

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, JANUARY 11, 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, Clinton E. Bryan, III, Michael Fiocco, and Hugh Harrington.

Member Absent: Commissioner Gene T. Brooks, absence excused.

Staff present: Town Manager Bill Terry, Town Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr., Planner David Monroe, Assistant Planner Paul Horne, and Finance Officer Kay Hamrick.

CONSENT AGENDA

The Consent Agenda contained the following items:

1. Approve minutes of the December 14, 2009 regular meeting.
2. Approve Resolution Authorizing Withdrawals from Depositories of the Town of Pittsboro.

Motion made by Commissioner Baldwin seconded by Commissioner Harrington to approve the Consent Agenda as submitted.

Vote Aye-4 Nay-0

A RESOLUTION AUTHORIZING WITHDRAWALS FROM DEPOSITORIES OF THE TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 1

AGENDA

Mayor Voller noted that the agenda had been revised earlier today to include two items under Old Business: a progress report from Chapel Hill Transit; and, a progress report from the Citizens' Grant Committee. He stated that in addition, an item had been added to recognize new employees of the Town, which would come before the Regular Meeting Agenda.

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

Vote Aye-4 Nay-0

Recognize New Employees

Mr. Terry introduced new staff to the Commissioners, noting that after a very thorough and exhaustive search they had hired Kay Hamrick as the Town's new Finance Officer. He also introduced the Town's two new Police Officers who had been hired under grants the Town had been able to acquire. First was Sgt. Kevin Dodson, hired under the Governor's Highway Safety Grant for a Traffic Control position, and Officer Philip Terwilliger as the K-9 Officer.

The Board welcomed each new employee.

REGULAR MEETING AGENDA

Citizens Matters

Marianne Haywood, 501 Oak Island, Chapel Hill, which was in Chatham County, spoke in support of Relay for Life of Pittsboro which was an affiliate of the American Cancer Society. She said that the Relay for Life was not only a fundraiser but a celebration of survivorship and to remember those taken by cancer. She said in March they would be working with the Pittsboro Merchants Association to showcase Pittsboro as well as raise funds by holding a Shamrock Run for Hope, which is a 5K and 10K run which would begin at the Courthouse. Ms. Haywood said they wanted lots of community support, not only in sponsorship but in participation. She said the second event would be an overnight event at Northwood High School planned for May.

Ms. Haywood said as a part of the Relay for Life a breakfast would be served after the event, and asked for the Town's help in composting the remains of that breakfast for use by the Community Gardens. She said they needed volunteers in all capacities, noting she had provided the Commissioners with contact information.

Mayor Voller asked if Ms. Haywood would be interested in a Resolution of Support from the Town Board. Ms. Haywood said that would be most helpful. The Board agreed by consensus, and Mayor Voller asked Town Clerk Alice Lloyd to draft a Resolution of Support for the next meeting. He also asked that Ms. Haywood provide the necessary information to Ms. Lloyd.

David Richter, 30 Dunmore Lane, handed out some information to the Board regarding the proposed Powell Springs development. He said where the apartments were planned on Millbrook was all woods, with an intermittent stream and a culvert right next to it. Mr. Richter said one issue was the number of parking spaces, with 39 parking spaces proposed for 48 apartments, and the other was that the complex was proposed to be located 17 feet back from the curb.

Mr. Richter said he had recently learned that this complex would be a rental for seniors and subsidized for affordable housing, which was not an issue. He said after multiple meetings with

the Planning Board, the developer had increased the parking to 48 spaces by taking a 9-foot space and making it an 8½ foot space. Mr. Richter said they had also added some more impervious area and had moved the building back an additional 10 feet from the curb which put it at 27 feet from the curb. He said for that size building that was still very close.

Mr. Richter said another thing he had just learned was that the back of the building would face Millbrook, which would put the front of the building facing the parking lot. He said that was strange to him because that design was supposed to have porches and encourage neighborhood interaction, but now those cottage homes would be looking at the back of the building.

Mr. Richter said another major issue was the environmental concerns about how the complex was placed on the lot, noting there was an intermittent stream that was in the watershed for Jordan Lake, and he was concerned that this development did not meet the rules it was required to meet. He said he believed it actually violated Town regulations, and wondered why that Town regulation had not applied to this proposed development and what the rationale was for that.

Mr. Richter said in looking at the topography, the stream buffer would be removed almost all the way back to Highway 64, which meant that the homes on Cobble Ridge would be able to view Highway 64. He said another issue was when you went down Cobble Ridge you would be facing a 15 to 17 foot retaining wall around the unit, so all that vegetation would have to be removed including all the trees that went back to Highway 64. Mr. Richter said that would allow traffic noise from Highway 64 to encroach into the neighborhood.

Mr. Richter said another concern was that this proposal was like trying to fit a size 12 foot into a size 8 shoe on that property, noting it was the narrowest part between Millbrook and Highway 64. He said this would be a rental complex, and that was a single-family neighborhood. Mr. Richter said that was okay, but he did not understand it in the context of the other multi-family proposals that would come next. He said the most stable neighborhood was ownership, noting that the East-West Partners would be building affordable condos for ownership on 64 East. Mr. Richter said he believed that integrating affordable housing into mixed housing was a good idea so that such housing was not isolated, but was concerned how that would fit in as that development went forward and was built out. He said it was important for the Town Board and citizens to understand how that fit in with the overall vision of East-West Partners. Mr. Richter said he believed the Mayor had had a good idea when he had suggested that the developers have a review of Powell Place with Town officials and the community so that everyone understood what the vision was, and that should be done before the project was approved.

Mayor Voller said for clarification he made the suggestion because this was a complicated mixed-use development where only Commissioner Brooks was on the Board when it was approved, that a lot of people had bought property in Powell Place and they did not really understand everything that might come forward for approval in the future. He said there was a hotel site there as well as commercial and other rental property, so it would be useful if the Board had a joint meeting with the Planning Board to discuss with them what else was coming so that residents would know and the Board would know. Mayor Voller said the developer had vested rights on some aspects, but the Town had approval rights on certain elements.

Mr. Richter said his concern as a resident was that they had a rental property proposed, and wanted to know exactly what that proposal entailed and how it would fit in with what might be coming next. He said his concern had to do with how that might affect the value of his property.

Mayor Voller said that affordable housing was defined as up to 80% of median income, and that would mean a household earning \$48,000. He said a recent study had shown a demand for over 500 affordable units in a 5 mile radius of Pittsboro by people who wanted to rent properties, and those were people including school teachers and firefighters, and the issue was how to address that demand. Mr. Richter said he hoped that his concerns would be kept in mind.

Commissioner Harrington said he understood Mr. Richter's frustration, and asked what he had been told would be built in that location. Mr. Richter said it was his understanding it would be multi-family, but other neighbors had been told that there would be a green area on the west side of the cottage homes on Millbrook that would not be developed. He said that was the opposite of what was happening here, and he felt for those people because they had never expected to have to look at the back of a large complex. Mr. Richter said one of the officials at East-West had said it was a choice of looking at a parking lot or looking at the back of the building. He said from his perspective that was a fool's choice, because something else could have been designed that was more palatable.

David Groves, 730 Millbrook Drive, said that Mr. Richter had done a good job summarizing a wide range of issues. He said when he and his wife moved to Powell Place in 2006 they were not told that apartments were planned but were told there would be multi-family dwellings. Mr. Groves said he had been told there would be about 750 units of all types mixed together, but if you look at the number of single-family dwellings and the townhouses, there were not more than 150 at most so that would mean a lot of apartments were coming in. He said he was especially concerned about the value of those single-family dwelling properties, and believed if two-thirds to three-fourths of that community was rental property then those single-family properties would take a big hit in value. Mr. Groves said he was very sensitive to anything that would affect the value of his property, and was extremely concerned that property values would be negatively impacted if a significant number of what was coming was rental.

Melaine York, 90 Cobble Ridge Drive, said her husband had sent a letter to the Mayor expressing their concerns about the Powell Springs proposal, noting that many of their concerns had already been expressed. She said the Mayor had mentioned that the recent study indicated that a household earning up to 80% of the median income were eligible for housing subsidy, but believed that the community proposed had two other layers of subsidized housing that was at a greater percentage.

Mayor Voller said the calculation began at 25% and went up to 80%, but when you looked at the 80% that most people in the County qualified for affordable housing.

Ms. York said last year she had had to search for a place for her mother to reside as she could no longer live alone in her home. She said she had toured a facility built by Evergreen called Autumn Springs but could not recommend it for her mother because it was not the right kind of place for her mother to reside. Ms. York said she wanted everyone to understand what was

being proposed here in terms of quality for senior housing, and she believed that property could be much better utilized to provide quality housing for both independent living as well as assisted living for seniors.

Roger “Bud” Rudesill, 611 Millbrook Drive, said he was one of the residents that would be facing the back of the building. He said he was a part of the group that had been told that the tree buffer would remain in front of the six houses there, and in fact had been promised that. Mr. Rudesill pointed out that he was speaking on the technical issues at the request of the residents because he understood those issues a little better than most.

Mr. Rudesill said the primary issue was preservation of the scenic character of the stream that was in Section C of the Town Subdivision Code. He said he was also concerned with the ratio of space being used by Evergreen that presently had a retainer pond on it for water that came from the west side and therefore had no porosity value for the property to the east across the stream from it. Mr. Rudesill said there was no way drainage from one site could get across the stream to the other. He said he was concerned that a 20-foot transitional buffer would be taken at the pond which would mean that from the front side to the back side the view residents would get would be across the parking lot and into Highway 64.

Mr. Rudesill said another issue was drainage of the property immediately to the east of it, noting there was water coming off the hill that would be partially dammed by the fill. He said there was actually an intermittent stream there but it was not on the USGS map, and he had sent in pictures but had not yet gotten a response as to whether or not the Code was enforceable. Mr. Rudesill said it had not been brought up in any meetings so far, and had not been presented to the developer as a Code issue.

Mr. Rudesill said on another issue, he was the one who had started the Kinetic Sculpture Parade idea, that they were alive and well and they had been very successful. He thanked the Board for its support, noting they needed more support in order to make the event bigger and better next year.

Commissioner Baldwin asked for clarification concerning the Code that Mr. Rudesill had referred to. Mr. Monroe said that Mr. Rudesill was referring to Section 6.1.c, paragraphs 1 and 2, which required a 75-foot buffer for intermittent streams that were located more than 2,500 feet from the Haw River, which would apply in this case. He said that paragraph 3 of that same section allowed the Planning Board to reduce that 75-foot buffer to 25 feet if the project was connected to municipal water and sewer, which it would be, and if the project treated the first inch of runoff in a retention pond, which it would, and allowed for other mitigating circumstances. Mr. Monroe said while Mr. Rudesill had commented on the first two paragraphs of that section of the Code, he had neglected to bring to the board’s attention the third paragraph of that section.

Commissioner Fiocco asked was that a 25 foot buffer strictly or was it an average. Mr. Monroe said it was no less than 25 feet from the top of the stream bank. Commissioner Fiocco said from the plan it looked as if it were closer. Mr. Monroe said that would be addressed at the next meeting.

Mayor Voller asked was that a 25 foot buffer either way. Mr. Monroe responded it was 25 feet on each side.

Commissioner Fiocco asked would that be an undisturbed buffer. Mr. Monroe replied yes.

Mayor Voller said it did appear from the geometry he had seen that they were closer than that. Mr. Monroe said the overall buffer was 76 feet from the edge of the back of the buffer. He said the retaining wall was located within that 75 feet, and according to paragraph 3 that could be permitted.

Mayor Voller said if you were looking at where Millbrook Drive ended on the west end of the property, they were showing a buried stream. He asked how you went about burying a stream. Mr. Monroe said he was not able to answer that. Mayor Voller said that was a question they would want to have answered. Mr. Monroe said the Corp of Engineers should have permitted that.

Commissioner Baldwin said the residents had a lot of concerns, and asked were those concerns being addressed by the developer. Mr. Monroe said certainly the residents' concerns were not being satisfied in full, but the developers had addressed some concerns partially. Commissioner Baldwin asked if the developer amenable to changing some things to address more of the residents' concerns. Mr. Monroe said in his opinion, the answer was no.

Mr. Richter said at the meeting held in Powell Place, he had asked if there was any flexibility for changes, and the straight answer had been no.

Commissioner Fiocco said it had been noted that the back of the building would be facing the street. Mr. Monroe said that was a change made by the developer. Commissioner Fiocco asked had elevations been provided, and what defined it as the back of the building. Mr. Monroe said there was a portico on the front of the building to allow people to drive up and drop off passengers before parking their vehicle. He said it appeared to be more of a porch on the back of the building that fronted Millbrook Drive. Commissioner Fiocco asked if the material of the building was the same all the way around. Mr. Monroe replied yes, that it was HardiePlank just as the rest of Powell Place. He said according to the elevations shown at the last Planning Board meeting there was variation in color, indentations and protrusions so that it appeared that there were structures rather than a single face.

Commissioner Fiocco asked where the HVAC units were located. Mr. Monroe replied he did not know.

A COPY OF THE HANDOUT SUBMITTED BY MR. RICHTER IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 4-7

OLD BUSINESS

1. Manager's Update on Capital Projects.

Mr. Terry provided the following update on Capital Projects:

- Disinfection Byproducts Reduction Project – The installation of the streaming current monitor was on hold awaiting materials. Since the ferric sulfate coagulant trials had produced favorable results, they would initiate a change order for the designer to develop a schematic for a permanent installation of the necessary equipment to control the feeding of ferric sulfate and for the contractor to acquire and install that equipment. They believed that would be accomplished before the Rural Center Grant expires at the end of April, 2010.

Commissioner Harrington asked what the coagulants were the professor from Virginia Tech had recommended. Mr. Terry replied ferric sulfate. Commissioner Harrington asked why that had not been done prior to going to THMs. Mr. Terry said historically the coagulant of choice had been polyaluminum chloride. Commissioner Harrington said he believed Hobbs Upchurch had gotten a recommendation from Virginia Tech, and wondered how that had gotten lost and they did not do that. He asked would that have been the responsibility of Hobbs Upchurch during their bidding, noting they had been told by the expert to use ferric sulfate. Mr. Terry said that was a fair question, and in looking at the history the project they designed for the Town was for chloramination and that was the baseline project. He said the issue about which coagulant would be most compatible with respect to lead leaching was a follow-up question asked of Virginia Tech and that had come back after the design of the project had already been completed. Mr. Terry said it could reasonably be characterized as an add-on to the project. Commissioner Harrington said he remembered now that lead leaching had been an issue, when right now they were trying to address the optimum removal of organics so that was a different problem. Mr. Terry said incidentally it was good at picking up and controlling organic carbons as well as reducing emissions. He said on a positive note he did not believe that would be a complicated project, noting it would require some tanks, meters, and pumps.

Mayor Voller said the EPA had held a meeting about that issue in the last couple of weeks as far as the lead leaching. Mr. Terry said that lead and copper testing was required to be done in December, which had been accomplished.

Mr. Terry continued his update:

- 3M Reclaimed Water System Project – They experienced some delays in the pump station start-up procedures which also delayed the filling and disinfection of the transmission line and water tank. Work was in progress on those tasks and they remained optimistic that they would be fully operational sometime in January. They had verbal confirmation that the EPA grant period had been extended to June 30, 2010 and the Clean Water Management Trust Fund Grant had been extended until April 30, 2010 to allow for an orderly final inspection and administration close-out of the project.

Mayor Voller asked if 3M had communicated when they wanted to do the ribbon cutting/grand opening. Mr. Terry said that 3M had originally indicated January, noting that 3M had nearly completed their piece of the project.

Mr. Terry continued his update:

- 3.22 MGD Wastewater Treatment Plant Construction – Hobbs Upchurch and Associates had submitted responses to the State regarding the comments received during the EIS review period. They were now awaiting the final action (Record of Decision) from the State.
- Short-term Wastewater Treatment Plant Improvement Project – Work began as scheduled during December; however, the early work was limited to site preparation and surveying. The excavation of the equalization basin site began the first week of January. They had the first construction progress meeting on January 5th. Since that project started during the holidays, most of the work completed to date involved mobilization and site preparation.
- Credle Street Basin Rehabilitation Project – Hydrostructures had prepared and submitted a grant to the Rural Center on the Town's behalf, and they should know the outcome sometime in April.
- Powell Place Park (Pittsboro Town Park) – That project was initially delayed by rainy weather in November and December and was now being delayed by severe cold weather. Despite those delays, progress had been made on the picnic shelter, some of the playground equipment and the stone entry steps which were nearing completion. While the contract may achieve substantial completion in January, they believed it would be necessary for them to return in March or April when warmer weather allowed for successful planting of turf grass on the all-purpose athletic field.
- Downtown Area Water System Improvement Project – Their meeting with a representative of the USDA had taken place on Friday, January 8th who had recommended the Town to apply for a grant to fund a portion of that project. He said he was encouraged that the USDA still considered that to be a good project for their programs, and he had asked Hydrostructures to prepare a fee proposal for preparation of the grant application and that was now in progress.

Commissioner Fiocco said in the printed update the first paragraph of the Downtown Area Water System Improvement Project appeared to be lacking some information, noting the paragraph ended in an incomplete sentence. Mr. Terry said it appeared that a sentence had been cut out, and he would determine what that was and correct it.

2. Manager's Update on Efforts to Reduce TTHMs.

Mr. Terry stated that the compliance test results for the 4th quarter had yielded good news. He said they had achieved an average of 0.025 mg/L for the quarter which made their annual running average 0.72 mg/L. Mr. Terry said that put them in compliance with TTHMs standards for the first time since the 4th quarter of 2005, and he congratulated those who had been responsible for that, including John Poteat, Doug Terry, and the rest of the Water Plant staff. He said they also owed a debt of gratitude to Mike Hicks of NCDENR for his assistance in developing the operational fine tuning after their transition to chloramines. Mr. Terry said that they had also learned a great deal from staff visits to water plants at OWASA, Chatham County,

and Rocky Mount. He stated that the test results were dramatically lower than what had been experienced previously, and believed they were finally onto a solution to their problem.

Mr. Terry said that the ferric sulfate coagulant trials were ongoing and appeared to be going well. He said based on the success of that trial to date, they would ask Hobbs Upchurch to assist them with a change order to install the necessary equipment to feed ferric sulfate on a permanent basis. Mr. Terry said they hoped to accomplish those modifications to the plant with the remaining funds from the Rural Center Grant for the Disinfection Byproducts Reduction Project.

Mr. Terry said because they were now in compliance with the TTHMs standards, he would not be issuing another special update. He said he had sent a letter to NCDENR suggesting that because of the results of their 4th quarter testing it would be reasonable to rescind the \$20,000 fine. Mr. Terry said he had received an encouraging phone call from the attorney representing the State stating they would meet with the Town next week to discuss the Town's letter. However, he said, if they were unsuccessful at getting the \$20,000 administrative penalty rescinded and were required to go forward with the administrative hearing on January 25, he would report the results of the administrative hearing to the Board at its January 25 Board meeting.

Mr. Terry stated that Commissioner Fiocco had volunteered to attend the administrative hearing if it became necessary to hold that, and wanted to offer that same opportunity to the other Board members. He said he would need to know who would be attending since he was asked to provide a list of participants.

Commissioner Harrington thanked Commissioner Fiocco for volunteering, noting the Town needed that show of support.

Commissioner Bryan said he would join them at the hearing. Mr. Terry said if any one of the Board wanted to attend the meeting with NCDENR's attorney they were welcomed to do so. He said he would email the Board when that meeting was set.

Mayor Voller said it was possible that meeting would settle matters and the January 25th hearing would not be necessary. Mr. Terry said that was his hope was well.

Commissioner Harrington distributed a memo with his observations and comments regarding the Pittsboro water distribution system THM measurements, noting he believed they needed to be cautiously optimistic. He said they had done good work and had every reason to be optimistic, but wanted to point out the THM measurements from 2004 to 2009 as presented in the information he had provided.

Commissioner Harrington said if you looked at 3rd and 4th quarter results from 2004 through 2009 they had certainly seen a significant decrease in THMs from quarter 3 to quarter 4 this month, but argued that that was comparable to what they had seen with the onset of cold weather pretty much every year since 2004. So, he said, his concern was that what they saw now was what they had seen in the past. Commissioner Harrington pointed out that after the transition to chloramination, their summer THMs were better after any summer since 2004. He said from a

THM point of view that certainly suggested that just going to chloramination even before adjustments were made was the right decision.

Commissioner Harrington said he was also cautious and concerned that because of the very cold weather they would likely see unprecedented latent THMs next quarter, and was very concerned that when it got warm again the situation may change. He said they needed to continue to remain vigilant and continue to watch the numbers, noting he was concerned about how much they were really locked in as far as the improvement that they were seeing now. Commissioner Harrington said he expected that the Manager would keep the Board informed of any changes, noting that when the weather warmed they needed to be ready to do whatever was necessary to remain in compliance. He said he would encourage something more than just quarterly testing, so that if they saw the numbers creeping up they could address it immediately by flushing or whatever was required.

Commissioner Harrington said it was okay to declare victory, but they needed to be cautious and remain on their toes. He congratulated the staff on the great work they had done to get the Town to this point. Mr. Terry said Commissioner Harrington's point was well taken, noting they were always cautious. He said he was persuaded by what he was hearing from the operators, and at this point was not too worried about what warm weather might bring. Mr. Terry said the logic made sense that they were removing more of the organic carbons earlier and putting in the chlorine later. He also said they were slowly acquiring all the equipment they needed to take tests more often, so they were on the right course.

Mayor Voller said they were fortunate to have a Board member who was a professional statistician, referring to Commissioner Harrington. Referring to the first plot Commissioner Harrington had provided, he asked if those were multiple data points.

Commissioner Harrington said those were strictly measurements from the four points tested, and those numbers did look very good and were the best evidence that they had made a change for the better at the plant. He said he believed those numbers would go up in the summer, but did not know by how much. Commissioner Harrington said there were about four sites around Town tested but those were not the same sites every month, so that accounted for the site to site variation.

Mayor Voller said one thing that was evident from the 5-year snapshot, other than 2006 when there was a slight uptake, was that they had the same almost parallel line or very similar decrease, only starting and stopping at a different point. He said their worst was 3rd quarter 2007 when they had the same drop. Mayor Voller said what would be interesting would be if they were able to overlay that data with other variables such as changes in staff, when they stopped selling water to the chicken plant, and others. He said it would be interesting to see how that lined up with other data points in the system.

Commissioner Harrington said at one time they had looked at usage in the water system and when water was just sitting, and what they had found was they did not see usage go up and THMs go down because THMs went up in the summer and they used more water in the summer,

so that was hard to figure out. He said they did not see what they might expect, in that when usage went up that THMs would go down.

Mayor Voller stated that that was excellent work by staff, and that since they had been vigilant to this point he believed they would need to continue to be vigilant as if they had not achieved victory. He said they had made incredible strides, but they should not let up on their efforts, adding that until they saw the results next summer they really would not know.

Commissioner Harrington said there had been a government meeting in Chapel Hill and he had talked with a representative from Graham who had said they had a hard time with their THMs. He said their theory was that they had experienced a drought several years ago, that the lake was low, and that plants were growing in the lake. So, he said, looking into the future there would be events that would affect them so they needed to be vigilant.

A COPY OF THE MEMO SUBMITTED BY COMMISSIONER HARRINGTON IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 8-9

3. Progress Report on the Chapel Hill Express Bus Service to Pittsboro (Brian Litchfield, Chapel Hill Transit).

Brian Litchfield, representing Chapel Hill Transit, said that they had provided some updated information including a trip-by-trip analysis. He said they were truly pleased with the service, noting it had been running since August but had really been operating only 90 days so it was still in its infancy. Mr. Litchfield said during that time they had seen ridership continue to grow particularly over October and November. He said during December as typical with all of their routes they saw ridership go down due to the holidays.

Mr. Litchfield said ridership continued to go up, noting that to date the University had purchased about \$15,000 worth of passes that were distributed to faculty and staff who used the service. He said out of comparison, so far Chatham County had invested about \$22,000 in the service and Pittsboro had invested about \$5,600. Mr. Litchfield said that looking at those numbers the University is a huge partner in this service and was responsible for much of the ridership on the route.

Commissioner Harrington said that \$15,000 from the University was something they had not budgeted for. Mr. Litchfield said that was correct, noting what the University had decided to do was to purchase annual passes. He said if a faculty or staff member lived in Chatham County and was willing to use the route, they went to the Public Safety Department at UNC to receive a pass. Mr. Litchfield said so far they had collected about \$700 in revenue from people paying cash, attributed to non-University riders or persons who worked there part-time and did not qualify for the annual pass. He said that basically a very small percentage of the ridership was non-University riders.

Commissioner Harrington asked how much was UNC paying per person for the passes. Mr. Litchfield said he could get the exact figure, noting the passes had been purchased in bulk.

Mayor Voller said it appeared they were above projections. Mr. Litchfield said they were absolutely surprised at the ridership, noting that even though they had expected good participation by UNC they had believed it would have taken longer than four months to reach the current level.

Mayor Voller asked if there was any flexibility in the routes, noting that some were pushing the limits but others were not. He asked could there be some adjustments to the routes, noting it had been suggested to perhaps add another stop in North Chatham near Chatham Downs. Mr. Litchfield said usually the way express service worked was that they provided at minimum three trips, and what they had seen was that the first two trips were most heavily used. He said this service had come on line after many people had already purchased parking passes or made other arrangements, and believed that once this service continued to develop and people saw it in operation that they would see it as a more viable option. Mr. Litchfield said another thing that was of benefit to Chatham County riders was the opening of the Chatham County park and ride, so if you usually used the service but for some reason were running late or had to leave early, you could drive into the Chatham park and ride and catch the bus there. So, he said, UNC had been trying hard to make the service work.

Commissioner Baldwin said there were still people who did not know that the service did not cost UNC employees and students anything and that needed to be publicized more. Mr. Litchfield said that was a good point. He stated that TJCOG had suggested that they may have funds that could be used to market this service.

Mayor Voller said that TJCOG was promoting the service on its Website and through TTA. He asked what budget was left for marketing in Chatham County if, for instance, they were going to do a direct mailing or include something with the water bills or something similar. Mr. Litchfield said that TJCOG was also working with the University to get data for students and employees that resided in Chatham County so that they could do a direct mailing. He said the University through their Transportation Demand Management Group had been sending out emails to try to get the word out. Mr. Litchfield said as the University continued to put out information he believed their staff and students would begin to use the service more.

Mayor Voller asked what the route was going through Ferrington, asking was it the middle route. Mr. Litchfield said it was the first two trips, noting that a representative from Ferrington Village had heavily lobbied to have service on all trips running through that area. He said as they had discovered the first two months, that first trip was a little too early for people in Ferrington to catch the bus, so after working with them they had begun taking the third trip through that area. Mr. Litchfield said that service was now being used more often by Ferrington residents.

Mayor Voller asked what the average time was to get from point A to point B. Mr. Litchfield said now that they had taken those first two trips out of Ferrington which had taken a little too much time, they had decreased the travel time. He said they were now leaving the Chatham County courthouse at 6:08 a.m. and arriving at the UNC deck at 6:45 on the first trip. Mr. Litchfield said the second trip left at 7:04 and arrived at 7:45, so that was about 41 minutes. He said over time they had discovered how to “beat the traffic” or to adjust the schedule to deal with

the traffic. Mr. Litchfield said they were operating at somewhere around 85% on-time performance. He said over that distance he believed that was good considering the traffic flow in and out of campus.

Mayor Voller said adjusting the Fearington stop had made a difference, and believed Chapel Hill Transit had done a great job in responding to feedback from the ridership. Mr. Litchfield said they were very pleased with the service and hoped the Board was as well, noting the response had been much better than expected. He said as they continued to promote the service he believed that ridership would continue to increase.

Commissioner Harrington said he had a question about the 20 days of service and the number 7. He asked what that referred to. Mr. Litchfield said for each of those days there had been 20 trips, so 7 was the average ridership over that 20 day period. Commissioner Harrington said that work on the budget was coming up soon and they knew this would be a tight year, so he was looking at the numbers in that regard. He wondered if it would be possible to combine two of the trips to bring costs down or to make adjustments in some other ways to save money, noting they needed to consider those types of adjustments. Commissioner Harrington said routes that had minimum ridership should be considered for combining with another, and looking at how much that might bring the cost down. Mr. Litchfield said they would be happy to work with the Board in any way possible, noting that 3 trips was the minimum for them but the advantage was that there may be a way to partner with Chatham Transit Network and have them operate that third trip, or something along those lines. He reminded the Board again that the service was very young and that they were just beginning to scratch the surface. Mr. Litchfield said if over the next few months ridership did not go up then they should look at making some changes.

Commissioner Harrington said every morning in his carpool he saw the Chatham Transit bus sitting there as well as the UNC bus sitting there, so that was an inefficiency that needed to be addressed.

Mayor Voller asked if they had gotten any feedback from Chatham Transit on the people from Siler City that were supposed to be picked up and bused to Pittsboro to catch the express bus. Mr. Litchfield said he had not had a chance yet to talk with the Town Manager about that, but would be doing so very soon. He said he knew that on that first trip they were going all the way into UNC, so they needed to look at that because he had thought they would be feeding into the express service rather than taking the trip all the way in. Mr. Litchfield reminded the Board that when they had started the express service they had been told that it would take a minimum of 12 to 18 months before a route would begin to reach some level of maturity. He said the service was still an infant, but they were exceeding expectations, noting that the Hillsborough service that they operated for TTA had operated almost 2½ years before they were filling those buses.

Mayor Voller asked about the shift changes at UNC Hospitals. Mr. Litchfield stated there were many and he did not know what they were.

Mayor Voller asked if Mr. Litchfield would continue to keep the daily figures and supply them to the Board in his reports. Mr. Litchfield responded absolutely, noting that they could also provide the information on a trip by trip basis.

Mr. Monroe said he had been informed that the shift changes at UNC Hospital were 3 p.m., 7 p.m., 11 p.m., and 8 a.m.

Mayor Voller said if they could figure out with Chatham Transit how to catch that shift change that would likely result in more riders.

Mr. Terry reminded the Board that they had budgeted for the express bus service using the worst case scenario of \$2,000 because they did not know what the ridership would be, so there were likely some funds that could be cut out of next year's budget. He said he believed the most they had had to spend so far was \$1,300, so he believed they could lower that \$2,000 budgeted down to \$1,400.

HANDOUT IS RECORDED IN THE BOOK OF RESOLUTION NUMBER ONE, PAGES 10-11

4. Progress Report on the Citizens' Committee to Research the Availability of State and Federal Grants (Faythe Canson Clark).

Faythe Canson Clark, 50 Chatham Forest Drive, provided an update on the newly formed Citizens' Grant Committee. She said their first meeting was held at the Town Hall on Thursday, January 7, with Mayor Voller and Commissioner Fiocco present to assist the Committee with some of the Town's priorities in funding.

Ms. Clark introduced other members of the Committee, noting that between them they shared many years of grant writing and research experience in the areas of renewable energy, education, local food, oilseed agriculture, broadband technology, land, air and water resources, law enforcement, girls empowerment, community gardening, juvenile justice, community development, and developmental disabilities. She stated she would serve as Chair, Kristin Hicks would serve as Vice-Chair, and Misty Bonnau would serve as their Town liaison.

Ms. Clark stated they had already looked at the priorities for fiscal year 2009-2010 for areas that could be funded out of the RFPs currently available. She said they had identified their first project and would make a formal request to the Board at its February 3rd meeting. Ms. Clark said while they would be working to fund those items that rank highest on the Town's list of priorities, they still wanted to encourage the Board and residents of the Town through the Board to bring to their attention those projects that would enhance the quality of life in Pittsboro if funds were available. She said their meetings were open to the public and would take place every other Wednesday at 7 p.m. at the Town Hall beginning January 20th.

Ms. Clark said she could be emailed at faythe.clark@toisllc.com to get an item to the Committee for consideration, or a message could be sent to Town Clerk Alice Lloyd who would forward it to her. She thanked the Commissioners for creating the Committee, and stated they were looking forward to funding great things in Pittsboro.

Commissioner Fiocco said he had thought the meeting time was set at 6:30 p.m. Ms. Clark apologized for her error, noting the meeting time was 6:30.

Mayor Voller said because the Committee had a limited life span they would be meeting more often than originally thought.

Kristin Hicks stated that they had wanted to meet with the Board sooner rather than later because one of the available grants had a deadline of February 1. She said the grant was from the State Energy Office who was pushing State energy audits, and could total as much as \$200,000 although the Committee recommended keeping that under \$100,000. Ms. Hicks said that the State wanted to give the money away quickly and wanted a fast turnaround time, noting they were highlighting projects that were simple and easy to get off the ground, such as lighting retrofits, HVACs, weatherization, or whatever would fit the Town's criteria. She explained the steps required to qualify for the grant including the reporting process, noting that multiple sites could be covered by the grant. Ms. Hicks suggested that one location the Board might want to consider for the grant was the Community House, noting she was sure there were many others. She said the State Energy Office was looking at projects that would move quickly, things that could create jobs, things that could preserve jobs, and things that could produce really good energy conservation.

Ms. Hicks said it appeared a grant application would be given preference if you could present it with a project where other funds were being leveraged, and that was why they were presenting it in tandem with another grant that Ms. Clark would provide some information about tonight.

Commissioner Harrington asked what Town staff would need to do in the near term to apply for the grant. Ms. Hicks said first would be to choose a technical service provider, or TSP, fill out the form, and submit the last 12 months' utility bills. Commissioner Harrington said one observation is that this was short notice, and he believed one concern of Mr. Terry's was that you could do these grants and it ended up becoming a huge administrative cost. But, he said, it appeared that this particular grant was more simplistic. Commissioner Harrington said in future, they needed to look at whether a grant would really address one of the Board's highest priorities, noting that whatever they did it would take time away from staff working on other issues. He said he believed such grants would require that some person from the Town do the actual work, or someone from the Town would have to oversee a contractor. Ms. Hicks said it was her understanding that the TSP would do pretty much all of that. She said the only thing the Town would be required to do would be the monthly reports, noting the Town would have to file for reimbursement by submitting receipts to the State Energy Office every month and reporting that the project was "x" percent complete.

Commissioner Harrington said that was a concern for him, particularly if they went after a big grant. Mr. Terry stated if they were successful in getting a grant to replace all of the inefficient 40-watt tubes in the Town Hall, then John Poteat would need to solicit a contractor and do the paper work to manage the project. He said it would be a good project, but the Town was already managing a \$3 million grant for the Wastewater Treatment Plant. Mr. Terry said if you got the money, you had to spend it on a project which would require a project manager, and with a staff of 40 he did not have a lot of project managers. He said that Mr. Poteat had a lot on his plate

right now, although Paul Horne might be able to pick up some of that but he had a lot on his plate as well. Mr. Terry said it was always good to have money coming from another source, but if you could not use it efficiently then it could become a problem. He said if they had a project then someone would have to manage that project, noting they already had an aggressive capital projects program and their project management capabilities were stretched thin at present.

Mayor Voller asked what role Hydrostructures or Hobbs Upchurch would play in the bidding process with some of the grants in terms of choosing subcontractors. Mr. Terry said that Hobbs Upchurch and Hydrostructures were grant writers and would help them prepare bids. He said once that was accomplished some member of the Town staff would have to serve as the project manager, noting that Mr. Horne was managing the park construction and Mr. Poteat was managing both the 3M project and the renovation at the Wastewater Treatment plant, with Doug Terry and Frank Efirm managing the Disinfection Byproducts Reduction project. He said when you undertook such grants the staff commitment was not insignificant.

Mayor Voller asked would the TSP do some of that. Ms. Hicks responded the TSP would do all of that, although the Town had the option to do some of it if they choose to. She said part of the reason the State Energy Office had created the list of providers was so towns would not have to make that staff commitment.

Ms. Clark said that was one of the reasons they were recommending a project at a lower dollar amount, thinking that the Community House would fit into a grant of \$100,000 and there would not be as much staff time for consultant or management needed. She said they were talking about weatherization of the space in order to make the Community House more utilized. Ms. Clark said with the tandem grant they were considering they would be able to renovate the bathrooms, install a kitchen with energy efficient appliances, and make it ADA compliant. She said although that was not one of the Board's priorities, it was a smaller project that was more contained and easier to work with as an initial project.

Ms. Hicks agreed, noting it was not a huge amount of money and it was a short term project that would take about two months to accomplish.

Commissioner Fiocco said then the TSP would be the project manager and would certify to the Town the pay requests. Mr. Horne said there was some monitoring involved.

Ms. Hicks agreed, noting she believed it was for one year.

Commissioner Fiocco said then if they were looking for efficiency they would be resubmitting the new years' electric bills. Ms. Hicks responded yes.

Mayor Voller said these were two separate proposals that were time sensitive, but there were other things the Committee would be doing that were longer ranged and involved contemplating the items that were on the priority list. He said that Siler City was moving forward with the first grant, but the Committee had chosen the second grant so that it could be applied to the Community House which was on the CIP plan. Mayor Voller said that project was chosen

because they had a list of improvements to be done at the Community House as a result of the work Mr. Terry had done with Commissioner Harrington over the last two years.

Ms. Clark said if they decided this evening to go forward with the energy efficiency grant, then at the February 3rd meeting that separate project would be tacked on as matching funds.

Commissioner Harrington said if they got the funds they could decide later not to accept it. So, he said, he was inclined to go forward with the grant and look at applying it to the Community House since that was something they knew was a project of some interest.

Commissioner Baldwin said it would depend on the Town staff time required to work on that project. Mr. Terry said this was his first exposure to the grant, so he did not know how much time it would take. He said because they were entering budget season he would not serve as the project manager, so it would have to be John Poteat or Paul Horne.

Ms. Hicks said they had received a time estimate, noting that an initial meeting with a Town agent would take about 2 hours, and then another 6 to 10 hours of emails and phone calls, then about 2 hours to produce the monthly progress reports.

Commissioner Harrington said if they were to get the grant and applied it to replacing the windows, what would be the progress report after that. Ms. Hicks said the report would be 100% completion.

Commissioner Fiocco asked over what timeframe were the time estimates she had just mentioned. Ms. Hicks said that was for the entire project. Commissioner Fiocco asked Ms. Hicks to provide the Board with the list of TSPs. Ms. Hicks agreed to do so.

Motion made by Commissioner Harrington seconded by Commissioner Fiocco to authorize moving forward with the energy grant in tandem with the improvements to the Community House, that much of the activity required be placed with the TSP, and if received the Board would determine if they wanted to accept or decline the grant.

Vote Aye-4 Nay-0

**HANDOUT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE,
PAGES 12-13**

NEW BUSINESS

1. Fiscal Year 2009-2010 Budget Amendment.

Mr. Terry stated that the budget amendment under consideration would appropriate \$38,750 in revenues from the Federal Community Oriented Policing Hiring Recovery Program (CHRP), appropriate \$4,000 in revenues from the State COPS DUI Training Cart Grant, and would appropriate \$24,750 from the Enterprise Fund Balance to support a utility agreement with NCDOT for the installation of three 24-inch encasement pipes in support of the Downtown Water System Improvement Project.

Motion made by Commissioner Baldwin seconded by Commissioner Harrington to approve the Fiscal Year 2009-2010 Budget Amendment.

Vote Aye-4 Nay-0

AN ORDINANCE AMENDING THE TOWN OF PITTSBORO 2009-2010 OPERATING BUDGET IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES 1-2

2. NCDOT Utility Agreement in Support of the Downtown Water System Improvements Project.

Mr. Terry stated that the resolution would authorize the Town Manager to enter into a utility agreement contract with NCDOT in the amount of \$24,750 for the installation of three 24-inch encasement pipes in support of the Downtown Water System Improvement Project.

Motion made by Commissioner Harrington seconded by Commissioner Baldwin to approve the NCDOT Utility Agreement in Support of the Downtown Water System Improvements Project.

Vote Aye-4 Nay-0

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A UTILITY AGREEMENT CONTRACT WITH NCDOT IN THE AMOUNT OF \$24,750 IN SUPPORT OF THE DOWNTOWN WATER SYSTEM IMPROVEMENT PROJECT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 2

3. Town of Pittsboro Membership in the Municipal Environmental Assessment Coalition (MEAC).

Mr. Terry said he had provided the Board with a copy of the memorandum from the League of Municipalities that explained the purpose of the Coalition, which would use their collective resources to ensure that environmental regulations were written with the most accurate information. He said this was a spin-off of the Jordan Lake rules, noting there had been much concern about the cost the Rules would cause. Mr. Terry said the Coalition was an attempt by the League to give towns a stronger voice in such decision-making processes.

Mr. Terry said the attached resolution would authorize the Town Manager to take the necessary actions for the Town to join the newly emerging Municipal Environmental Assessment Coalition (MEAC) sponsored by the NC League of Municipalities. He said it would be his intention to take the steps necessary to provide an intent to join and then wait to see what level of funding might be required.

Motion made by Commissioner Fiocco seconded by Commissioner Harrington to approve the resolution expressing the Town's intent to become a member in the Municipal Environmental Assessment Coalition (MEAC).

Vote Aye-4 Nay-0

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO TAKE THE NECESSARY ACTIONS FOR THE TOWN OF PITTSBORO TO JOIN THE MUNICIPAL ENVIRONMENTAL ASSESSMENT COALITION SPONSORED BY THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 3

4. Appointment of One New Member to the Planning Board.

Mayor Voller asked what the current composition was of the Board. Mr. Monroe said there were 3 from the ETJ and 3 from the Town, and the Chairman could be from either. Mayor Voller said the vacancy was created when Ethel Farrell left the Board, noting they had three applications before them for consideration.

Town Attorney Paul Messick said that the Board did have applicants to consider, but they were not limited to considering only those three.

Commissioner Harrington said this was a difficult choice, and reinforced his belief that the Board should perhaps begin interviewing applicants so that they would make a more informed choice. He said at the least, there should be an essay type question included on the application which asked why the applicant wanted to serve on a particular board. Commissioner Harrington said with the information provided on the application, he could not look at them and say that he had a firm opinion that one applicant had more expertise than the others. He said the application forms just did not provide enough information. Commissioner Harrington said he had met John Clifford, noting he had introduced himself as someone wanting to serve on the Planning Board.

Mayor Voller indicated that Dalton Sawyer was present in the audience, noting he had met him when he moved to Town. He said this was one of those cases where they had three good candidates for one vacancy. Mayor Voller said they also had a vacancy on the Parks and Recreation Board, and they wanted people to continue to apply for vacancies and be involved with Town government. He asked if Commissioner Harrington would like to request an essay from each of the candidates and delay the appointment until the next Board meeting in two weeks.

Commissioner Harrington said he did not want to stall the process, but did want to improve the process to get more information on the application forms and to include an interview.

Commissioner Fiocco said he was struggling with the information in front of him as well, and believed all three candidates were very qualified. He said the Board had received an email from Mr. Clifford today which had helped him to understand Mr. Clifford's perspective much better.

Motion made by Commissioner Fiocco seconded by Commissioner Bryan to appoint John Clifford to a vacancy on the Planning Board.

Mayor Voller said he did believe that Commissioner Harrington's points were well taken. He suggested that Mr. Monroe revise the forms in order to solicit more information as Commissioner Harrington had described. Mayor Voller said it was important that applicants

know that the Town wanted to keep them in the queue so that when other vacancies occurred they could be considered.

Commissioner Baldwin agreed with Commissioner Harrington's and Mayor Voller's remarks, noting that more information was certainly needed.

Vote Aye-4 Nay-0

Mayor Voller thanked the other applicants and stated he hoped they would continue to want to be involved in Town government. He encouraged them to apply for other board openings, particularly the current openings on the Recreation Board and the Citizens' Grant Committee, if they were interested.

Commissioner Fiocco thanked Mr. Sawyer for his application, noting he had an impressive resume.

5. Selection of a Name for the New Town Park at Powell Place.

Mr. Horne stated that the Rock Springs Church was the most historic land use in that area, noting the Church's cemetery was adjacent to and due south of the new park. He said he believed that Rock Springs Park would be an appropriate name for the new park and would reflect the historical nature of the land.

Motion made by Commissioner Baldwin seconded by Commissioner Bryan to approve the name for the new Town park at Powell Place as Rock Springs Park.

Vote Aye-4 Nay-0

6. Authorization to Proceed with Development of the Small Street Community Gardens.

Mr. Horne stated that at the November 23rd, 2009 meeting Commissioner Baldwin had expressed an interest in seeing parks in other parts of Town such as on Small Street. He said he had looked more closely at the Town-owned vacant lot on Small Street which had about 6 houses nearby. Mr. Horne said with a small amount of funding already available in the operations budget he believed that lot would be an ideal location for a community garden. He said he had put out feelers to the community and had gotten a very positive response.

Commissioner Fiocco said the map indicated an area that was about 50 feet by 100 feet, and asked if that represented the garden area. Mr. Horne responded it did, noting it was about 330 square feet. He said the design would be decided by technical experts who had offered assistance. Mr. Horne said a negative to the site would be limitation of future uses of the lot, so that would need to be looked at. Commissioner Fiocco asked what other uses might be proposed for the site, and how much useable land was there. Mr. Horne stated that about half of the land was within the floodplain and its topography was severe, so there was limited useable space. Commissioner Fiocco asked what his estimate was of the useable land. Mr. Horne replied about half an acre, noting there were trees but no significant trees.

Commissioner Fiocco said this project was not proposing removing any trees. Mr. Monroe replied no, adding that the site really did not lend itself to any municipal use and this might actually be its highest and best use.

Commissioner Baldwin said the property had been owned by the Town for some time and had never been used for anything other than a drop off place for junk. She said the placement of a community garden on that site would likely enhance the neighborhood.

Mayor Voller said ironically this fitted in with what Margie Ellison had been doing with the fairgrounds, that is the idea of getting people to accept the community garden concept and including some park features for the children.

Commissioner Harrington said the Parks and Recreation Board had walked that area and taken inventory of what a greenway system might look like, what was passable and what was impassible, and this was one of the areas that could be a beautiful park area. He said the Parks and Recreation Board had identified it as being good for some use, and believed this was the type of issue that that board should have a lot of input on. Commissioner Harrington said at the last Parks and Recreation meeting this issue had been brought up and they had not been advised that this was coming before the Town Board tonight for approval. So, he said, that was not good communication on Mr. Horne's part.

Commissioner Harrington said he knew the residents had been hopeful about what the property might be used for, not realizing that plans were already in process. So, he said, that was a concern. Commissioner Harrington said the Parks and Recreation Board would have been very interested in being involved in this process, but they were not given that opportunity. He said he hoped that in future they would keep the Parks and Recreation Board in mind and engage them in discussions about such proposals. Commissioner Harrington said having said that, he was in favor of approving the project, and asked was the Board being asked tonight to give authorization to move ahead.

Commissioner Bryan asked if they had any idea of the cost. Mr. Horne responded it would be under \$3,000.

Commissioner Fiocco said he liked the idea a lot but he had some questions. He said he would like to know more about the project before that Town land was designated for that use. Commissioner Fiocco said for instance, how it was self-funding, could a pro forma and a rough sketch site plan be prepared, and would a parking area be involved.

Commissioner Harrington said another question was if it was meant to be a park for the neighborhood or was it a park for the greater neighborhood, which was one of the questions asked by the Parks and Recreation Board. He said if it was a park for just that neighborhood then they would need to determine what the neighborhood wanted to see there. Commissioner Harrington asked what the Board was being asked to do tonight. Mr. Horne replied what the Board was being asked to do tonight was to provide authorization to begin the process so that those and other questions would be answered.

Mr. Terry said he had requested that Mr. Horne bring this to the Board so that they could determine if the land could be used for this purpose or should it be reserved for some other future use. He said when Mr. Horne had first proposed the idea of a community garden he had thought it was a great idea, but it did tie up the land and they could not do that without the Town Board's permission. Mr. Terry said the Board might envision a Public Works substation there, they might want to build offices, or they might want to sell it and take the cash and turn it into something else. He said some of the things they were planning to do on that land was plant apple trees and allow for a community garden, and once they allowed that to take place and provided that service to the community, it would be much harder to take the land back in several years in order to liquidate it and use the money elsewhere because there would be the perception that they were taking something away from the residents. Mr. Terry said they wanted to bring this before the Board tonight because there was a timeframe for planting the apple trees.

Mr. Terry said they would not move forward with this proposal and put apple trees in the ground unless they had permission from the Board. He added that this project would tie up the land and would handcuff the Board in the future because it took away options. Mr. Terry said it was up to the Board whether they wanted to tie up that land now and perhaps ten years down the road have to face removing that park because there was a better use for the land.

Commissioner Baldwin stated she had requested that it be put on the agenda, and suggested that the Board members visit the site and see the neighborhood. She said she believed the park should be for everyone, just as all parks should be. Commissioner Baldwin said this was an optimum time to move on this because they had volunteers willing to work on the project, noting at the present time it was a matter of exploring what could be done on that property.

Mayor Voller said the memo from Chuck Gillis, the Parks and Recreation Board Chair, was that they were in favor of it but wanted to make sure the community was served. Mr. Horne said he had alerted Mr. Gillis that this would be on the agenda so that members of that board could be present if they wished. Mayor Voller said he believed some were envisioning active recreation, while others wanted a place for children to play, and this idea combined with those others would be a good way to get the community involved in the project. He said he had walked that property many times, and did not believe the Town had ever had that property set aside for a specific purpose.

Commissioner Harrington said he believed the Parks and Recreation Board had been concerned that they had not had much participation in the process, as he was, but believed it was a good project and a great spot for some kind of park. He said the question was whether or not the Board wanted to commit to having Mr. Horne move forward with the idea of a community garden on that site. Commissioner Harrington said he was comfortable in recommending doing that so that the land would become a recreational resource.

Commissioner Fiocco said he would like to visit the site with Mr. Horne and talk more about the vision and how the park would function. He said he wondered about the function of the garden, such as what was growing there, who controlled what was growing there, and who had access and rights to work in that garden. Mr. Horne said he was proposing to get the process started, get community input, get the technical experts involved, and then get those and other questions

answered. He said the project could move forward quickly with relatively small expense, and by virtue of that being a community garden it would be taken over as their garden, and that raised questions as well. Mr. Horne said if they found that there was opposition from the neighborhood or from others then they needed to know that.

Mayor Voller said what Mr. Horne was looking for was authorization to move forward with the process and to then bring additional information back to this Board as well as the Parks and Recreation Board.

Commissioner Harrington said he believed that Mr. Terry would need some authorization from the Board to plant the apple trees at some point, assuming it would be a park. Mr. Terry said they had a donation of apple trees that would need to be planted soon, but he wanted the Board to understand what they wanted from that land. He said if dedicating it to that use was what they wanted, then they would move forward.

Commissioner Harrington asked when would the apple trees need to be planted. Mr. Terry said he had been told in the spring.

Mayor Voller said he believed there were two issues. He said first, Mr. Terry needed to know if the Board was willing to explore taking that property and designating it for parks and recreation use, and he believed there was a consensus on that. There was no objection from the Board.

Commissioner Harrington said in that case he believed it was reasonable to explore that use to be a community garden.

Motion made by Commissioner Harrington to authorize the Town Manager to proceed with planning for a community garden on that Town-owned property.

Commissioner Harrington noted that this was absolutely a Parks and Recreation Board function, so nothing should be moving in parallel but should be moving in conjunction. Mr. Horne noted he would be very pleased to have that board's support.

Mr. Terry said there was at least one Commissioner who wanted to visit the site, so suggested the motion tonight would be to allow Mr. Horne to proceed with his planning but not to break any ground or plant any trees until more information was obtained and presented to the various boards. He said hopefully more information would be available for the Board's meeting on January 25.

Commissioner Harrington withdrew his motion.

Motion made by Commissioner Fiocco seconded by Commissioner Harrington to proceed with the 10 steps as noted in the agenda materials to start the process for a community garden on the Town-owned lot on Small Street, and to present a design concept to the Board.

Vote Aye-4 Nay-0

Mayor Updates

Mayor Voller stated that the EDC would be meeting tomorrow morning at 8 a.m. at CCCC, and there was a meeting this week at Town Hall with NCDOT officials. He said when meetings such as that came up, he believed it was good practice to notify the Board so that any member who wanted could attend. Mayor Voller asked Mr. Terry to provide some information about that meeting. Mr. Terry said the meeting was initiated by NCDOT who had said they were getting some push back from a developer who had heard about the Board's action with respect to the interchange on 64 Bypass proposed by the Preston Group. He said Mr. Jackson with Pittsboro Place Partners was concerned that his interests were not being protected with respect to what roads might come off of that interchange and he wanted to be heard by NCDOT. Mr. Terry said he had agreed to host a meeting in the conference room, so NCDOT and both developers would be present to discuss the interchange, but the Town was actually just acting as the host for that meeting. He said the meeting was set for 2 pm on Thursday.

Mr. Terry said the Board had already sent a letter to NCDOT supporting the proposal by the Preston Group, but they had the right to change their mind.

Commissioner Harrington said if there was any opportunity to speak he believed this Board and its vision for Pittsboro should trump all developers. Mr. Terry agreed, noting the Town had a Transportation Plan and a Thoroughfare Plan, and as long as they were consistent with their plan they were in good shape.

Mr. Monroe stated he believed that meeting would precipitate the Town moving forward with updating the Major Thoroughfare Plan. He said that NCDOT brought a new Thoroughfare Plan to the Town, but at the time it was presented, Toll Brothers were actively engaged in trying to develop a piece of property in the northeast quadrant of the Town, and one of the proposed thoroughfares on that plan bisected that property. Mr. Monroe said the Town had entered into a contractual agreement with Toll Brothers to have them provide prepayment of fees so that the Town could facilitate remodeling and restoring the function of the Wastewater Treatment Plant. He said the Board seated at that time, on the Planning Board's recommendation, had not adopted that plan because of the effect it would have on the Toll Brothers project. Subsequently, Toll Brothers had left the scene and the Preston Group had acquired the property, and they had no problem with the property being bisected. So, he said, the whole synergy of that plan had changed and there really was a need for that plan to be adopted at some point in time so that the NCDOT could commit to an interchange location.

Mr. Monroe said one of the things that a sub-department of NCDOT had noted was that they wanted to know where the road leading to and going from that interchange would go, and that was what the Preston Group had proposed and that was what the Pittsboro Place Partners had taken exception to.

Mayor Voller said this had been brought up with the Rural Planning Organization, and apparently different private parties had talked with different people at NCDOT, and that was what was precipitating this meeting. He said really the Town of Pittsboro had the final say, and that was what NCDOT had indicated.

Mr. Terry stated he viewed this as a NCDOT meeting, noting they had asked if they could use the Town's facilities to meet with the parties and he had agreed.

Mayor Voller said he would like to attend so he could hear the discussion, and stated that the Board was invited to attend any meeting of this type.

Commissioner Fiocco said he would have interest in attending that type of meeting, so in the future he would like to be informed of any such meetings scheduled. Mr. Terry agreed to do so.

Commissioner Concerns

Commissioner Bryan asked had they heard anything about the trees that were destroyed at Rock Springs Park. Mr. Horne said they were still working on it but believed it would come to a conclusion very soon. He said the developer understood that the issue would not go away and some agreement would need to be reached.

Commissioner Fiocco said at the last meeting there had been some back and forth about exactly what the statute said, and asked had that been sent out to the Board yet. Mr. Messick replied he had not done so as yet but would do so.

Commissioner Fiocco said they had talked at the last meeting about sending a request to the County about having County employees park at the remote lot on Chatham Street, and asked had that been done and if so was any response received. Mr. Terry said he had not sent a letter but had passed the information to the County's Parking Work Group.

Mr. Monroe said he happened to be in that part of Town today and there were at least 20 vehicles parked in that satellite lot. So, he said, he believed employees had received the message. Mr. Monroe said the subsequent thing that had happened downtown at the triangular lot next to the former Beggars and Choosers was that the County had designated two of those spaces for the use of Court employees. He said he had had a conversation with a realtor who was representing the former Ford garage who said he had tenants who were looking for a location for a loading dock, and wanted to know if the Town would dedicate 2 or 3 on-street spaces for a loading dock. Mr. Monroe said he had replied absolutely not, that there was a loading dock 10 feet from the back door of the building his potential tenants would occupy, and there was no designation as to who that loading dock belonged to, that it was on public property, and his client could use that loading dock.

Commissioner Baldwin asked if the lights at the basketball courts were cutting off automatically at a certain time. Mr. Terry said he had not gotten a report that there was an issue, and asked had she received a report that they were not working correctly. Commissioner Baldwin said she had. Mr. Terry said he would look into that.

Commissioner Baldwin said another question she had been asked was if there would be a crosswalk at the old courthouse from the back door down to where the fountain used to be at the

new courthouse. She said she had heard from several employees who said they were having a difficult time crossing the street. Mr. Terry said he would check into it.

FYI

1. Pittsboro Express Bus – Chapel Hill: Draft Marketing Plan.
2. NCLM Memorandum of November 17, 2009; RE: Increase in Employers’ Contribution to Retirement System Likely.
3. Jordan Lake Partnership Meeting: Summary Notes for December 8, 2009.

ADJOURN

Motion made by Commissioner Baldwin seconded by Commissioner Fiocco to adjourn the meeting at 10:00 p.m.

Vote Aye-4 Nay-0

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk