

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, SEPTEMBER 13, 2010
7:00 PM

Mayor Randy Voller called the meeting to order at 7:04 p.m. and called for a brief moment of silence. He asked that people keep in their prayers the family of Jimmy Collins, father of Police Chief David Collins, who passed away on September 6, 2010.

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., Town Planner Stuart Bass, Assistant Planner Paul Horne, and Finance Officer Kay Hamrick.

Motion made by Commissioner Brooks seconded by Commissioner Baldwin to add a resolution in support of Woof-A-Palooza scheduled for September 18, a program offered by the Chatham Animal Rescue and Education, to the Consent Agenda.

Vote Aye-5 Nay-0

CEREMONIAL AGENDA

1. Memorial Resolution Honoring the Life of Mr. Jimmy D. Collins.

Mayor Voller read the Memorial Resolution into the record:

Whereas, on the 6th day of September, 2010, death ended the life of Jimmy D. Collins, a valued citizen of our community; and

Whereas, Jimmy D. Collins, through his zeal for this community, earned the affection of the people in the Town of Pittsboro and Chatham County; and

Whereas, he served this community well for many years in numerous capacities, including 43 years of employment with Chatham County where he retired as Health Supervisor, he was a member of the Town of Pittsboro Planning Board at the time of his death, the Lions Club and a Master Mason, with membership in Columbus Lodge #102; and

Whereas, service to his community was given with such devotion that it won the respect, admiration and love of all with whom he was associated;

Now, Therefore, Be It Resolved by the Board of Commissioners of the Town of Pittsboro, North Carolina, that we hereby express our deep sympathy at the passing of Jimmy D. Collins.

Be It Further Resolved that a copy of this resolution be spread upon the permanent minutes of the Town of Pittsboro, and that a copy be presented to the family of Jimmy D. Collins.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to approve the Ceremonial resolution honoring Jimmy D. Collins.

Vote Aye-5 Nay-0

A MEMORIAL RESOLUTION FOR JIMMY D. COLLINS IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 105

Mayor Voller stated he had met Mr. Collins about 18 years ago and he was always a character and a lot of fun to work with, and he was very sorry to see him pass.

CONSENT AGENDA

The Consent Agenda contained the following items:

1. Approve minutes of the August 23, 2010 regular meeting as amended.
2. Approving a Resolution for Woof-A-Palooza Day on September 18, 2010 sponsored by Chatham Animal Rescue and Education.

Commissioner Harrington stated that on page 5 under Old Business, the fourth paragraph down, "Commissioner Fiocco" should read "Commissioner Harrington" in both instances. He said in the last paragraph on that page, "Commissioner Fiocco" should read "Commissioner Harrington". Commissioner Harrington said on page 6, first paragraph, "Commissioner Harrington should read "Commissioner Fiocco"; in the second paragraph "Commissioner Fiocco" should read "Commissioner Harrington"; and, in the third paragraph "Commissioner Fiocco" should read "Commissioner Harrington" in both instances. He said on page 7, third paragraph, "Commissioner Fiocco" should read "Commissioner Harrington." Commissioner Harrington said on page 21 under Commissioner Concerns, sixth paragraph, "Commissioner Fiocco" should read "Commissioner Harrington" in both instances.

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

Vote Aye-5 Nay-0

A RESOLUTION FOR CHATHAM ANIMAL RESCUE AND EDUCATION (C.A.R.E) IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 106

REGULAR MEETING AGENDA

Citizens Matters

Molly Matlock, Director of the Chatham County Arts Council, announced that September was National Arts Education Month. She said that the Center for Educational Policy reported that in a 2008 poll, 80% of Americans believed that it was important for schools to develop students' imagination, innovation, and creative skills. Ms. Matlock said that 93% of those surveyed believed that arts were vital to provide a well-rounded education, yet the Center also found that 22% of American school districts had cut arts-related instructional time.

Ms. Matlock said that numerous academic studies showed that arts education promoted basic academic skills and helped develop well-rounded students who were able to think clearly, express their thoughts, and solve complex problems. She said that not all students learn well using traditional teaching methods, but nearly all students who were tracked learned well when creative engagement was used as an educational tool. Ms. Matlock said for example, resident artists may teach students to identify wood used to make local instruments and then use music to teach students about sound waves, mathematical formulas, and about the history and social context of their music.

Ms. Matlock said that studies by the N.C. Arts Council revealed that students in classrooms that included such resident artists were four times more likely to score higher on tests, to apply for college, and to volunteer in their communities. She said schools with art education and resident artists such as those provided by the Chatham County Arts Council narrowed the achievement gap, engaged at-risk youth, helped develop engaged citizens, and decreased drop-out rates. Ms. Matlock said in fact, a Guilford County study showed that out of 11,088 total students only five who had participated in arts education programming dropped out. Conversely, she said, 974 who had no arts education experience dropped out, and that was a dramatic gap.

Ms. Matlock said over the past three years, the Chatham County Arts Council had brought art education residencies to nearly 5,000 students, including a world-class performance and language arts residency by Walltown Children's Theatre to 700 Jordan Matthews's students as well as Opera Carolina to every third through fifth grader in the County. She said each year, they had brought those residencies to nearly every Pittsboro school, and one residency this year featured Poet Laureate Jaki Shelton Green.

Ms. Matlock said that as local officials, the Board had many difficult choices ahead of them and appreciated their support of the Chatham County Arts Council. She asked that they all join to raise their voices in support and defense of arts education. Ms. Matlock said acknowledging the power of arts to strengthen the educational system also strengthened the local economy, because new businesses and residents were attracted to places that boasted good schools. She asked that the Board keep that in mind when budgeting for schools, economic development, and education.

Ms. Matlock invited all present to attend their upcoming film screening at Fearington Barn on September 28, 2010 at 7 p.m. She said the film and their panel would explore the topic of agriculture and would feature leading experts on the food movement. She also extended an

invitation to visit their gallery for the next exhibit opening reception on September 30, 2010 or during the upcoming Pittsboro Gaslight Tour scheduled for October 2, 2010 from noon to 10 p.m. Ms. Matlock noted that 30% of their attendees visited Pittsboro from outside the County for those events, and dined in local restaurants and purchased from local stores. She said they were excited to deliver new energy to and exposure for Pittsboro's economy.

OLD BUSINESS

1. Governor's Highway Safety Program (GHSP) Grant Funding for Traffic Enforcement Officer.

Mr. Terry said that this was the ongoing program that Pittsboro participated in partnership with the Governor's Highway Safety Program, noting they were beginning the second year of that three-year grant program. He said the terms of the grant was declining in nature, with the grant funding at 85% the first year, 70% the second year, and 50% the third year. Mr. Terry said the action being recommended tonight was adoption of the resolution which would accept the second year funding in the amount of \$40,365, and authorizing the Town Manager to sign the contract with the NC Governor's Highway Safety Program formalizing the terms of the grant.

Mr. Terry stated that no budget amendment was necessary because they had recognized the revenue in the base budget and had fully funded the position in the base budget.

Motion made by Commissioner Harrington seconded by Commissioner Bryan to adopt the resolution accepting the second year funding grant from the Governor's Highway Safety Program in the amount of \$40,365 for funding 70% of the cost of the Traffic Enforcement Officer for one year, and authorizing the Town Manager to sign the contract with the NC Governor's Highway Safety Program formalizing the terms of the grant.

Vote Aye-5 Nay-0

A RESOLUTION ACCEPTING THE OFFER OF A GRANT IN THE AMOUNT OF \$40,365 FOR FUNDING 70% OF THE COST OF THE TRAFFIC ENFORCEMENT OFFICER FOR THE POLICE DEPARTMENT FOR ONE YEAR AND AUTHORIZING THE TOWN MANAGER TO SIGN THE CONTRACT WITH THE NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM FORMALIZING THE TERMS OF THE GRANT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 107

Motion made by Commissioner Fiocco seconded by Commissioner Harrington to adopt the Local Government resolution form GHSP-02-A for incorporation into the GHSP grant contract.

Commissioner Baldwin said in reference to police vehicles and their computers and cameras that were supposed to be in each vehicle, she asked whether they had achieved that goal and could this grant be applied to the purchase of any of that needed equipment. Mr. Terry stated as they purchased new vehicles cameras and laptops were installed, but he did not know if all vehicles were equipped in that way.

Commissioner Baldwin said the Police Department had 200 36" traffic cones budgeted at \$4,000, and instead of purchasing those cones could those funds be used to equip a vehicle with a computer and a camera. Mr. Terry stated that the grant under consideration later on in the agenda was specific to DWI checkpoints, so those funds could not be transferred to some other use. Commissioner Baldwin said the Board had indicated that it wanted cameras and computers in each Police vehicle, and believed the Board would want to know had that been achieved, and if not when it would be achieved. She said that equipment was important for the Police Officers to do their jobs and to keep the public and the officers safe. Mr. Terry offered to bring that information back at the next meeting. Commissioner Baldwin said if that goal had not been achieved, then they needed recommendations on how that could be addressed within the current budget.

Vote Aye-5 Nay-0

LOCAL GOVERNMENTAL RESOLUTION FORM GHSP-02-A IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 108

NEW BUSINESS

1. Sierra Club Presentation on Building Codes (Judith Ferster, Sierra Club).

Judith Ferster, Conservation Chair for the Sierra Club, stated that building codes were established by the International Code Council (ICC) and were reviewed every few years. She said that this year Charlotte had been chosen as the site of the Final Action Hearings at the end of October. Ms. Ferster said the Sierra Club had been very interested in having that meeting in the State because the majority of delegates to that convention were usually from the State where the conference was being held. She said this was a moment in which North Carolina could have a great amount of influence over the building codes for the nation for the next few years, and the Sierra Club wanted to encourage local jurisdictions to attend or send delegates to the conference who could vote.

Ms. Ferster said when the Sierra Club had decided to work on this, they had hired Travis Hargett to organize the grass roots campaign and talk with various local organizations all over the State. She said one of the things Mr. Hargett had done was to solicit her as the representative of the Orange-Chatham Sierra Club, and together they had gone to Orange County, Chatham County, Siler City, Hillsborough, and Carrboro to encourage those local governments to send delegates to the conference. Ms. Ferster stated that Pittsboro could send up to four representatives to the conference based on its population, and citizen advisory councils could also send delegates.

Travis Hargett said that the ICC basically set the bare minimum based on the building code, and traditionally the conferences were attended by safety officials such as firefighters and homebuilders who wanted to keep costs down. He said in recent years they had seen the emergence of energy efficiency proposals, and this year the Sierra Club along with a number of other organizations was supporting what was known as "The 30% Solution 2012." Mr. Hargett said as the name implied, it increased energy efficiency by 30% over the next code cycle, using simple improvements already in place, which in turn would help reduce energy costs for

homeowners and taxpayers and would spur North Carolina businesses that produced the products to achieve that lower energy use. He said most importantly to the Sierra Club, it would help to protect the health and welfare of not only citizens but the environment.

Mr. Hargett stated that tomorrow the State was poised to vote to improve the North Carolina Building Code to achieve that 30% improvement in energy efficiency. He said that assuming that would be adopted, then North Carolina could lead the way at the conference in October to pass a national building code standard that was 30% more efficient. Mr. Hargett said that local governments had the opportunity to impact their communities with smart policies, and this was a way for local government to affect national policy. He urged the Town of Pittsboro to send a full and complete delegation to the conference.

Mr. Hargett stated that buildings used about 40% of their energy, and 70% of that came from electricity and because of that large amount coming from electricity that was responsible for about 50% of their carbon emissions. He said over the last 30 years they had seen electricity use drastically increase while petroleum and natural gas use had grown incrementally and not as fast or as drastically as electricity. Mr. Hargett said obviously, coal was largely responsible for electricity generation, with North Carolina having about 15 coal-fired power plants which was a large number.

Mr. Hargett said that North Carolina was the fastest growing state, and eventually they needed to make the choice to either build more coal-fired generation facilities or build more nuclear power plants, or to take steps to drastically increase energy efficiency. He stated that nuclear power plants cost between \$8 and \$14 billion.

Mr. Hargett said the 30% solution would mean that when you built a home it had to be built in an energy efficient manner. He said that basic home improvements also were encouraged, such as increasing insulation, making sure that AC units were the correct size for the square footage it needed to cool, and making sure that inspectors checked those AC units to determine if the unit was the correct size and operating efficiently. Mr. Hargett said an interesting fact was that if you added up all the cracks in a house, it was basically the equivalent of having a full-size outer door left open 24/7. He said just addressing leaks in a home would drastically increase energy efficiency and save the homeowner in energy costs.

Mr. Hargett said the opposition, or the Homebuilders Association, would say that when energy efficiency proposals were enacted it would increase the cost of building a home, and that first-time buyers and those on fixed incomes would be priced out. He said on average, the increase to build an energy efficient home was \$2,600, and consumers were likely saving \$388 every year in energy efficiency.

Mr. Hargett said it was also important to consider the current economic downturn, noting that North Carolina annually imported almost 100% of its energy supplies from out of State at a cost of about \$2.3 billion each year for coal. He said it was also important to note that energy efficiency would spur local business, noting there were over 400 businesses in North Carolina that were related to green building. Mr. Hargett said another point was that in North Carolina around 14% of citizens lived below the poverty line, and those below that line were forced to

spend a significant amount of their income, about 25%, on energy. He said whatever could be done to increase energy efficiency would reduce that cost.

Mr. Hargett said that Pittsboro was eligible to send four delegates to the conference and those four delegates could come from various places, such as elected officials, the Town Manager, Planning Department staff, Planning Board members, Inspectors, and the like. He said scholarships were available through several different avenues to lessen the burden on the Town and its taxpayers.

Mayor Voller asked who else could attend the conference as a representative of the Town. Mr. Hargett responded members of an environmental advisory board if the Town had one. Mayor Voller said the County had such a board but the Town did not. Mr. Hargett said the members of the Fire Department would also be eligible to attend, but he believed it would be more appropriate for elected officials, staff or Planning Board members to attend. Mayor Voller asked for the dates of the conference. Mr. Hargett said the conference was scheduled from October 26, 2010 through November 1, 2010 but the vote on the Code would take place between Wednesday, October 27, 2010 after 1 p.m. and Friday, October 29, 2010 prior to 5 p.m.

Commissioner Fiocco asked how Pittsboro's Code related to what was scheduled to be adopted tomorrow. Mr. Hargett said that ICC set the base Code, and then every three years states and local governments adopted that Code as a base line. He said states and local governments could add to that base line but could not go below it.

Ms. Ferster said the Code set by the ICC set the minimum that states and local governments had to follow as directed by Congress.

Commissioner Fiocco said then North Carolina would adopt the Code tomorrow. Mr. Hargett said they would be adopting the 2006 ICC Code. Commissioner Fiocco said then the Code enacted in 2010 would be the new standard for North Carolina, and the new regulations may survive only for a couple of months. Ms. Ferster replied that was incorrect, noting that the ones voted on tomorrow would get adopted then by the ICC conference in Charlotte.

Commissioner Fiocco said his question was how the codes North Carolina might adopt tomorrow related to what was on the table with the ICC at the end of October. Mr. Hargett said they were very close.

Commissioner Harrington said to clarify, what happened in Charlotte would be the minimum national standard, but the one being voted on tomorrow would already be meeting what they hoped would be passed in Charlotte. Ms. Ferster said it would be very close, and North Carolina would be a leader for those weeks until the national vote was taken the end of October.

Commissioner Harrington said if the State adopted the Code tomorrow, then the State's Code would be better than any other states. So, he said, the idea was that the Town wanted the Code to be passed in Charlotte because they wanted everyone else to have the same standard or close to the same standard that North Carolina had.

Mayor Voller said they were also looking for energy efficiency.

Commissioner Brooks asked exactly who was voting tomorrow. Mr. Hargett responded the North Carolina Building Code Council would be making improvements on and voting on the 2006 Code.

Mayor Voller asked if Pittsboro was limited to four votes or was it possible to have more voting delegates. Mr. Hargett said a group such as the Planning Board could become a member of the ICC and they would then have voting privileges. Ms. Ferster added the fee for Pittsboro to join the ICC was \$100 if they were not already a member, and if Pittsboro was able to obtain a scholarship it would cover lodging, the conference, and travel.

Commissioner Brooks said at present the goal was new construction, and asked if ultimately they would move towards older construction. Mr. Hargett said ultimately, yes. Commissioner Brooks said it would be very difficult for homeowners to bring older houses up to meet a strict code, especially if living on fixed or low incomes. He said if it was made so that those homeowners could not sell their homes unless it met Code that would be a real hardship.

Ms. Ferster said some upgrades were easier than others, but reiterated that the goal now was focused on new construction.

Mayor Voller said that the Board could discuss this among themselves and determine who might want to attend. Ms. Ferster stated that the registration deadline was October 15, 2010. Mayor Voller stated that all the information should be given to the new Planning Director and the Board could discuss it again. He asked if she knew of anyone from Pittsboro who was planning on attending. Ms. Ferster said she believed County Commissioner Sally Kost had expressed an interest in attending, but did not know who exactly would be attending. Mayor Voller said he was sure that Commissioner Fiocco as a professional planner would have an interest but may not have the time. He asked Ms. Ferster to submit all information to the Town Clerk so that it could be given to the new Planning Director, and the Board would discuss it again at its next meeting. Mayor Voller invited Ms. Ferster and Mr. Hargett to attend that meeting on September 27, 2010. He said unless the Town was able to receive a scholarship he doubted that they would endorse spending taxpayer money to attend.

2. Adoption of the Chatham County Hazard Mitigation Plan.

Mr. Terry stated that much of the work on the 161-page Plan was conducted by the Emergency Management group with the County with Pittsboro having very little input. He said the Plan had been reviewed by FEMA and the State and had been determined to be compliant, and as a part of the approval process all jurisdictions within Chatham County were asked to adopt a resolution adopting the Chatham County Hazard Mitigation Plan. Mr. Terry said once all resolutions were received by FEMA, formal approval of the Plan would be granted.

Commissioner Harrington asked had Mr. Terry said the Plan had been approved by the State. Mr. Terry replied yes, noting the update had been submitted to the State who had made comments on the County's revisions, and it was then submitted to FEMA for review.

Mayor Voller asked how the Plan connected to Pittsboro's existing plan for other emergencies. Mr. Terry said he believed it was a basis for the larger Plan, noting this Plan focused on such hazards as Pittsboro's proximity to the Shearon Harris Nuclear Plant.

Commissioner Fiocco said he had not had the opportunity to study the Plan on the Website and would like to have the opportunity to do so.

Motion made by Commissioner Fiocco seconded by Commissioner Brooks to table consideration of adoption of the Chatham County Hazard Mitigation Plan until the Board's next meeting to allow the opportunity to review the Plan in detail.

Commissioner Harrington said what they would be doing was vesting the County Manager with authority, and asked Mr. Messick to clarify Part C in terms of what the County Manager would be given the authority to do in local jurisdictions. He said if necessary Mr. Messick could address that when it came back to the Board for further review. Commissioner Harrington said there was language about relinquishing some local government authority to the County, and wondered exactly what kind of authority they were relinquishing and giving to the County Manager. He said it did not seem to be clear exactly what kind of authority they would be giving up. Mr. Messick responded that he could discuss any specific issue with the Board, but reminded them that the Plan had been in existence for a very long time and this was only an update to that existing Plan.

Mayor Voller said he had received a letter in the mail from FEMA regarding a floodplain on property he owned, but the property was 482 ft. above sea level and the Town's elevation was somewhat lower. He said the letter was claiming that his property was in a floodplain which was clearly wrong, in that the property was not even near a floodplain. Mayor Voller said FEMA's information was supposedly derived from information that had come out of the Hazard Mitigation Plan, and he had not known who to contact or how to correct that. He asked would other citizens receive similar letters or had the Town been contacted by anyone who had received such a letter. Mr. Terry responded he had not seen such a letter. Mayor Voller said he would bring in his copy, but pointed out that if his property flooded that would mean the entire Town would flood.

Mr. Messick said it was his understanding that FEMA had mapped recently many of the waterways and it was possible that the Mayor's letter was based upon a new survey of some waterways affecting his property.

Mayor Voller said he had conducted surveys and had definitive information, and asked who people would contact should they receive a similar letter. Mr. Messick replied he believed people should contact the State, but did not believe the letter the Mayor had received was connected to the Hazard Mitigation Plan at all. Mayor Voller said his concern was if others had received a similar letter and if perhaps it might change homeowners' insurance ratings.

Stuart Bass said typically what the Mayor was talking about was specific to the actual mapping, noting he had worked on several hazard mitigation plans in the past. He said such plans were a

method where potential disasters were reviewed and as well what actions might be taken. Mr. Bass said by adopting the Plan it meant that the County would be the body they would look to, but it essentially would allow the Town to receive some federal funding after a declared disaster and that was really the crux of the matter.

Mayor Voller asked if it was true that if they had such a Plan that the Town could apply for grants from FEMA for preventative measures. Mr. Bass replied yes.

Mr. Terry replied that the Town did have a choice, in that they could contract with someone to do a separate Plan but did not believe they would want to make that effort. He said he would be happy to supply a full copy of the Plan to anyone requesting it.

Commissioner Harrington said his main concern was that Mr. Messick look at the resolution language to make sure it was appropriate. He asked Mr. Bass had he had the opportunity to look at the Plan. Mr. Bass replied no. Commissioner Harrington said he would be curious to hear his comments once he had the opportunity to do so, noting he had skimmed the document and had expected something entirely different as far as what actions would be taken in an emergency. He said it seemed more of a long reference document that talked about various things such as what land use planning was and what had historically been done and the like. Commissioner Harrington said he had not been able to find anything in the Plan about what they were going to do in the event of an emergency, which he had expected to see. He said he believed it would be interesting to know if this Plan was typical of what Mr. Bass had seen in his experience with such plans.

Assistant Planner Paul Horne added that the Plan followed a State format that had been provided, so it was typical of other jurisdictions' plans in that they all followed that State format. He said that format enabled particular sections of the various local plans to be referenced in the same manner and to use the same section numbers.

Commissioner Harrington said he understood that, but noted he had been expecting to see specific plans of what to do in case of a hurricane or flood or something of that nature and who would be responsible for what.

Mayor Voller said what was tricky was vesting the County Manager with the authority to take certain actions which in fact could be unilateral, which could have some interesting impacts on property owners. He asked if they were vesting the County Manager, did that mean they were also vesting the County Commissioners. Mr. Messick said it would be only the County Manager, noting the resolution had already been adopted by the County which delegated authority to the County Manager. Mayor Voller said it seemed that the language would give a lot of opportunity for the County to make decisions for which the Town would be given no redress.

Commissioner Brooks said he had been on the Board in the past when discussion of the Plan update was reviewed and many of these same questions had been asked. He said at that time it had seemed to him that it was very close to having marshal law with one person in charge of all operations. Commissioner Brooks said he had raised that question then and had been told that

basically they had no choice because the State had decided on that format and if they wished to receive services and help during a disaster then they had to adopt the Plan. He said in effect, the County Manager would be the one making decisions about whom should do what and what would be done in the event of an emergency. Commissioner Brooks pointed out that there was a building at the Law Enforcement Center that was supposed to be safe even from nuclear explosions and was where the top County leadership would operate from in the event of an emergency.

Mayor Voller said that was why he had the question, because a hazard in regard to Shearon Harris was a different type of hazard. He said the Shearon Harris plan talked about the Sheriff, the County Manager, the County Chair, the Mayor, and Pittsboro's Town Manager and Chief of Police and they would all have to integrate. Mayor Voller said in this Plan it was wholly different in that it was vesting authority to one person without providing elected officials with any redress. Mr. Terry said on the federal level they had created an emergency response plan and there was mandated training that firefighters, police, and public works officials had to have for such a regional emergency as at a nuclear plant. He said in those instances the County emergency operations center would be designated as the incident command center and all emergency operations would be conducted through that center. Mr. Terry said you could lose control of some assets that way, but as a part of the plan one person was in control of the incident and would know where all equipment, personnel, resources and any stockpiles were located and who was doing what to address the emergency. He said having one person in command in a central location was a part of the new federal overarching emergency management plan.

Mr. Terry said even though they may lose control of some assets in the event of an emergency, such as trucks or snowplows or supplies, for a town the size of Pittsboro that would likely be to their advantage because they would have assets coming in from larger entities including fleets of emergency response equipment to assist in response to the emergency.

Mayor Voller said this Plan was talking about planning and zoning issues that had to do with floodplain management that basically vested all the power in one individual to move lines on a map, and that was the problem he was having with it.

Commissioner Harrington agreed, noting the Plan was not talking about the chain of command in the event of an emergency. He said this Plan seemed to be vesting non-emergency authority to one person, and that was why he would like Mr. Messick to look over the resolution.

Mayor Voller said he totally agreed with Mr. Terry's description of how command and control would be done during an actual emergency such as a hurricane, but this Plan was different in that it addressed what would happen prior to such an emergency. He said he was somewhat leery of that language and wanted to make sure that the Board understood what the Plan would do. Mayor Voller said he wanted answers to the issues that had been brought up tonight.

Several Board members requested paper copies of the Plan, which Mr. Terry said he would provide.

Mayor Voller called for the vote on Commissioner Fiocco's motion to table the resolution.

Vote Aye-5 Nay-0

3. Governor's Highway Safety Program (GHSP) Grant Funding for Traffic Safety Equipment.

Mr. Terry stated that this was a new grant that the Town had sought out specifically to create DWI checkpoints. He said the grant would provide the equipment necessary to safely establish DWI checkpoints and get vehicles off the roadway and out of harm's way while DWI checks were being conducted. Mr. Terry said the Town had applied for a Governor's Highway Safety Program grant in the amount of \$20,902 and they had been notified that the grant had been approved. He said the grant would provide a utility trailer to store all equipment, a generator/light tower for operations at a checkpoint, and some miscellaneous supplies such as traffic safety vests, traffic cones, and reflective signs.

Mr. Terry said if the Board accepted the grant they would come back at a later meeting with a budget amendment that would recognize the revenue in the General Fund, and of that \$20,902 grant, \$13,000 would be shown as an expense in the Police Department capital equipment line item for the utility trailer and generator/light tower. He said the balance of \$7,902 would be shown in the departmental supplies line item in the Police Department budget.

Mr. Terry said there were two resolutions before the Board for consideration, with the first accepting the grant and the second was Form GHSP-06-A which would incorporate the grant into the GHSP grant contract. He noted that no local match was required.

Motion made by Commissioner Bryan seconded by Commissioner Brooks to adopt the resolution accepting the grant from the Governor's Highway Safety Program (GHSP) in the amount of \$20,902 for traffic safety equipment required to set up DWI checkpoints and authorizing the Town Manager to sign the contract with the NC Governor's Highway Safety Program formalizing the terms of the grant.

Commissioner Harrington asked if all of that equipment became the property of the Town and was not limited to use in other instances, such as the generator/light tower. Mr. Terry said that was correct.

Mayor Voller said given the equipment they had purchased and Commissioner Baldwin's question in regards to efforts to have cameras and laptops in every Police vehicle, he asked if they had an actual list or audit of the equipment the Town owned in the various departments including the Police Department so that they knew what they had and what they might need. Mr. Terry replied he had never seen such a list, but believed it would be useful. Mayor Voller agreed, noting that when they were considering the purchase of certain equipment it would be helpful to know what they already had.

Mayor Voller said he had talked with Mr. Messick yesterday about a checkpoint over the weekend on US 64 in which Chatham County and the Town had participated. He said his question was what the probable cause was and how citizens were protected, and asked Mr.

Messick to relate the information he had supplied to him yesterday. Mr. Messick said the Mayor was using the term “probable cause” in an inappropriate context, noting that probable cause referred to an arrest, such as when someone went through a checkpoint and was found to have no license, was under the influence, or was found to have some other kind of violation and was then arrested. He said the checkpoints were legal under certain specific circumstances, in that they had to be properly planned and properly set up and coordinated.

Mayor Voller asked how citizens would know that the checkpoints were compliant with those elements of the law. Mr. Messick said citizens could contact the Manager or the Police Chief to determine if the checkpoint was appropriate. Mayor Voller said he was all for protecting the public, but in receiving this grant then more checkpoints would be coming and he wanted only to make sure that they were done properly and used the appropriate procedures. Mr. Messick said he assumed that Chief Collins was well aware of those procedures.

Commissioner Baldwin remarked she continued to be concerned that cameras and laptop computers should be installed in every Police patrol vehicle. She said that cameras would be a very real asset during a DWI checkpoint and important for the public’s safety as well as the officers’ safety. Mr. Terry agreed, and said he would begin the process to compile an inventory of the entire Police fleet and what equipment was provided in each vehicle.

Mayor Voller said at some point they needed such an inventory of every department, not just of equipment but of every asset owned by the Town.

Mayor Voller called for the vote on Commissioner Bryan’s motion.

Vote Aye-5 Nay-0

A RESOLUTION ACCEPTING THE OFFER OF A GRANT IN THE AMOUNT OF \$20,902 FOR EQUIPMENT REQUIRED TO SET-UP A DRIVING-WHILE-INTOXICATED (DWI) CHECKPOINT AND AUTHORIZING THE TOWN MANAGER TO SIGN THE CONTRACT WITH THE NORTH CAROLINA GOVERNOR’S HIGHWAY SAFETY PROGRAM FORMALIZING THE TERMS OF THE GRANT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 109

Motion made by Commissioner Bryan seconded by Commissioner Brooks to approve the resolution on Form GHSP-06-A for incorporation into the GHSP grant contract.

Vote Aye-5 Nay-0

LOCAL GOVERNMENTAL RESOLUTION FORM GHSP-06-A IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 110

4. North Carolina Department of Commerce Small Cities Community Development Block Grant (CDBG) (Mayor Voller).

Mayor Voller stated that about 14 months ago the Board had authorized Mr. Terry and Hydrostructures to apply for the AARA stimulus grant funding for wastewater and for water, but they had not gotten the grant to do the downtown water improvements. He said he had met with

the Division of Community Assistance about a grant for the water, had filled out the grant form, and had not heard anything back for 14 months. Mayor Voller said he had received a phone call about ten days ago that there was a grant for \$750,000 that was being offered to the Town, so he and Becky Smith had gone to meet with them to receive the details of the grant. He said they had discovered that if the Town supplied a 5% match which was \$37,500, the Town could get a grant that came through the Block Grant process that would allow them to do the first phase of the project which was essentially everything up from the water tank down a 12" line to Hillsboro Street. Mayor Voller said at the same time the Town had been applying for the USDA grant for the entire project.

Mayor Voller said given their past learning experiences with grants, he had asked what the Town would be required to do to obtain the grant, and the response was they would have to call a public hearing, advertise it, tell the public what the Town was planning on doing, and allow people to comment. He said they would have to fill out an engineering report which Ms. Smith had, and they would need to do a survey of the homes on Hillsboro Street to establish that that part of the Town was below a certain income level, which in fact it was. Mayor Voller said if that was all done, then the grant would provide the Town \$750,000 with a local 5% match. He said according to Hydrostructures and the plans that would pay for all the water design and installation for that first leg of the project. Mayor Voller said at this point the Board would not be making any commitments by holding the public hearing.

Commissioner Harrington asked why a public hearing was necessary for a grant. Mayor Voller responded the granting authority required a public hearing because the grant money came from Block Grants, so the methodology was that they would be improving the water quality and standard of living for people who were at or below a certain percentage of median income. He said those were funds that came through HUD and went to the Division of Commerce, noting they had not received the grant the first time around but funds were left over and Pittsboro was next on the list. Mayor Voller said the Division of Commerce had a checklist of requirements, and a public hearing was one of those requirements.

Commissioner Harrington commented he would like more information, adding he was surprised they had not received more information in the packet. He said he understood a grant to provide water to lower income citizens, but it seemed odd to require a public hearing. Commissioner Harrington said they had the other grant request in to the USDA for \$1.6 million, and there was no reason why they could not go through the checklist for the Block Grant and then if they did get the \$1.6 million then they would not need to follow through on the Block Grant.

Mayor Voller said if they got both grants then they would have the opportunity to move some of the funding around. He said when he had met with the Division of Community Assistance he had laid out where the Town would apply the funds, and they had not wanted to fund the entire project but only a section of it. Mayor Voller said that was why he had pointed out areas where they would be replacing valves and piping to improve the water system.

Commissioner Harrington said then that grant was not for that line. Mayor Voller said it was not for that line and would not fund the entire project, only a section of it. Commissioner Harrington said then it was not for the main line coming into Town but could be used in other areas. Mayor

Voller said theoretically, yes. He said the reason he had gone to them was when they had not gotten the stimulus funding he had asked what other ways were available for the Town to become qualified and they had supplied him with a list, and this was one of the ways to get funding. Mayor Voller said luckily they already had the engineering plans for the stimulus request so they had been able to use that for this funding request. He said it was serendipitous that the Town had received the call, and he would gather all possible information by the next Board meeting. Mayor Voller said he was asking that the Board agree to set a public hearing.

Commissioner Harrington said what the Mayor was saying was that this grant was somewhat flexible in that they could go through the motions to get the grant, but if they found that they received the USDA grant then they could refuse the Block Grant. Mayor Voller replied no, noting the two granting agencies would coordinate and cooperate with each other and the Town. He said he had talked with Mr. Terry about the possibility of expanding the project if both grants were obtained. Commissioner Harrington said his main point was that the Block Grant was for a specific area and the USDA grant was specifically for the line coming into Town.

Mayor Voller said he believed one concern was whether they found homes that were not on the system but wanted to tap on, and that was why he had begun to survey the homeowners last week to determine if they were on Town water. He said the grant actually had a wide range, noting it was meant to help people who were at risk who either did not have water and sewer or had bad water and sewer. Mayor Voller said at the time the Town had applied they had TTHM problems which had been abated but they still had that old line, and the fact that the line was so old had qualified them for the grant.

Motion made by Commissioner Brooks seconded by Commissioner Baldwin to set the public hearing for September 27, 2010 on the proposed North Carolina Department of Commerce Small Cities Community Development Block Grant in the amount of \$750,000.

Vote Aye-5 Nay-0

Commissioner Fiocco said he would hate for them to jeopardize the USDA grant.

Mayor Voller said he had been told there was no jeopardy because the USDA grant did not assure them that if granted they would receive the amount requested. He said it could be much less and was dependent on what was available for funding. Mayor Voller said right now they had the opportunity to get this one.

Commissioner Fiocco said he shared Commissioner Harrington's concern that if they were going for two grants that included the same scope of work that there could be some jeopardy in that. He said as long as the Block Grant was not tied to a scope that they were also trying to obtain a grant for from USDA, he assumed that was acceptable.

Mayor Voller said the key was it was flexible, noting that the \$750,000 had been granted and they had only to follow the necessary procedure to have it in hand. He said there were several areas that would fit the requirements of the grant where the funds could be used. Mayor Voller

said they only had to show that the affected homeowners were at or below the median income, and as long as they could show that the funds could be moved anywhere.

Commissioner Baldwin asked if the Board would have all information before next meeting. Mayor Voller responded yes.

5. Design Contract Award for the Southern Park Project.

Mr. Terry said he was changing his recommendation on this item and the subsequent item regarding the budget for the Southern Park project, noting he was asking that the Board table any action. He said while they were finalizing the agenda items last week by calling the grant authority and checking their facts, some information emerged that was troubling. Mr. Terry said Friday after the packets had been sent out some additional information emerged about how they could and could not use the grant funds, and it seemed to be similar to the problems recently encountered on the sidewalk project. He said tonight he was rescinding his recommendation to adopt any resolutions, and had asked Mr. Horne to brief the Board on what had transpired since the agenda items were written last Thursday.

Mr. Horne said the main issue was their initial application and the design fee component which was capped at \$26,000. He said his current understanding with PARTF officials was that they would not fund design fees beyond that. Mr. Horne said they needed clarification on that which was why the Manager was asking that the issue be tabled. He said in the proposed design contract they were looking at a fee of \$95,250 for the project, and they hoped that State officials would have some flexibility on their cap. Mr. Horne said if not, then they would need to determine what they as a Town wanted to spend on that piece of property and the park development.

Mr. Horne said the other troubling piece of information was the access road which currently was sectioned off from the park property. He said initially the indications were that they would not be able to be reimbursed through PARTF for any improvements to that road since it was not a part of the project; however, it was the most logical place to access that part of the property so there may be some flexibility with that. Mr. Horne said that would be extremely disadvantageous to tap into the US 15-501 with a road widening, even with just a right in/right out. He said they may not even get a permit to do that, so it was an expense that was unnecessary if PARTF would not reimburse it. Mr. Horne said that was their only road access off of Charlie Brooks Trail and to US 15-501 and it just made sense to approve that. He said even if they had to leave it as one lane it would still be advantageous to have access and perhaps have bump outs to allow for two-way traffic.

Mr. Terry said he had frankly been surprised that they could not spend PARTF money on that road because it was considered a utility road. He said they had to put in a road to the facility and doing that from the 15-501 side was not feasible so this was the only other way to get to the facility. Mr. Terry said he wanted to ask PARTF to look at this another way by asking couldn't they choose to look at it that they were getting a good deal because two-thirds of the cost of the road had been paid for by the grant project so PARTF would only need to pay for one-third of it.

But, he said, the initial answer was the road was a utility road and had nothing to do with the park itself.

Commissioner Harrington said they had looked at a number of ways to keep costs down including eliminating restrooms as a possibility, and asked how Mr. Terry believed they should proceed. Mr. Terry said basically he was not ready to make a recommendation tonight, but clearly the Town could not afford to do the project with the amount of money available with the restrictions that PARTF had placed on them. He said he believed they needed to re-examine how to proceed, noting the Board's long term goal for that 52-acre property was for active recreation and the idea that any of that could be designed for \$26,000 seemed outrageous to him but apparently that was the cap. Mr. Terry said he needed some guidance from the Board on what its long-term vision was for that park.

Commissioner Harrington said they had negotiated \$95,250 for engineering design fees, and asked what the range of bids was since they did not always have to accept the lowest bid. Mr. Terry said if they were not happy with the first bid they could always go to the second bid, and they had come close to doing that. He said they had negotiated with the chosen firm and had been able to gain some concessions to bring the cost down.

Commissioner Harrington said he could not imagine the engineering design fees being that expensive. Mr. Terry said he would agree if they changed their vision and made this a very passive park with nothing but trails. He said when they had scoped the engineering and architecture work they had asked as well for a master plan for the full park and also to design a restroom facility on a piece of property with no water service or sewer service. Mr. Terry said as a result it included a well and a septic system, all of which had to be engineered. Commissioner Harrington said he understood that, but they did not need an engineer or an architect to design a well or a septic system or to show them where to put a restroom facility. He said it seemed they were making things too complicated which resulted in a \$95,000 design fee, especially since they had hoped to have a lot of passive recreation. Commissioner Harrington said he could not imagine that someone could not sketch out roughly what they would want in particular areas without designing the whole project, including paths and walkways for passive recreation. He asked why not just have someone lay out roughly what would fit without creating an entire master plan. Commissioner Harrington said if that plan included a large open field, some trails, and an area for the restroom then with a little bit of forethought that could be accomplished. He said they could offer a firm \$26,000 and ask that they provide something along those lines that the Town could then expand and build on in the long term but would not exceed the \$441,541 grant already received. Commissioner Harrington said he could not imagine they would not come out of such a process with a park that was spectacular.

Commissioner Fiocco asked if PARTF's definition of engineering design that was limited to \$26,000 included the topographic survey. Mr. Horne replied yes, that it included essentially anything that was non-construction or contingency. Commissioner Fiocco said then for \$95,250 they had master planning of the entire park, construction documents for Phase 1, and construction administration which was all included under the heading of design.

Mr. Terry said another piece of discussion was that if they got no relief from the position that PARTF was taking, then staff needed some guidance from the Board in regards to whether they were willing to abandon the restroom facility altogether to get something else or did they want to insist on having that, or some other considerations.

Commissioner Harrington said he was at a loss as to why they could not build a park for \$440,000. Mr. Horne said for comparison purposes, they had paid the designer for the 10-acre Powell Place Park in the range of \$42,000 to \$45,000.

Mr. Terry said that designer had taken about 10% of the construction costs to do the design for that park, and it had not included a well, a septic system, a restroom facility, or master planning for future phases of the park. He agreed that the cost of \$95,250 seemed large to him.

Commissioner Baldwin said she agreed that was too much just for the design and was more than they should consider. She added that it was odd for that high of a bid to come in when the grant was only allowing \$26,000, and she could not see paying that.

Commissioner Fiocco said they did not really need to have a topographic survey done. Mr. Horne said if the survey was not done then the Town would have to bear the risk of discovering something during construction. Commissioner Fiocco said they could do away with the master plan. Mr. Horne said if they wanted to apply for a grant in January during the next cycle then they could not do so without the master plan. Commissioner Fiocco said perhaps there could be some reconsideration of the construction administration as far as definition of design, so that would mean dealing with a cost of \$61,000. He said they had a construction estimate of \$364,000 which clearly had some scope of facility in mind, and perhaps that may be where they could find a way to throttle back on the scope and get the fee down.

Commissioner Fiocco said he was assuming that somewhere in the construction documents category they were including permits. Mr. Horne responded yes. Commissioner Fiocco asked what permits they were anticipating needing. Mr. Horne replied erosion control and all building permits required by the Town. Commissioner Fiocco asked would the park be under Town zoning or County zoning. Mr. Horne stated it would be Town zoning because it was in the ETJ. Commissioner Fiocco said he would assume they would need a DOT permit for the drive as well. Mr. Horne said presumably, but they already had the access road so he would have to look into that. Commissioner Fiocco asked how many acres was included Phase 1. Mr. Horne responded that it was roughly 25 acres.

Commissioner Brooks said they had gotten help in the past from Federal and State agencies. He said the Corps of Engineers and the State parks people were likely at a standstill because of the economy, and wondered if perhaps the Corps or State parks people would be willing to help the Town out by borrowing their time to help out with the design of the park and saving the Town some money. Commissioner Brooks asked if that were too naïve to consider.

Commissioner Harrington asked if there was a time limit attached to when the money had to be used. Mr. Horne said they had almost exactly a year to use the funds and get the park built.

Mayor Voller said what Commissioner Brooks had suggested was an interesting idea, but they would have to be able to convince people to do that. He said he believed they would be more apt to actually get some contribution from Congressman Etheridge in terms of funding. Mayor Voller said there was a time limit on when the money had to be used, and asked Mr. Horne what could get done in order to qualify for the time limit so they could have a product of some type on the ground.

Commissioner Fiocco asked for help in understanding the time limit. Mr. Horne said that all the PARTF funds had to be spent one year from September 30, 2010 about one year from now. Commissioner Fiocco asked what was pushing the time trigger. Mr. Horne said ordinarily this would be a three-year process, but PARTF had graciously extended that by one year because the Town had been attempting to acquire the land. He said they were already in that extension. Commissioner Fiocco asked how they defined the 'go' button to spend the money and what date was assigned to it.

Commissioner Harrington said there was not a 'go' button; they had basically the end of September next year to get the park built and the money spent and it did not matter when they started. Mr. Horne said there was one stipulation, in that if they wanted to apply for another grant during the next cycle the grant authority would need some evidence that the Town was on track to get the park built. He said that would be somewhere around May of next year.

Mayor Voller stated that there were at least four Parks and Recreation Board members present, and asked if someone could tell the Board what they had been discussing in terms of amenities at the park. Megan Bolejack with the Parks and Recreation Advisory Board said that they had been discussing including trails throughout the park, an amphitheater, a shelter with picnic tables, an open field, restrooms, and a play area.

Speaking from the audience, Bill Bussey said that a bathroom facility at the American Tobacco Trail cost in the neighborhood of \$220,000.

Commissioner Fiocco asked if bathrooms were considered high maintenance. Mr. Horne said it would take a lot of staff time to maintain the restrooms.

Commissioner Harrington said along the line of the things Ms. Bolejack had described, just imagine if they only had half the money for the Mary Hayes Barber Holmes Park but they still had to build the park. He said he could not imagine that they could not get someone to map out roughly where the field should be, where the driveway should be, and where a play area with some equipment and a restroom should be. Commissioner Harrington said they would not have had anything nearly as nice as what they had there now that had the design element to it, including the very nice play equipment, and asked how much that had cost. Mr. Horne stated that equipment had cost around \$60,000.

Commissioner Harrington said imagining that they had to start over on that park with half the money he believed they could have done an amazing amount for a lot less money. He said the park would not be nearly as nice but it could have also been improved at a later time when more funds were available. Commissioner Harrington said but at the beginning they could have had a

functional field and improved it later to give it a nice design element. He said he was pointing that out that the Town had gone all out on that park with the best design, and said even if they had had to do that park with half the funds they still would have had a very nice park. Commissioner Harrington said that was why he was having trouble not understanding why they could not just determine the most appropriate area for a field, a restroom, a play area, a picnic shelter, and the trails within the budget they had identified.

Commissioner Harrington said he was asking if they really needed to have the master plan of everything they would want versus a nice plan that was not locked in to anything long term that could be improved upon when more funding was available. Mr. Horne said it was his opinion that the master plan itself had to go in that direction as far as design in terms of flexibility in applying for funding in the future.

Commissioner Harrington said another issue was why they even had to consider doing the paved road now, noting he imagined that was something that could be done 15 or 20 years from now. He said they already had a road into the park and had limited dollars to spend. Mr. Terry stated they had no additional information to offer, and would like to leave this discussion with he and Mr. Horne continuing to work with the grant authority and the designer they had recommended. He said he would like to promise the Board that he would bring something back in two weeks, but was not sure that would be enough time to accomplish anything.

Mayor Voller asked was it possible for this Board to have a joint meeting with the Parks and Recreation Board and the County Recreation Board.

Commissioner Harrington asked would that be for the purpose of solving this issue.

Mayor Voller said it would be to discuss possible future ideas.

Commissioner Harrington said he believed the Parks and Recreation Board would be in favor of that, noting he believed there were members that served on the County Board as well as the Town's.

Mayor Voller said they were in the position that they had \$441,000 and they did not want to forfeit that when it was so difficult to get it in the first place. He said they wanted to put it into good use, and Commissioner Harrington had tried to determine how to most effectively spend that money.

Commissioner Harrington asked why they had gone back to a firm that was saying it would cost the Town \$95,000 to design the park, and why were they not giving someone else the chance.

Commissioner Fiocco said the construction documents were \$61,500, and if the architecture for the restroom alone was \$58,000, then he did not understand the math. Mr. Horne replied the fees once the restroom was cut out would be \$58,000.

Commissioner Harrington said his direction would be to give them a nice park for \$441,000. He said they needed to make some adjustments, including who was giving them advice of what could be done.

Mayor Voller said as a comparison, the North Chatham Park was \$3 million. He said the Town did not have the budget at this point to do that; they had an attractive piece of land and a small amount of money and they needed to decide how to make the best use of the \$441,000. Mayor Voller said it may mean that it was passive recreation with just trails to begin with, and they could then figure out whether to bring in partners. He said that was why he had suggested a joint discussion with the County Recreation Board, the Town's Recreation Board, and this Board to determine what other options might be put on the table. Mayor Voller said he did not want to forfeit the \$441,000, but the Town was not in the position to use Fund Balance. He said the original plans for this park actually was a wish list of what could be done on that property, noting that a ball field was by far the most expensive item to do but could also be an economic development driver. Mayor Voller said passive recreation would not be expensive, and asked if he was stating anything that the Parks and Recreation Board disagreed with.

Chuck Gillis said that had been the nature of their discussions as well, noting it was his recollection that they had not actually talked about specifics on this particular property because that was happening now. He said they were glad to hear the Board's concerns now because they would be meeting tomorrow night and could discuss those issues at length. Mr. Gillis said they would take what they had heard this evening and include the thoughts of the Parks and Recreation Board members and come to a consensus of what they believed a nice park should be.

Mayor Voller said what he believed everyone would want to see was the walking trail restored, and that was likely the least expensive amenity. He asked that this discussion be brought back at the next Board meeting, noting they could not waste time on it because they might be in danger of losing the funding.

Commissioner Fiocco said that the American Tobacco Trail got a lot of use, and whenever he was on it there were always many people walking, biking, and running as well as riding horses. Mr. Horne said they could reduce the scope of Phase 1, although there were contractual obligations for certain features required by the grant. He said they could work with the granting authority to narrow that scope back.

Mayor Voller asked what they were contracted to provide. Mr. Horne replied the amphitheater, the entrance drive, parking and picnic shelters, and believed they would get the best value for their money by leaving out some of that.

Commissioner Harrington stated he would leave out the entrance driveway, noting he believed it could be used as is. Mr. Horne agreed.

Mayor Voller said that entrance drive would be graveled. Mr. Horne said that was correct. Mayor Voller said that perhaps 3M might be willing to donate something in relation to that. He said he was curious why they could not go back to the PARTF board and ask for some consideration to renegotiate based on the current economy. Mr. Horne stated they had already

made some changes just to get within the budget being considered now, but understood clearly that the Board did not want to include any more Town funds in the project. However, he said, most of what they would get for the money now available was the basic infrastructure for the first phase such as the picnic shelters and tables and the trails. Mr. Horne said he would like to know if the restrooms could be removed from Phase 1 and included in a later phase, or did the restrooms have to be included in Phase 1. He said the budget would be extremely tight and they may not be able to do everything they wanted to do.

Mr. Terry said in order to do the park without any contribution from the Town, he saw giving up the master plan which meant they would not be able to apply for a Phase 2 grant, and also giving up the engineering design for the restroom. He said if they were to change the scope by removing those two elements and went back to the design firm with that new scope, then if they were not able to bid within the budget they could go to the next designer on the list and offer them the opportunity to bid on the project.

Commissioner Harrington asked was Mr. Terry saying that they could not get someone to look at that piece of land, sketch out roughly what could be placed on it as a master plan, and then decide what would be built now and what would need to wait until some future point. He said what they had now was essentially a master plan, and they could include an overall sketch of the land and what would be accomplished during Phase 1 including those things they were contractually obligated to include. Commissioner Harrington asked would that constitute a master plan. Mr. Horne responded yes. Commissioner Harrington said then why were they saying they had to spend \$95,000 to have a master plan. He said Mr. Horne could produce a nice map of what the project would include and what the first phase would accomplish, and that would allow them to submit a master plan that might allow them to go forward at a much lower cost.

Commissioner Harrington said it had been suggested not to provide the restroom in order to reduce the cost and not have a master plan in place which would mean they would not be able to apply for funding for Phase 2. He said he did not believe the Board had said that and did not believe it had to be that way. Commissioner Harrington said what he was hearing was that they could come up with a master plan for Phase 1 and Phase 2 for the entire property at a fraction of the cost, and then immediately apply for funding for Phase 2. Mr. Horne said in terms of what PARTF saw as a master plan, they were looking for the public process. Commissioner Harrington said they could get through the public process, but if they had a master plan before them tonight they could set the public hearing and move forward.

Mr. Terry said the process included those architects attending the public meetings and taking copious notes to ensure that the process was being followed.

Commissioner Brooks said he did not understand why they did not at least carry a map of the park to all those many people with the State that had experience building huge parks and ask for their help.

Commissioner Harrington said that was exactly what someone with an eye for this could do, in that you could put a map in front of them, show them what the Town wanted, and ask for their suggestions and any other expertise they could offer.

Commissioner Brooks said those people were already being paid, so the Town should not have to pay them for that kind of help.

Commissioner Harrington said he did not believe it would be difficult to create a fairly nice master plan for the entire park, then start the first phase and show what the second phase would include and then immediately apply for funding for that second phase without spending \$95,000 on engineers and architects. He said he believed they were making this much more complicated than it had to be.

Commissioner Brooks said that walking trails did get a lot of use and they did not have to be paved so they should not be too expensive. He said they could include those trails and then include on the north end a large Kiwanian type park where people could picnic and playground equipment could be placed. Commissioner Brooks said on the lower end, he wondered if there would be room there to provide space for scout troops to hold camporees. He said then if they ever got funding to provide soccer fields then the scouts would not have disturbed the environment to the point that fields could not be placed in that area. Commissioner Brooks said that would mean that a lot of things would be going on in the park and they would be serving a lot of people without spending a lot of money.

Commissioner Harrington said that would be a good use for that open field.

Mayor Voller said he believed tomorrow's Parks and Recreation Board meeting would be very interesting, and asked if the notes from the meeting could be provided to the Town Clerk fairly quickly so that she could send them to the Town Board.

Commissioner Fiocco said for tomorrow's meeting, he saw in the materials design development, construction documentation, and construction administration, but he did not see programming. He said it would be good if the Parks and Recreation Board could focus on the programming as to what facilities they would recommend given the knowledge of the cost issues.

Mr. Horne reminded the Board that it would take some initial investment to apply for the grant application to increase their chances for additional funds for Phase 2, and that was something that PARTF would not fund upfront.

Mr. Terry said one of the things they had done to reduce the cost was that Mr. Horne had taken a course in grant writing to be able to prepare grant request in-house. He said he and Mr. Horne would continue to work with the grant authority and they would come back to the Board at its next meeting with at least an update and perhaps a recommendation on how to proceed.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to table consideration of the Design Contract for the Southern Park Project as well as the budget amendment for the Southern Park Project until the Board's next meeting.

Vote Aye-5 Nay-0

6. Budget Amendment: Southern Park Project Budget.

Tabled.

Mayor Voller asked Ms. Bolejack if she had any update to the grant she had reported on previously. Ms. Bolejack said as she had reported last month that the Town had received the Fit Community Designation at the Bronze level which was for up to \$60,000 over a two-year period. She said they had received the plaque and the Board of Health wanted to be involved in awarding the plaque to the Town. She said she wanted to know if the Board of Health members should be invited to a Town Board meeting or would the Town Board prefer to attend a Board of Health meeting. Ms. Bolejack said as well, they needed to have a resolution adopted to permit the signage.

The Board indicated its preference to invite the Board of Health to attend a Town Board meeting, and Mayor Voller asked that Ms. Bolejack convey that to them. He said they could add a ceremony to the agenda when a date was chosen.

CAPITAL PROJECTS REPORT

1. Manager's Update on Capital Projects.

Mr. Terry provided the following update on Capital Projects:

- Mary Hayes Barber Holmes Park – Project has reached substantial completion with minor punch list items remaining including replacement of plant materials that are scheduled to be replaced later in the fall. They continue to monitor the condition of the landscaping and turf work and work with the contractor to resolve any issues that arise during the warranty period. While the park is not yet officially opened, it is already getting daily use and a great deal of complimentary feedback from visitors. They have scheduled a “Grand Opening” ceremony at 8:30 a.m. on Saturday, September 25, 2010 in conjunction with a 5K Oktoberfest Run event sponsored by the Carolina Brewery.

Mayor Voller asked had Mr. Horne sent out the email about getting together and doing some kind of ribbon cutting with the elected officials. Mr. Horne said the only response he had received to the email was from the Mayor and Commissioner Bryan, and it appeared that September 18 was the chosen date. Mayor Voller said what he was suggesting was a picture of the Board in front of the park, and asked what the availability was of the Board at around 6:30 p.m. on that day. He also asked who could be present on September 25 at 8:30 a.m., noting he and Commissioner Fiocco would be out of Town.

Commissioner Bryan and Commissioner Baldwin stated they could be present, and Commissioner Brooks noted he would check his schedule. Mr. Terry noted he would be present on the 25th as well.

Mayor Voller said he wanted to arrange a time when the entire Board could meet at the park just long enough to get a picture, noting it was important that people understood that they had worked on getting the park for years and it was now a reality.

Mr. Terry continued his update:

- 3.22 MGD Wastewater Treatment Plant Construction – Hobbs and Upchurch had responded to the NCDENR letter regarding their questions on the NPDES Permit application, and they expected final permit approval before the end of September.

Mayor Voller stated that in regards to the Credle Street Basin Rehabilitation Project, they could not sit on that grant money forever and they did not want to lose that money. Mr. Terry said he had solicited some assistance from a colleague in Sanford in regards to procedures for soliciting bids on installment finance loans, and he had been provided with some templates on how to do that. He said that currently Ms. Hamrick was concentrating on the audit, so this was pushed back until the audit was completed.

Mayor Voller said that he had asked Mr. Cash from First Bank to determine what it would cost to do an installment loan versus what it would cost the Town to do the project out of pocket. He said no matter who they worked with, the Town would get a better deal if it had some deposits in the chosen bank. Mayor Voller said the rest of it would be up to the Local Government Commission. Mr. Terry said typically the process was to solicit bids from each bank by defining the scope of the loan and asking the banks to provide their interest rate, and the Town could then negotiate with whichever bank was the most appropriate. He said then the LGC would have to approve the process which would be a matter of getting on their agenda.

Mayor Voller said his concern was that they did not lose the funding, noting that it was an important project in terms of their wastewater collection system. He asked were they in any danger of losing the grant money. Mr. Terry said he did not believe they were in any danger of losing the grant money, noting he had talked with the Rural Center about the process and they had been very cooperative and did not seem to be concerned.

Mr. Terry continued his update:

- Downtown Area Water System Improvement Project – The preliminary engineering report and environmental impact statements have completed the review process with the USDA. The required notice of intent to apply for a USDA loan will appear in the September 16 edition of the Chatham Record. Kay Hamrick is working on getting the loan on the agenda for the Local Government Commission in October or November.
- Pedestrian Conveyance System Project – John Poteat recently had a discussion with Tim Johnson of NCDOT, and it appeared that they were nearly done with finalizing their revisions to the plans and specifications provided by Hydrostructures and would be ready to advertise for bids in the near future.

Mayor Voller said everyone would be happy to see that sidewalk completed. He said in regards to the USDA Downtown Water project, were they going to the LGC to try to get a loan, was this a grant, or was it a combination. Mr. Terry said it as a combination of both. He said in talking with the USDA they could not be as specific as the Town might want them to be, but there was a possibility that they could get a long term loan at zero interest. Mayor Voller said that would be wonderful, but he wanted to make it clear that if they were to be so lucky to get the Division of Commerce funds then that would be a grant and not a loan. Mr. Terry said that was correct, noting the entire amount to be received from the USDA would be in the form of a loan. Mayor Voller said he believed they would need both funds because they had to fix as much of the water system as possible.

Mayor Updates

The Mayor offered no updates.

Commissioner Concerns

Mayor Voller said previously Commissioner Brooks had expressed a concern regarding lighting in certain areas of Town and asked whether Progress Energy been contacted about that.

Commissioner Brooks said he had talked with John Poteat about it, and instead of putting up new poles they were going to install a different kind of light in various places. He said they would end up with better lighting without putting up additional poles.

Commissioner Brooks said he did have one concern and he did not mean to sound disrespectful. He said due to the death of a Planning Board member, they needed to consider going ahead and advertising and filling that position with a qualified person. Mr. Terry agreed, noting that in the past the Planning Board had experienced issues with achieving a quorum, and having a vacancy made it important to have a full membership.

Commissioner Bryan said Mr. Terry had mentioned the audit, and asked how that was progressing. Mr. Terry said they had been working on it diligently, and the auditors would be occupying the Council room beginning on Wednesday to go through invoices, checks, and the like.

Commissioner Fiocco noted he was pleased that the Pedestrian Conveyance System project was moving forward on schedule.

Mayor Voller said that the County was looking at potential solid waste sites, and one was close to Town but outside the ETJ. He said this Board might want to take a look at the sites being considered.

Commissioner Brooks said he would urge the County to try not to take homes or farms or businesses, but to find a place that would not disturb working farms, businesses or people's home. He said he understood the County could do that, but it was a real concern for him and

hoped they would not do that. Commissioner Brooks said he had spoken to a gentleman over the weekend who had expressed concern that his property was on the list of sites being considered.

Mayor Voller remarked that was a concern for him as well. He said on another issue, they had some visitors from Brazil coming to Pittsboro tomorrow through the International Affairs Council, noting they were interested in justice issues and would be meeting with Lt. McCollough and others. Mayor Voller said on Wednesday a group was coming from Moldova on their way to Atlanta. He said such visitors were typically from small areas and visited the U.S. to learn about democracy and how small towns operated. Mayor Voller said any member of the Board was welcome to participate, noting they would meet at Town Hall at 10 a.m.

Commissioner Harrington said they had re-commissioned the Grants Committee a few months ago for another year, but to his knowledge they had not met since. He asked if they needed to take any action to decommission that committee or should they just let it stand.

Mayor Voller said he believed they should send them a notice to bring the Board a report, even if that was a final report.

Commissioner Harrington said the committee had asked to be re-commissioned for another year but did not believe they had met since. Mr. Terry said he could send them a letter and determine what their status was, but that was a volunteer committee and some of the members may have lost interest.

Mayor Voller said the letter should ask that they meet one more time and determine if they should continue or be decommissioned. He asked the Town Clerk to contact the members and let them know that a concern had been expressed and if they were not going to be meeting then the Board would decommission the committee.

Commissioner Brooks said if the Mayor was the one to talk with the County Commissioners he hoped that he would urge them to carefully consider sites for their landfill that would not take people's homes and businesses.

Mayor Voller said he had spoken to the County and he had made the statement that they should be exploring technologies that did not require a landfill, but if they were then the landfill should be strategically located in a place that the Community College or training programs could take advantage of 21st century waste technology. He said there were sites that could be chosen that did not impact homes or businesses.

FYI

1. Financial Statements for the Month Ending August 31, 2010.
2. NCLM memo of August 18, 2010; RE: Legislative Updates
3. Pittsboro Police Department – 2009 Uniform Crime Report

ADJOURN

Motion made by Commissioner Brooks seconded by Commissioner Bryan to adjourn the meeting at 9:40 p.m.

Vote Aye-5 Nay-0

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk