever wanted to close it off and do work inside the structure they could close the valve and keep the water out. But, he said, no one could think of a situation where they would need to do that.

Commissioner Harrington said then the people who built such structures said the valve was not needed. Mr. Poteat said they had gotten a lot of advice on that including from Hydrostructures and it appeared the valve was not necessary. He said if they were for some reason to replace the valve then they would have to go to a whole different intake structure which would carry a higher cost. Commissioner Harrington said the bad thing was that they had hoped they would not have to clean out the silt every year, but it appeared that was not the case.

Mayor Voller said then the recommendation was to do the work now. Mr. Poteat said that was correct, and at some point they needed to get the rotation of de-silting switched over to the spring. Mayor Voller asked would the work potentially improve the water quality. Mr. Poteat said it would improve their water quality when it was most needed, which was the summer, and was why they needed to get the de-silting on a spring schedule.

Mayor Voller asked what could be done to avoid the continued silt buildup. Mr. Poteat said after talking to many people about that it appeared it basically would require building some type of retaining wall, but there were many other people who believed even that would not work because sooner or later that sediment would come over the wall or work its way under the wall. Mayor Voller said then as long as the dam was there they would have that issue. Mr. Poteat said that was correct.

Commissioner Harrington said to clarify they had discussed some kind of engineering solution that would provide a better intake where they would not have to put out that expense every year by cleaning it out, but he was understanding Mr. Poteat to say such a solution may not exist. Mr. Poteat said that was correct, noting that that cost was one that many other water systems had to bear. He said he was not discouraging looking for such a solution, but there just may not be one. Commissioner Harrington said he would assume that if it could be done someone would be doing it. Mr. Poteat responded that was exactly his point.

Motion made by Commissioner Harrington seconded by Commissioner Brooks to approve the amendment to the Capital Project Budget for the Haw River Intake De-Silting Project to increase the project budget by \$30,000.

Vote Aye-5 Nay-0

AN ORDINANCE AMENDING FY 2010-2011 FISCAL YEAR OPERATING BUDGET IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE 37

NEW BUSINESS

1. Adoption of Supplemental Article No. 3 (Regional Interconnections Study) to the Memorandum of Understanding for the Jordan Lake Partnership.

Mr. Terry said the Town had joined the regional partnership in 2009 and as part of the original MOU there was discussion of the possibility of future projects under the agreement. He said they had already approved two supplemental articles, the first the Regional Water Supply work and the second the Jordan Lake allocation request project. Mr. Terry said the third article was called the Regional Interconnections Study and the objective was to engage in cooperative water supply efforts during droughts or other water supply emergencies. He said the cost to the Town would be \$3,480, and Commissioner Fiocco had pointed out an error in the text where it indicated that cost was just for Phase 1 but it was for the Phases 1 and 2.

Mr. Terry said adoption of the resolution would authorize him to sign Supplemental Article No. 3 on behalf of the Town, noting it was not necessary to amend the budget because the funds were available in the Professional Services line in the current operating budget.

Commissioner Fiocco said the consultant had provided a proposal that stated the total Supplemental Article No. 3 project cost would not exceed \$48,700 for Phase 1, and that Phase 2 scope and costs would be revised following completion of Phase 1. He asked was there an estimated fee proposal for Phase 2 that equaled the \$80,000. Mr. Terry said he had called

Warren Miller who had indicated the \$80,000 was the estimated cost, and they were reserving the right to amend that once they determined how many capital projects would be necessary. Commissioner Fiocco asked would there be a proposal at that time. Mr. Terry replied yes. Commissioner Fiocco said then the Town would have the opportunity to opt out if it proved too expensive. Mr. Terry said yes, noting that was the case on any of the supplemental agreements.

Commissioner Brooks asked would that group, and in the end he would assume the federal government, determine any allocations that were different from what was already set. Or, he asked, would it be turned over to the State. Mr. Terry said he was sure the federal government would have some say in it because it was a Corp of Engineer's lake, but the allocation process required them to go through NCDENR which was a very complex process. Commissioner Brooks said probably in the end they would determine what they would allow to be allocated. Mr. Terry said that was correct.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to adopt Supplemental Article No. 3 (Regional Interconnections Study) to the Memorandum of Understanding for the Jordan Lake Partnership.

Vote Aye-5 Nay-0

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SIGN SUPPLEMENTAL ARTICLE NO. 3 (REGIONAL INTERCONNECTIONS STUDY) TO THE JORDAN LAKE PARTNERSHIP MOU ON BEHALF OF THE TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 120

2. Update on Public Utility Issues (Commissioner Brooks).

Commissioner Brooks said he wanted to make sure everyone got the fire hydrant report, and thanked Fire Chief Griffin for that report which had been very useful. He said some of the issues could be handled fairly easily just be cleaning up around the hydrants, but others would require more effort. But, he said, when it came to fire hydrants he did not believe they had a choice. Commissioner Brooks said they had to replace the ones that did not work and repair the ones that could be repaired, and do whatever was necessary with all due speed.

Commissioner Brooks said he had talked with employees with Progress Energy and they were replacing the lights with more efficient LED lights that would meet some of the Town's needs. He said in addition, he would like to ask the Board to request Progress Energy to look at all of the Town's street lights. Commissioner Brooks said it was his understanding that lights of a certain age, which he believed was 20 years, would be replaced at no charge. Mr. Poteat said that was correct, but there would be an additional monthly fee. Commissioner Brooks said there would still be a savings because the new lights used less electricity.

Commissioner Brooks said one Progress Energy employee had indicated to him that one of the problems with the area around the Courthouse was that there were other utilities on the poles and there was no room for guide wires. He said he had hoped that Progress Energy would consider

steel poles, because he was very concerned about the current poles coming down with all the weight they were carrying particularly in such a critical area.

Commissioner Fiocco asked was it true that there would be some cost savings because the new lights used less electricity, and wasn't it true that the Town was paying a flat fee per pole regardless of the light fixture and regardless of the electricity that was used. Mr. Poteat said they were currently paying around \$8 per pole, and that cost would rise to around \$10 per pole. Commissioner Fiocco said then the initial replacement cost was free but the fee would go up. Mr. Poteat said they had about 95 lights in Town that were 29 years old, and most of them had never been changed so the lights had gotten dim over the years and would eventually have to be replaced. He said the remaining lights were around 27 to 28 years old.

Commissioner Fiocco asked if on the replacement bulbs there was a flat fee adjustment to represent the recuperation of Progress Energy's capital costs, at which time they would adjust the fee. Mr. Poteat said with the more lights they installed the more the additional monthly cost would go down. He said he believed what Progress Energy was trying to do was recoup some of the cost for the purchase of the new lights.

Commissioner Brooks said changing out the lights would make the community safer and use less energy. He said he had been approached by someone that used a wheelchair on Thompson Street, and he had found that the further west you traveled the dimmer the lights got. Commissioner Brooks said from where the Town limits began at Fire Tower Road until you got to the area near Clapp's Laundry it was very dim, adding that branches and limbs blocked the light from the street in many areas. He said he believed they needed at least two additional street lights on Thompson Street, perhaps three, in the darkest area. Commissioner Brooks stated he believed more people would be inclined to use the sidewalks at night if the area was better lit.

Commissioner Brooks said no action needed to be taken tonight, but it was his hope that the Board would consider some action to improve the lighting on Thompson Street as well as other areas of Town.

Mayor Voller requested that Mr. Poteat ask Progress Energy for a report on the placement of their poles and to identify gaps where there was not enough light. He said their engineer should be able to do that easily from their design patterns. Mr. Poteat said he had met with Progress Energy several times to talk about lighting, and normally the placement was a trial and error process. He said when they installed lights it was to achieve lighting in a certain range. Mayor Voller said they must have something that indicated how much lighting was needed for safety. Mr. Poteat said he would talk with Progress Energy about that.

Commissioner Brooks asked that Progress Energy be asked to look at Thompson Street in particular, and to remove any branches that blocked the light especially in the area of 440 Thompson Street. Mr. Poteat said he would do so, and noted that all of the lights on Thompson Street were more than 20 years old.

Mayor Voller said if they wanted to replace them all and Progress Energy could show how much electricity would be saved, he was sure they could go to the State Energy Office and request

funding for that. He said the State Energy Office funded such efforts, and if the Town had that many lights that were that old then he believed they could get funding for that. Mr. Poteat said they had 136 poles that were over 20 years old, and only 81 that were under 20 years old. Mayor Voller said that was significant.

Commissioner Brooks asked that they move forward with those efforts without delay. He said he wanted to commend Mr. Poteat for his hard work on the lighting issue as well as working with Chief Griffin on the fire hydrant issue.

3. Update on Current and Impending Vacancies on the Planning Board.

Mr. Bass stated that when they had begun looking into filling vacancies on the Planning Board, they had uncovered pending vacancies that needed to be addressed. He said at present there were three candidates for the vacancies for the ETJ Planning Board seat, noting that the process for filling that seat was that the Town Board would make a recommendation to the County Commissioners who would then provide approval.

Mr. Bass said in reviewing the terms of all other Planning Board members, they had discovered that the three-year term of Freda Alston had actually expired in December 2009 and she had been serving at the pleasure of the Board since that time. He said as well, the terms of Kenneth Hoyle and Karl Shaffer would expire in December 2010. Mr. Bass said another issue that related to Mr. Hoyle was that there was language in the Ordinance limiting appointment to three consecutive terms, or nine years total. He said that Mr. Hoyle was first appointed in 2001 and would complete his third term this December.

Mr. Bass said staff's recommendation was to select and nominate two new Planning Board members from the three applicants for the ETJ vacancy, direct the Town Manager to re-advertise the Planning Board vacancy with the new information regarding the two other existing or impending vacancies for citizens living within the Town limits, and to concurrently advertise the two vacancies for in-Town seats with Ms. Alston and Mr. Shaffer encouraged to apply for reappointment. In the case of Ms. Alston, the Board could reappoint her to complete the remainder of the term that should have begun in January 2010 and run until December 2012. If Mr. Shaffer were reappointed, his term would run from January 2011 to December 2013.

Commissioner Brooks said that there were three applicants for the one seat, and he would like to nominate Raeford Bland. He said Mr. Bland lived in the area that would likely see a great deal of potential growth and change, and this was a rare opportunity to get someone with a wealth of experience and certification through his work at the OWASA water treatment plant.

Mayor Voller asked Mr. Messick about the process. Mr. Messick said the Board could vote to fill the in-Town vacancy now. Mayor Voller said he concurred with Commissioner Brooks' assessment, noting they were fortunate to have three very good applicants for the seat.

Motion made by Commissioner Brooks seconded by Commissioner Baldwin to appoint Raeford Bland to serve the remainder of the current term which was two months, as well as to appoint him to a three-year term beginning January 2011 and ending in December 2013, and that

Shannon Plummer be recommended to the Chatham County Board of Commissioners to serve as the ETJ alternate for the remainder of the current term which was two months, as well as recommended to serve a three-year term as an ETJ alternate beginning January 2011 and ending in December 2013.

Vote Aye-5 Nay-0

Mayor Voller asked the Board to consider creating another permanent seat on the Planning Board which would provide for a four-person quorum. He said they had three in-Town and three out-of-Town members, and wondered should they create an additional in-Town seat. Mayor Voller said there had been times when a quorum had not been achieved, and given that there were a lot of important issues that the Planning Board dealt with he believed it would be helpful to have an additional in-Town member to help with that work. He said that would also provide sufficient members should there be a need to create a subcommittee for some reason. Mr. Messick said the membership of the Planning Board was in the Zoning Ordinance, so making a change would require Planning Board review and a public hearing. He said there was a proportionality issue in terms of in-Town versus the ETJ, noting the ETJ was quite large. Mayor Voller asked did it have to be equal membership. Mr. Messick said no, but the ETJ population was as much or more than the in-Town population. Mayor Voller said then theoretically the ETJ membership would have a larger representation on the Planning Board. Mr. Messick said if they were not careful, the answer was yes. He suggested they have Mr. Bass investigate that issue and bring back some information.

Commissioner Brooks said it concerned him that the current Chair's term was limited to three three-year terms. He said while that had made sense when the Ordinance was adopted and likely still did, they had been fortunate to have Mr. Hoyle because of his education and experience. Commissioner Brooks said he would not want to change horses in mid-stream and would like to change that rule if possible so that Mr. Hoyle could continue to serve. He said they had a new Planning Director and now was not a good time to lose Mr. Hoyle's expertise.

Commissioner Harrington said they could always change the Ordinance. Mr. Bass said that he believed that the Ordinance allowed a member to continue to serve at the Town Board's pleasure until someone was appointed to take the seat, as was the case with Ms. Alston.

Mr. Terry said the path to take would be to not take any action on Mr. Hoyle's seat and he would remain in that seat until the Board appointed a replacement. He said concurrent with that staff would look into changing the Ordinance to allow Mr. Hoyle to retain his seat on the Planning Board. Ken Hoyle, Planning Board Chair, stated he continued to be willing to serve on the Planning Board.

Mayor Voller said he believed Commissioner Brooks had made a good argument, noting they did not have a lot of institutional knowledge on the Planning Board and if they were to suddenly lose the experienced members the Town would suffer. Mr. Messick said he would recommend that the Board take some action, which he believed would be to proceed with having the Planning Board review the issue and hold a public hearing so that the Ordinance could be amended.

Motion made by Commissioner Brooks seconded by Commissioner Harrington to request that the Planning Board begin review and hold a public hearing on a text amendment to the Zoning Ordinance to delete the term limits for Planning Board members.

Vote Aye-5 Nay-0

Motion made by Commissioner Brooks seconded by Commissioner Bryan to re-appoint both Mr. Shaffer and Ms. Alston to three-year terms on the Planning Board, with terms beginning in January 2011 and ending in December 2013.

Vote Aye-5 Nay-0

Mayor Voller said that it was the expectation that the alternate member would attend the Planning Board meetings in order to stay up-to-date on the issues, and if Mr. Plummer was not willing to do so then the Board could reconsider its action. He said should a Planning Board member be absent at a meeting then the alternate would be a voting member at that time.

Commissioner Harrington asked were the Planning Board members compensated. Town Clerk Alice Lloyd responded they received \$25 per meeting attended, so it amounted to \$75 per quarter. Commissioner Harrington said if it was the Town Board's expectation that the alternate attend all meetings, he believed it would be the expectation that the alternate would be compensated as well. There was general consensus by the Board.

CAPITAL PROJECTS REPORT

1. Manager's Update on Capital Projects.

Mr. Terry provided the following update on Capital Projects:

- Wastewater Treatment Plant Wet Weather Flow Improvement Project – The final construction progress meeting is scheduled for November 2nd and a final inspection walk-thru is scheduled for November 18th at 1:30 p.m. System start-ups and staff training are now underway, and they were rapidly approaching conclusion of the project.
- Southern Community Park – A public meeting to seek input on the future development of the proposed park will be held on October 28th at 7:00 p.m. at Town Hall. The architect will have a proposed conceptual design for public comment and discussion. Working with Chatham County Department of Environmental Health, we have identified two suitable locations for septic system drain fields to support future public restroom locations.
- Downtown Area Water System Improvement Project – Tonight's agenda included an item authorizing the Manager to proceed with two legal services agreements required to complete the requirements of the USDA Loan/Grant application, which had been approved. Concurrently, they were working with the Wooten Company to complete the necessary documents to apply for a \$750,000 CDBG grant to be applied to this project for a fee of \$4,500. As had been reported, there would be additional fees associated with engineering and consulting services around the grant administration as this project moved forward, and when the fees became known they would be reported to the Board.

Mayor Voller thanked Cathy Stinson for working to produce the numbers so that a door-to-door survey was not necessary which had saved a lot of time and money. He said as well, the application fees could be reimbursable if it complied with the requirements up to \$7,000. Mayor Voller said in addition, up to 12% of the fees would be reimbursable by the grant.

Mr. Terry continued his update:

- Pedestrian Conveyance System Project – In reviewing the NCDOT modified plans for this project, we noted that they omitted some drainage system improvement work on Salisbury Street. John Poteat has inquired about the possibility of adding this work back into the scope of the project by change order; however, the NCDOT project manager has declined to do so. Accordingly, we are exploring the possibility of performing this work under a separate contract to be managed by Town staff after completion of this project. We recommend waiting until project completion so that we can make an informed decision about the impact of omitting this work from the project. We are making inquiries with the grant authority to determine if the omitted work would be reimbursable under the grant if performed by separate contract after the sidewalks are installed.

Mr. Poteat indicated he had received correspondence from a Ms. Williams who indicated that the grant authority would not pay for that work, noting their engineers had indicated it was not necessary to the project.

Commissioner Bryan asked if he believed the work was necessary to the project. Mr. Poteat said in his judgment, yes. He said they had a problem now and did not know if the problem would be worse once curb and gutter was put in, but there would be some impact to the area. Mr. Poteat said he was surprised they had been able to hold out this long without addressing the problem, and in fact during a heavy rain there was six inches of standing water in yards. He said any impact added to that was an unnecessary impact.

Commissioner Harrington asked where the standing water had been identified. Mr. Poteat said at the Steve Carr house, but he was preparing to do some improvements on his own to try to limit the water. He said just below the Carr house at the Bed and Breakfast's property line, there was six inches of standing water in that area.

Commissioner Baldwin asked if the grant authority had considered that. Mr. Poteat said the grant authority did not believe the work to be done would have that much of an impact on the current problem.

Mayor Voller said those problems were subject to being addressed with Powell Bill funds and they had budgeted funds that the Town could tap into to fix the problem, so NCDOT would pay for the problem one way or the other. Mr. Poteat said the Town would have to choose whether to pave streets or fix the stormwater issue with those Powell Bill funds. Mayor Voller said he believed that drainage problem should get fixed.

Mr. Terry said it would be his recommendation to let the sidewalk project play out and see what the funding looked like, and then after the next rain they could look at the area and decide how

they wanted to pursue a solution. He said the design work to fix the drainage had been done over a year ago and they could use Powell Bill funds to do the work. Mr. Terry said it was only half a block and he did not believe it would carry a huge price tag. Mr. Poteat said to keep in mind that that half of a block was not going to fix the problem and may make the problem worse, because they would be dumping more drainage into that area that was not included in the plan. He said further past that half block was where they had standing water and piping issues going under Salisbury Street.

Commissioner Fiocco asked if they were sure the water was coming from the ditch and stopping at the pipe and running through the yards, or was it possible that it was runoff not coming from the road. Mr. Poteat said most of the runoff was coming along south of the ditch line of 87, and those pipes were just not big enough to carry the runoff. He said they had to constantly keep those pipes cleaned so that additional water was not carried into the yards. Mr. Poteat said to remember that they experienced heavy runoff only about three times a year. Commissioner Fiocco said it appeared that the pipes were much deeper than the ditch, so the ditch was filled up. Mr. Poteat agreed that was an issue and believed the entire drainage area needed to be addressed and added to the Hydrostructures' plan.

Mayor Voller said that many properties in that part of Town seemed to have that issue. Mr. Poteat said that people had been dealing with the problem for a very long time and wanted something done to address it.

Mr. Terry said they would continue to look at the issue and would come back to the Board with a recommendation.

Mayor Updates

Mayor Voller said that at the last Board meeting the Board had discussed CMAQ, and Mr. Black had prepared and submitted the application. He said the Triangle Area RPO had approved the resolution supporting the Town of Pittsboro and they were not required to take any action on that because they were several years out, adding that the application prepared and submitted by Mr. Black served as a place holder for the Town.

Mayor Voller said in terms of drainage, there were areas on Credle Street that had ditches where the water was not traveling through the pipes. He said they needed to take some action to address that, and hoped that could happen. Mayor Voller said there were driveways about 12 feet apart that were all silted in, and they needed to do something about that.

Commissioner Concerns

Commissioner Brooks said they had budgeted \$130,000 out of Fund Balance to prevent having to raise water and sewer fees, and asked how that was going. He asked were revenues perhaps better than they had hoped and they would not have to use the entire \$130,000. Mr. Terry said it was possible that revenues may turn out to be better than expected, but he believed the trend would change over the winter months and they would likely have to use the entire \$130,000 budgeted.

Commissioner Brooks said several years ago they had experienced a bad leak and had been unable to find the cutoff valve. He said they had allocated \$50,000 to Hydrostructures to locate those valves and cutoffs and replace those needing replacement. Commissioner Brooks asked had that work been done and had a report been issued, noting at one point the Town had been completely shut down. Mr. Poteat said they had replaced some of the valves and that was why the Town had been cut off. He said but, they had been unable to isolate some of those valves in the system. Mr. Poteat said they had located and replaced a number of valves and were now able to isolate certain areas of Town. Commissioner Brooks said then Hydrostructures had completed its work. Mr. Poteat said they had and had provided the Town with a report, and Town crews had placed valves where Hydrostructures had suggested valves should be placed.

Mr. Terry said the Downtown Water System Improvement Project would be addressing some of that issue. Mr. Poteat agreed, noting that was one of the things that had held up addressing the fire hydrants downtown because without the valves they would have had to shut the entire Town down in order to install the hydrants.

Commissioner Brooks said he would like to propose adopting a rule to move any ceremonial issues, appointments, and recognitions to the beginning of meeting agenda so that people attending for just those issues would not have to remain for the entire meeting unless they choose to do so.

Mayor Voller said that could include such issues as when the Town was awarded some recognition such as a Fit Community at the Bronze level. Mr. Terry said that could easily be done. The Board agreed by consensus with Commissioner Brooks' suggestion.

Commissioner Bryan said he would like to echo former Mayor Devinney's concern regarding lighting around the traffic circle. He asked if the new sidewalk in that area would have appropriate lighting. Mr. Terry said he had not noticed any lighting in the plan. Commissioner Bryan said then they may need to look into that.

Commissioner Brooks said he believed it had been said that the State had refused to cover the cost of lighting for that project.

Commissioner Bryan said they were nearing the end of October and asked how the audit was progressing. Mr. Terry said he believed the auditor would be present on Wednesday and Thursday to go through additional records, so they were getting close to the end of the process.

Commissioner Fiocco said he wanted to get on the agenda very soon the list of approved projects in the Town so the Board would be better equipped to make a decision whether to opt out of the extension the State had provided them.

Commissioner Fiocco said on another matter, every time he walked by Elizabeth's Pizza they had a barren patch of earth there that needed to be seeded and planted. He said he had raised that issue before and hoped they could communicate to the owner that it needed to be done.

Commissioner Fiocco said if that area was in the public right-of-way then the Town needed to do it.

Commissioner Fiocco asked had they determined what was taking place at HydroTube at Powell Place. Mr. Terry said he had not but he would check into that. Commissioner Fiocco said he had driven past the area and there were storage containers which he believed they were filling up with dirt as a result of excavation. He said it looked like some kind of remediation project.

Mayor Voller said he wanted staff to determine immediately what was going on there, noting it was all covered up and there were 55 gallon drums visible. He said he wanted to know if they were hauling something in or hauling something out, adding HydroTube needed to provide the Town with their plans. Mr. Terry said he would look into that immediately, noting he believed that HydroTube had sold the facility.

Commissioner Harrington said he believed the area was being used as a staging area during construction.

Mayor Voller said they had cut out a concrete pad and it appeared they were excavating, and he believed that work needed to be cleared by the Town. Mr. Terry said he would find out what was being done.

Commissioner Baldwin said the report regarding ridership numbers for each of the routes had not been provided by Chapel Hill Transit as requested, noting only a summary had been provided. She said Chapel Hill Transit needed to comply with what had been requested by the Board, which was specifically ridership numbers of each route. Commissioner Baldwin said hopefully they could provide those numbers by the next Board meeting. Mr. Terry said they had agreed to provide those numbers and he would remind them of that.

Commissioner Harrington said he believed some of the routes were not being used and believed they were wasting money on those little used routes. He agreed that they definitely needed to see the ridership numbers.

Commissioner Baldwin commended Town staff for the street fair, noting it had been a success.

Motion made by Commissioner Harrington seconded by Commissioner Brooks that the Town send a letter of thanks to John Justice for allowing the Town the use of the parking lot at Piggly Wiggly and the old PTA store for part of the street fair.

Vote Aye-5 Nay-0

Motion made by Commissioner Harrington seconded by Commissioner Bryan to send a letter of thanks to the ABC Board for the profitability they had achieved.

Vote Aye-5 Nay-0

Commissioner Harrington said that people had come to the Board asking that they enforce parking, and apparently that had occurred. He said now they had people asking why they were enforcing the parking, noting that people had received tickets for over-parking and merchants were concerned that people would go to stores outside of Town where there was plenty of parking. Commissioner Harrington said one merchant had contacted him and had expressed dislike for the parking tickets, noting it would give customers a bad taste about Pittsboro. He said obviously some wanted the parking enforced and some did not, and he only wanted to bring that to the Board's attention. Commissioner Harrington said that the one merchant had been adamant that he thought it was a bad idea to enforce the parking.

RECESS

Motion made by Commissioner Harrington seconded by Commissioner Baldwin to take a short recess.

Vote Aye-5 Nay-0

RECONVENE

Motion made by Commissioner Baldwin seconded by Bryan to reconvene.

Vote Aye-5 Nay-0

CLOSED SESSION

- 1. Closed Session pursuant to G. S. 143-318.11(a)(5) to discuss purchasing land, leasing property, or employment contracts.**
- 2. Closed Session pursuant to (G. S. 143-318.11(a)(6) to receive information and hear discussion regarding personnel matters.**

Motion made by Commissioner Bryan seconded by Commissioner Brooks to go into closed session at 9:30 p.m. pursuant to GS 143-318.11(a)(5) to discuss purchasing land, leasing property, or employment contract and GS 143-318.11(a)(6) to receive information and hear discussion regarding personnel matters.

Vote Aye-5 Nay-0

RECONVENE OPEN SESSION

Motion made by Commissioner Brooks seconded by Commissioner Bryan to go back into Open Session.

Vote Aye-5 Nay-0

ADJOURN

Motion made by Commissioner Baldwin seconded by Commissioner Bryan to adjourn the meeting at 10:35 p.m.

Vote Aye-5 Nay-0

FYI:

1. Jordan Lake Partnership: Fall 2010 Assessment.
2. Chapel Hill Transit Press Release of October 19, 2010; RE: Chapel Hill Transit Comprehensive Operational Analysis.
3. First Quarter Fiscal Year 2010-2011 Water and Sewer Revenue Charts.
4. Chapel Hill Transit Pittsboro Express Performance Report for September 2010.
5. Town of Pittsboro Press Release of October 25, 2010; RE: Pittsboro Hires New Finance Officer

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk