

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, APRIL 14, 2008
7:00 PM

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

ATTENDANCE

Members present: Mayor Randy Voller, Commissioners Pamela Baldwin, Max G. Cotten, Gene T. Brooks, Clinton E. Bryan, III, Chris Walker, and Commissioner-Elect Hugh Harrington.

Staff present: Bill Terry, Town Manager, Alice F. Lloyd, Town Clerk, Paul S. Messick, Jr., Town Attorney, and David Monroe, Town Planner.

APPROVAL OF AGENDA

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

Vote Aye-5 Nay-0

ORGANIZATIONAL MEETING

INSTALLATION OF COMMISSIONER

Alice F. Lloyd, Town Clerk administered the Oath of Office to newly-elected Commissioner Hugh Harrington.

Mayor Voller welcomed Commissioner Harrington to the Board.

HONORS TO COMMISSIONER COTTEN

Mayor Voller read the resolution of appreciation honoring the years of service of Commissioner Max G. Cotten.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to approve the resolution.

Vote Aye-5 Nay-0

A RESOLUTION OF APPRECIATION FOR MAX G. COTTEN IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE

Commissioner Cotten said that he had enjoyed his service to Pittsboro and would still be around if the Board needed his expertise.

CONSENT AGENDA

The Consent Agenda contained the following items:

1. Approve minutes of the March 24, 2008 regular meeting.
2. Schedule a public hearing on a Major Transportation Corridor Zone Text Amendment for April 28, 2008 at 7:00 p.m.
3. Schedule a public hearing on the Baddour Rezoning Request at 157 West Street from R-12 to C-2 for April 28, 2008 at 7:00 p.m.
4. Accept a donation from CVS for \$1,000 for Tree Planting Project at Kiwanis Park.
5. Approve a Contract between the Town of Pittsboro and Ward & Faust CPA for the audit of the Towns' Fiscal Year 2007-2008 Financial Statement.
6. Adopt a resolution awarding the contract and approve the budget amendment ordinance funding the Wastewater Treatment Plant Operational Effectiveness Analysis Project.
7. Adopt a resolution authorizing the Mayor to sign the addendum to the Water Service Agreement with 3M.

Commissioner Walker asked a couple of questions regarding Item 6, Contract Award: Wastewater Treatment Plant Operational Effectiveness Analysis, and Item 7, Update on Reclaimed Water System Project to Serve 3M. He asked the Town Manager for a timeframe on the study on the Wastewater Treatment Plant analysis. Town Manager Terry said he believed it would take six to eight weeks. Commissioner Walker said in regards to Addendum #3 in the contract, would they be taking both plants to a reuse quality. Manager Terry replied that it was an either/or. Commissioner Walker said that needed to be made clear, because if they abandoned the old plant then the new plant needed to be designed to reuse standard, according to that Addendum. Manager Terry said that was their intention.

Commissioner Walker commented that if the study time for the Wastewater Treatment Plant analysis could be speeded up to four to six weeks that would be better. Manager Terry said they would do what they could.

Motion made by Commissioner Harrington seconded by Commissioner Walker to approve the Consent Agenda.

Vote Aye-5 Nay-0

A COPY OF THE CONTRACT WITH WARD AND FOUST CPA IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE

A COPY OF THE RESOLUTION AWARDING THE CONTRACT AND BUDGET AMENDMENT ORDINANCE FOR THE WASTEWATER TREATMENT PLANT OPERATIONAL EFFECTIVENESS ANALYSIS PROJECT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES AND THE BOOK OF ORDINANCES NUMBER ONE, PAGES

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE ADDENDUM TO THE WATER SERVICE AGREEMENT WITH 3M IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES

REGULAR MEETING AGENDA

CITIZENS MATTERS

Michele Berger, 93 Cynthia Lane, publicly congratulated Commissioner Harrington on his recent election. She said she wanted to correct what she saw as inaccurate perceptions as stated by Former Mayor Charles Devinney at a previous meeting. Ms. Berger stated she had run in the run-off election against Commissioner Harrington in order to raise the issue about fair elections, and believed that on Election Day everything had run cleanly.

Ms. Berger said the other reason she had run for election was that she believed they needed to think critically about clean water as part of their economic development and health. She said in partnership with Commissioner Harrington, she wanted to alert the Board to an important article that would soon be published in the Chatham County Line written by her partner on TTHMs. Ms. Berger said now was the time to get down to the real work of dealing with clean water.

Ms. Berger said that despite what Former Mayor Devinney had said at the last meeting, they knew that TTHMs was connected to several types of cancer, and there were cumulative effects overtime. She said the article would also be looking at chloramination, noting they needed to be careful about trading one class of chemicals and toxins for another. Ms. Berger said they should proceed very carefully, and that Chatham County could be a leader in the State if they worked together and engaged the citizens.

Julie Nelson, 139 Thrift Street, stated she lived just on the other side of Highway 87 and walked her children to school. She said a crosswalk was needed at Pittsboro Elementary School Road, noting how dangerous it was to cross with the amount of traffic in the area. Ms. Nelson asked that a crosswalk be added somewhere near the school and possibly a sidewalk for all the families that lived in her neighborhood and others and walked their children to school.

Commissioner Walker asked if the road Ms. Nelson was talking about was DOT maintained, and would the Town need to send a letter to make this request. Manager Terry said it was in the DOT right-of-way, and the Town would need to get DOT's permission.

Motion made by Commissioner Walker seconded by Commissioner Brooks to send a letter to NCDOT to request that a crossing or crossings be installed.

Mayor Voller stated the Town had received a planning grant which might be used for this purpose, and said the letter to DOT should be sent right away. He said that many people walked in that area. Manager Terry asked Ms. Nelson to come by his office to look at that area visually on a map to determine the particular area to be targeted. Ms. Nelson agreed to do so.

Mayor Voller asked that the motion be modified, noting they had a Rural Planning Organization that advised DOT for District 7, and if the Board would authorize it he would send an email to Pat Strong at TJCOG to alert DOT to expect the letter. Commissioners Walker and Brooks accepted the amendment.

Vote Aye-5 Nay-0

Planner Monroe said on May 1 their Planning Consultant would have a team at the Pittsboro Farmer's Market, asking for public input regarding projects they wanted to see in terms of sidewalk locations. He encouraged the public to attend.

Commissioner Walker asked Planner Monroe to speak to the Chatham Record reporter present at tonight's meeting to provide him more details so an article could be printed in the paper to inform more people.

OLD BUSINESS

1. Report on Matters Relating to the Connection of Springdale Drive and Fox Chapel Road.

Former Commissioner Max Cotten said that on March 24 the Board had requested that he look at Chatham Forest and Springdale Drive connections. He said since that time he had researched both areas and had prepared a report which had been presented to the Board this evening. Former Commissioner Cotten said that Planner Monroe had provided him considerable research information that had saved much time, and thanked him for his efforts.

Former Commissioner Cotten said he would comment on Items 3, 4, 5, 7, and 8 in the report. He said that Item 3 concerned a traffic assessment done in regards to connecting Springdale and Fox Chapel in Chatham Forest. Former Commissioner Cotten said he did not find an assessment for Thompson Street, and that may have contributed to the current problems. He said regarding Item 4, the letter from District Engineer Reuben Blakely at NCDOT, there were two items in the letter that the Board needed to be aware of and pay attention to. First, he said, was that NCDOT did not want the barricade removed until they had complied with the turning lanes on US 15-501.

Former Commissioner Cotten said regarding Item 5, the April 20, 2000 date was the only one he had found that had been approved by DENR, and it had not shown Springdale being connected. He said that was something that may have to be considered. Former Commissioner Cotten said regarding Item 7, they as well as the developer needed to be aware that if changes were made, DENR had to approve them. He said regarding item 8, which to him was the most critical, the memorandum from Hydrostructures dated March 31 listed items that must be corrected, and if

not it may result in fines from the State. He urged the Board to give those items particular attention.

Former Commissioner Cotten said regarding connectivity to Springdale, he felt strongly that the connection with Park Drive would have been more palatable, but that apparently would not happen. He recommended, however, that the Board give that issue some attention because there was a condition placed on Chatham Mills that called for that connection to take place. Former Commissioner Cotten said Chatham Mills might well be in violation of conditions if it was not done.

Former Commissioner Cotten strongly recommended that Springdale and Fox Chapel be connected for two major reasons: that it would provide an additional exit from Chatham Forest, noting that Thompson Street was already overloaded; and, that it would provide additional access into Chatham Forest for emergency vehicles and residents. He said the Town and the Board would be vulnerable if an emergency vehicle were delayed because of the barricade.

Former Commissioner Cotten said the only drawback he had identified was that the residents of north and northwest Pittsboro would ultimately find that as a means to avoid the traffic circle and Hillsboro Street. He said that traffic calming devices should be installed as a deterrent to cut-through traffic. Former Commissioner Cotten called attention to the last page of his report where he had made recommendations to achieve the connectivity:

1. Obtain from NCDOT driveway permit described in the June 15, 2007 letter from Reuben Blakely, NCDOT District Engineer.
2. Roundabout constructed at entrance to Chatham Forest; rumble strips installed on each side.
3. Crosswalks should be installed at all intersections with "Yield to Pedestrians" signs appropriately located.
4. Rumble strips should be installed on Chatham Forest Drive and Fox Chapel.
5. "Stop Ahead" signs should be installed at appropriate distance especially approaching Thompson Street and US 15-501.
6. Speed limit signs should be installed.
7. Springdale, Fox Chapel and Chatham Forest Drive should be designated as "No Thru Trucks."
8. An additional one-inch surface should be applied to Springdale Drive; delaying that would be more costly.

Town Manager Terry stated they had received a letter from Lesley Landis where she had agreed to provide certain improvements to Fox Chapel Road, including appropriate signage and traffic calming devices, as well as a letter of credit to cover the cost of paving Springdale Drive as mentioned by Former Commissioner Cotten. Manager Terry said he had not seen in any of the literature around this issue a process to satisfy DOT requirements on US 15-501, and because he had felt that was important he had asked Jay Johnston to provide a rough conceptual design and a scoping estimate of what the costs might be. Manager Terry stated that Mr. Johnston's letter was in the packet, and it identified the cost as approximately \$72,000 to satisfy the requirements that District Engineer Blakely had laid out in his letter. He said he had added \$20,000 to do the

design work as well as some funds for contingencies. Manager Terry said that would bring the total up to approximately \$92,000.

Commissioner Harrington said in the letter from Ms. Landis, it stated there was a two-year line of credit for \$15,000 for Springdale. He asked if that was sufficient. Manager Terry stated he had not asked Mr. Johnson to deal with that issue. Commissioner Harrington said it did not sound as if they were offering to pay, noting the language said “if paving is needed after two years, then the Town uses the line of credit if it is not released.” He said that sounded as if it were subject to some evaluation two years later to see how the pavement was holding up, and at that point it would be decided if repaving was necessary. Manager Terry said he believed Commissioner Harrington was reading that correctly, and it was his assumption that based on the increased traffic flow it would need to be paved.

Former Commissioner Cotten recommended that the Board direct removing the lock from the barricades so that the barricades could be moved by emergency personnel only. He said the Board might want to consider placing a sign on the barricades to indicate that it was to be moved by emergency personnel only.

Commissioner Harrington stated he agreed with Commissioner Cotten, and suggested that perhaps some type of seals could be used. He said a sign could be posted that indicated that breaking the seal by other than emergency personnel would result in a fine and a charge. (\$500.00)

Commissioner Brooks said the first action would be to accept the report.

Motion made by Commissioner Brooks seconded by Commissioner Harrington to accept the report as presented by Former Commissioner Cotten and Town Manager Terry.

Vote Aye-5 Nay-0

Motion made by Commissioner Harrington seconded by Commissioner Walker to remove the lock and replace it with a breakable seal with signage that made it clear that breaking the seal for non-emergency purposes or moving the barricades would carry a fine and a charge, and the Town Manager would identify the appropriate hardware for that use.

Vote Aye-5 Nay-0

Mayor Voller asked if someone put up a bond, what the typical process was as far as the amount, and how was that derived. Planner Monroe said normally the developer’s engineer provided an estimate which is sealed, and the amount of the bond was 125% of the estimate.

Mayor Voller asked where was Chatham Mills exactly with this situation. Planner Monroe said that Chatham Mills was working with the NCDOT to alter their entrance from the current location. He said that NCDOT had asked that Chatham Mills post a bond to guarantee pavement of a northbound deceleration lane and a northbound acceleration lane. Planner Monroe said the bond had been prepared but they had run into an unrelated paving deadline that NCDOT would not accept pavement done during certain times of the year. He said once that deadline passed, the bond would be transported to NCDOT and the paving would occur.

Mayor Voller said this project had been subject to the same issues as the moratorium and other issues for many years. He said they did not yet have approval of any buildings. Planner Monroe said that was correct, noting the Town had been cooperating with NCDOT to not allow any additional occupancy permits until the paving was completed and accepted by NCDOT.

Commissioner Walker asked who was going to pay for the turn lanes. Planner Monroe replied it would be the developer.

Mayor Voller asked why the developer would pay for that. Planner Monroe said they would lose their driveway permit if they did not pay for it. Mayor Voller said then it was connected to the approval. Planner Monroe responded yes.

Mayor Voller said the only other connection was at Bellemont Station that connected to the top of Chatham Forest, and that was subject to the moratorium as well. Ricky Spoon responded that was correct, adding that he hoped to get sewer capacity. Mayor Voller said then sewer was the key issue. Mr. Spoon said that was one of the key issues, noting that once he received sewer he would be able to move forward.

Commissioner Walker said at one time, due to the lack of sewer, Mr. Spoon had graded down to US 15-501 North, and he believed the plan was to connect there. Mr. Spoon said yes, that he had NCDOT approval for line of sight distances to do that, and he would have to add a deceleration lane as well. Commissioner Walker asked would the Town pay for that or would Mr. Spoon. Mr. Spoon responded he believed Commissioner Walker knew the answer.

Mayor Voller said in reference to the letter to be sent to NCDOT, he believed it should identify as reference plot site 97-344, plot site 2000-415, plot site 2004-277, plot site 2005-18, plot site 2005-419, the July 14, 1997 minutes, page 319, the July 14, 1997 minutes, the September 18 and September 22, 1997 minutes, and the minutes of October 27, 1997.

Commissioner Walker said he wanted to reference and submit the plans drawn showing Phase I of Chatham Forest dated May 28, 1999 which showed the then Chatham Forest Drive as a cul-de-sac not connecting to Springdale Drive; and, a revision dated March 8, 2000 showing that to be Fox Chapel and also a cul-de-sac.

Mayor Voller stated there was one other item that the Board should be aware of regarding the traffic study. He said that a question had come up about Hillsboro Street and Thompson Street, and NCDOT had not taken the assumption that the traffic load would change if different areas were opened up such as Springdale or Chatham Mills. He said he believed that mirrored the information referenced by Former Commissioner Cotten regarding the plans dated 2000.

Commissioner Walker stated his information had been provided by Planner Monroe several months ago. He reiterated that his issue was not with opening up Springdale, noting he was in favor of it. He said his issue was who would pay for it.

Barbara McTighe commented that health and safety was the bigger issue, noting that if someone was delayed getting medical help then the Town would pay in a different way. She said she found it ironic that the Board had quickly addressed a crosswalk for children, and yet there were almost 200 homes with citizens of different ages and different degrees of health issues but if they could not get out or someone could not get in, then that was a bigger issue and people could get hurt. The citizen stated that this “bickering” had gone on for eleven years and she found all at fault, both the developer and the Board of Commissioners, because they were not resolving a simple problem of one road. She asked how they could deal with major issues such as water when they could not solve the opening of one road. She said that should be the question on everyone’s mind tonight.

Commissioner Baldwin asked how they would move forward with this. Manager Terry stated he had already sent a letter to Voller Realty and suggested they not proceed with anything until such time that the Board made a decision about the future of that intersection. He said he believed there were many options, noting it was within the Board’s authority to go back and make it a cul-de-sac, they could decide to open it up, they could elect to have the taxpayers of Pittsboro pay for that, they could explore other opportunities such as special tax districts, they could negotiate with a homeowners association, or other options that could be used to find the \$92,000 needed to satisfy the DOT requirements. He said in terms of negotiating with Voller Realty, he had sent back a letter acknowledging receipt of their letter, but the commitments they had made in their letter did not really solve anything until the issues with NCDOT were resolved. He said he did not believe anything should be done until they could solve the whole problem.

Commissioner Baldwin said they had been presented with a number of different plats, and wondered if they would have to go through all of those to determine the correct one. Planner Monroe said they simply needed to have a clear understanding of which was the most recently approved plat, and there appeared to be some variation in the way the plans were presented and later approved. Commissioner Baldwin asked if they could have that at their next meeting so that they could clarify and resolve the issue. Manager Terry said he would hesitate to commit to solving a problem in two weeks that had not been solved in eleven years. He said the record was so clouded on this issue that it may never be totally resolved nor would they find the precise chronology of exactly what was approved and when without many hours of work. Manager Terry stated Former Commissioner Cotten had already spent many days going over the records, and although he had been able to provide some clarity it was still unclear to him that the connection of those roads was ever officially approved by this Board. He said additional research would be needed to determine that with any certainty, and it was doubtful that could be done in two weeks.

Commissioner Baldwin said in reference to the letter from NCDOT, was that something they could possibly negotiate with them to perhaps release some of those requirements. Manager Terry said they could always try, noting that Mr. Blakely had indicated that what NCDOT had proposed was their best engineering advice on what would be a safe configuration for that intersection. He said it was his judgment that NCDOT would not change that opinion.

Bonnie Iverson, 241 Bellmont Road, the President of the Homeowners Association, said that when the Board had voted in June 2007 there was a majority who voted in favor of connecting Springdale based on NCDOT's findings.

Commissioner Walker stated he believed it had also been voted on in 2004. Ms. Iverson responded it had been approved more than once. She said regarding the cul-de-sac, were the maps signed by the Town, noting the maps she had been provided by Mr. Monroe did not include cul-de-sacs and were signed by the Town. Ms. Iverson said if the other maps were signed, she would like to obtain a copy.

Manager Terry commented that in regards to Commissioner Baldwin's request that he go back and reconstruct the history, he did not believe that was something he could do effectively in two weeks, two months, or two years. He said he believed what was most important was for the Board to decide what exactly they wanted to do to move forward; that is, do they want to open the road or not open the road. Then, he said, the next decision would be how to fund the project. Manager Terry said his opinion would be to approach this as one large engineering project that was a cooperative project with multiple partners, and the next step might be to create some sort of a task force of all the stakeholders who may end up having to pay for a portion of the project and move forward by coming to some kind of agreement on the partnership to undertake the engineering project.

Commissioner Baldwin said she could not speak for the Board but believed that was something they would want to move forward on and do, but the issue was the cost and who would pay. She said opening the road was never the problem, it was how to fund it.

Commissioner Harrington said then today, the Board could either agree to pay for it or not pay for it.

Commissioner Brooks said he realized this was an emotional issue and agreed that it was also a safety issue. He said if you drove by Rock Springs Road just before you got to Powell Place you would see there was grading taking place and the road being built to connect to the highway. He asked Mr. Spoon if he had already done some connectivity. Mr. Spoon said he had, in three different locations.

Commissioner Brooks asked if they got involved with stakeholders, what they would say to other developers who had been required to provide the connectivity. He said the issue was convoluted, but he was concerned about what the repercussions might be if the Town paid for it as well as the fairness of that.

Mayor Voller said regarding the issue of fairness, if you looked at the record this Board had made the requirements that the developer widen Thompson Street and perform other work. He said what Commissioner Brooks had said was true, that this Board usually required an improvement be done as part of the development process. But, he said, this requirement was never on the list of required improvements, but was on the list in 1997 to be opened. Mayor Voller said Commissioner Brooks was correct in one regard, but in another regard every instance was a required condition of approval.

Commissioner Brooks asked was his memory correct that Chatham Mills was the first to propose that. Mayor Voller responded that Chatham Forest predated them, but then they proposed it to this Board and the Planning Board and they had agreed, but, it had never gone forward.

Mayor Voller asked when the last time was the Town had received a sketch plan. Planner Monroe responded eight years. Mayor Voller said they had all wanted to open the road, but it was never done. He agreed the stakeholders needed to come together and solve this issue. Mayor Voller said Commissioner Brooks was correct that they needed to be fair, but it would be unfair to say they would require something when the developer had received initial approval without that requirement.

Jeff Meredith, 499 Chatham Forest Drive, suggested that the Board set a timetable tonight regarding when the road would be opened. He said eleven years of bickering among professionals was enough, and the Town should make a deal and get it done.

Commissioner Brooks said that it had been a long time, and suggested that the Board and the stakeholders acquire professional mediation services.

Commissioner Harrington said the letter from Leslie Landis had stated that they agreed to the roundabout, traffic narrowing, and perhaps (some part of) paving. Mayor Voller said he believed that was correct. Commissioner Harrington said then what they were left with was the question of whether it would be paved or not. He said the fundamental question at this point was who paid for turning lanes. So, he said, did they need mediation to decide who would pay for those turning lanes.

Commissioner Baldwin said she did not believe they could decide who would pay for those turning lanes, or say that the Town should pay for that.

Commissioner Harrington said if that decision could not be made tonight, then they should move on.

NEW BUSINESS

1. Strategic Planning Retreat

Manager Terry said he had solicited goals and objectives from Board members several months ago and they had talked about the possibility of a Strategic Planning Retreat as a useful tool to help guide staff in preparation of the budget. He said the Mayor had asked him to raise the issue again as a possibility and to bring some possible dates for consideration. Manager Terry said he had checked with the Aqueduct Conference Center, and they had availability on Friday, May 2, Saturday, May 3, and Saturday, May 31. He said if the Board should decide to hold the retreat, he would need guidance regarding the preferred date, the duration of the meeting, the staff members who should attend, whether or not a facilitator would be preferred to moderate the meeting, and what the expressed purpose of the meeting would be as well as the outcome expected.

Mayor Voller stated he had discussed this with the Manager, noting he felt that there were many issues that needed to be addressed and such a retreat would be valuable as those issues were considered. He hoped that the Board could agree on a date for a retreat.

Manager Terry said typically elected boards held such retreats each year prior to budget preparation, so the outcome of this would not be as useful as it would have been in January.

Mayor Voller said he did not believe they could wait another year to do this, since much of the business community was depending on these issues as well as citizens. He said he hoped they could decide on a date that would work for all of them.

Commissioner Harrington questioned if there would be a major expense for the town for such a retreat. Manager Terry said it was not as expensive as you might think, noting the Aqueduct charged only \$50 per participant. He said the total cost would be between \$500 and \$1,000.

Commissioner Walker stated that the Mediation Network of North Carolina's Executive Director lived in Siler City, and he would provide Manager Terry with his name and phone number so that a cost could be determined for facilitation services. He said that May 3 would be his first choice of dates, May 2 was his second choice, and May 31 was his third choice.

Commissioner Brooks said he had no preference at the moment.

Mayor Voller stated any of those dates would work for him. Commissioner Harrington said he would not prefer May 2, and would prefer May 3 or 31.

Mayor Voller suggested that the Board provide their choice of dates to Town Clerk Alice Lloyd. There was no objection from the Board.

Commissioner Baldwin stated May 3 was fine with her.

Manager Terry stated the consensus appeared to be May 3, with Commissioner Brooks' availability undecided. He asked what staff the Board would want to participate, other than him, such as department heads or others.

Mayor Voller said he believed the Town Attorney, John Poteat and Frank Efird, the Police Chief, Planner Monroe, and Jay Johnston from Hydrostructures should attend.

Motion made by Commissioner Walker seconded by Commissioner Baldwin to recess the meeting for a five-minute break.

Vote Aye-5 Nay-0

BREAK

Motion made by Commissioner Walker seconded by Commissioner Bryan to reopen the meeting.

Vote Aye-5 Nay-0

2. Report on the Audited Financial Statements for the Year Ended June 30, 2007 (Lynda Ward, Ward and Foust CPA's).

Lynda Ward introduced her partner, Donna Foust, and reported on the audited financial statements for the year ended June 30, 2007. She apologized for the delay in the report but because of circumstances.

Commissioner Walker thanked Ms. Ward and said the report was very easy to read and understand. He stated he was concerned about water and sewer revenue.

Manager Terry said one thing he noticed was that they were using their capital recovery fees, which should be set aside for future capital budget, to keep the lights on and pay the rent.

Commissioner Walker said before they lost Townsend, that was 51% of their water and sewer revenue, which was now gone.

Mayor Voller said it also contributed perhaps to some of the TTHMs which were no longer being sent out.

Commissioner Baldwin echoed what Commissioner Walker had said in reference to the water and sewer costs. She said Former Commissioner Cotten had talked about a sliding rate schedule, and that may be something the Board needed to look at.

Mayor Voller said they were collecting more than double in the last ten years in ad valorem taxes, although personal taxes for cars and other things had not grown as much but had grown. He said the tax base had quintupled which was a big change for ten years, and was still growing. Mayor Voller said their tax collections rate was at 98% which was very high for a small town. Ms. Ward added they were also getting a bargain for what they were paying the County for collections.

Mayor Voller asked for comments regarding the ratio of their reserve fund, and how the Town compared to similar small towns. Ms. Ward said Pittsboro had a strong fund balance, noting what the LGC was looking for was for towns to have six to eight months of reserve in fund balance, and Pittsboro met that ratio.

Mayor Voller said when she said unreserved fund balance represented 90.8% of total fund expenditures, what was meant by that. Ms. Ward said that meant that if you had no money coming in for one year, you could maintain 90% of your expenditures in your fund balance for that one year.

Mayor Voller asked if the monies shown for cultural art and recreation were reflecting the grants coming into the Town. Ms. Ward said those were expenditures, of which the biggest part was the tennis and basketball courts, which were one-time expenditures.

Mayor Voller said the Town looked strong on their net assets. Ms. Ward said that was correct.

3. Powell Place Village Center Phase Two Commercial Site Plan.

Planner Monroe provided some information on the application, noting when it was brought in he had asked for an interior point of connectivity so that traffic could move from one use to another without having to go back onto Powell Place Lane. Using the site plan, Planner Monroe pointed out an area where the applicant had asked that they be allowed to use as parking area, and as lots developed in the future they would be converted to access points.

Planner Monroe said the four points in his memo were additions recommended by the Planning Board; one of those points could be eliminated since the dumpster enclosure would be of brick material to match the building. With that change, he said, they recommended approval of the application with the remaining conditions.

Mayor Voller asked was the plan okay with the Fire Department in terms of turning radius. Planner Monroe responded yes.

Mayor Voller asked if bike racks could be installed. Frank Boone, with the John R. McAdams Company and the Civil Engineer for this project, stated that bike racks were not out of the question, and upon finding an appropriate location they could provide them.

Motion made by Commissioner Brooks seconded by Commissioner Baldwin to approve with the stipulations presented by Planner Monroe and with the addition of bike racks.

Vote Aye-5 Nay-0

Ricky Spoon asked about the setback, noting he believed the setback was 25 feet from the street. Mr. Monroe responded it complied with the Master Plan for Powell Place MUPD.

4. CCCC Sustainable Technologies Building.

Planner Monroe stated there had been an indication of the probability of this intersection being a roundabout. He said today he had received an email from David Hughes, the Chatham County Engineer, who indicated that NCDOT had settled on a design scheme which had been provided to the Board. Planner Monroe said according to the NCDOT plan, Old Graham Road would be disconnected at Camp Drive and become a two-way street to come back down to NC 87.

Planner Monroe said the County had agreed to fund a major portion of the design and construction which would be done by NCDOT. He said it would require the installation of some additional pavement because at present that portion of Old Graham Road was one lane wide.

Planner Monroe said this was the last piece of the site plan puzzle that the County had presented for the Sustainable Technologies classrooms. He said frankly, the Town did not have much say in the design; it was a NCDOT issue in that they would design it and construct it. Planner Monroe said because of that, what he had provided to the Board was for informational purposes only.

Mayor Voller asked if sidewalks would be installed on NC 87 as part of the project. Planner Monroe replied no. Mayor Voller asked if that could be requested. Planner Monroe said they could always ask. Mayor Voller said he believed they should ask, noting NCDOT would be mobilizing a lot of equipment, and sidewalks had been an issue many times. He said Chatham County had talked with the Town about it, and asked Planner Monroe what had been the County's attitude. Planner Monroe pointed out on the site plan the County's stance, noting they wanted to acquire land for sidewalks from the intersection of NC 87 along US 64 and going up West Salisbury to link into a point shown on the map. He said they were looking for a grant to help accomplish that. Planner Monroe said that would provide a sidewalk from the community college all the way in the circle.

Mayor Voller suggested asking for the sidewalk in hopes that NCDOT might provide some funding. Planner Monroe said it would not hurt to ask. Mayor Voller said NCDOT had given the Town a pedestrian grant last year, so they could tie that in by asking NCDOT to look at sidewalk issues in that area to provide better pedestrian access.

Commissioner Walker said his only concern was the Board committing to a sum of money for such a project.

Mayor Voller said he did not believe the Town would be bound if they asked for funding. Town Attorney Messick said what was before them was a site plan from Chatham County which the Board should approve or not, and the issue of a sidewalk was a separate issue.

Mayor Voller asked why the County was asking for the Town's approval if the Town had no say in it. Planner Monroe said what was being considered for approval was the site plan itself, and he had brought it to the Board because there had been some discussion that NCDOT was considering a roundabout. But, he said, NCDOT was not now considering a roundabout based on the scheme provided by Mr. Hughes.

Commissioner Walker asked would there be a stoplight at that intersection. Planner Monroe said a stoplight was not warranted.

Planner Monroe said he had spoken with Chief Griffin who had asked that the location of the fire hydrant be moved out farther away from the building, and that it be one and one-half times the distance from the building as the height of the wall so that it was safely out of the drop zone should there be a fire.

Mayor Voller stated that Chief Griffin's comments should be added to move the hydrants to accommodate the safety issue. He asked were there other issues the Board should be made aware of. Planner Monroe responded no.

Commissioner Walker said he believed this was too much information to digest tonight, noting there were issues regarding Social Services traffic on that access road, the Pittsboro pool in the summertime on that access road, and the number of residences. Planner Monroe stated the design was a result of a traffic impact analysis submitted to NCDOT.

Commissioner Walker stated this would be done regardless of this Board's feelings. Planner Monroe stated the Board would have to approve the site plan.

Mayor Voller said he did not see any crosswalks, and asked how people would walk to the Community College and cross the new intersection, especially since there were no sidewalks. He said he believed NCDOT would listen to the Town's suggestions. Planner Monroe stated the Town would have to lodge an objection with NCDOT to the design.

Mayor Voller said he did not believe NCDOT would construct something the Town did not want; they would defer. Planner Monroe stated he had particular concerns regarding the realignment of Camp Drive with the volume of traffic the new office building would generate there and with the use of the swimming pool in the summertime. He said he was really bothered by the house driveway right at the intersection.

Commissioner Brooks said there would also be the visitors to the medical center added to the traffic volume, as well as the mental health center.

Mayor Voller said NCDOT pushed the idea of roundabouts in other areas, and wondered why they had not done one in such a logical place. Planner Monroe said it was a matter of the realignment and the number of streets coming into the area.

Commissioner Brooks asked if Commissioner Walker was suggesting that they hold this over to the next meeting.

Commissioner Walker said yes, that he needed some time to digest the information. He said he would like to see, at a minimum, crosswalks and a stoplight. Planner Monroe said that NCDOT had already indicated, in writing, that a stoplight was not warranted at that intersection. Commissioner Walker stated that intersection was dangerous, particularly with logging trucks and others moving quickly.

Manager Terry suggested setting up a meeting with Commissioner Walker, a NCDOT representative, Mr. Hughes and himself to discuss the issue. Commissioner Walker agreed.

Commissioner Walker suggested that at the next meeting the Board consider a resolution requesting NCDOT to reduce the speed limit in that area, perhaps to 35 mph to the Town limit.

Commissioner Walker stated he believed the residents along NC 87, where the speed limit was 55 mph, would not mind seeing that reduced to 45 mph, due to the narrow road and increased traffic.

Mayor Voller stated that NCDOT looked at two factors when considering stoplights. One, he said, was fatalities, and the second was the type of accidents. He said there could be hundreds of accidents at an intersection but if they were not dangerous then no action would be taken. Mayor Voller said if a series of more dangerous accidents occurred, then something would be done.

Commissioner Harrington asked what would be the schedule for what they were deciding. He asked would that be included in the decision to be made tonight, or were they looking at the site plan only.

Commissioner Walker said he had no problem with the site plan itself and believed they should approve it.

Commissioner Baldwin said if they approve the site plan, there was nothing that would say they would have to negotiate further with the Town.

Motion made by Commissioner Walker seconded by Commissioner Baldwin to table the item until such time as the appropriate staff and interested Board members met with NCDOT to express the Board's concerns regarding the safety of the intersection and the speed limits in particular areas; and then report back to the Board.

Vote Aye5 Nay-0

Mayor Updates

Mayor Voller stated that Commissioners Walker and Harrington attended the EDC meeting in Siler City. He stated that the RPO meeting would be held this week and he would bring up the issue brought forward by Ms. Nelson earlier this evening. Mayor Voller stated the Fairground Association was moving forward with the Fair but was also talking to people regarding expanding some of the facilities.

Mayor Voller said he would provide the Board with copies of the Executive Summary of the Chatham County Housing Needs Assessment for Affordable Housing. He said that housing values had increased 62% between 2002 and 2007, and between 2006 and 2007 80% of homes sold in Chatham County were more than \$200,000.

Mayor Voller said in the downtown some buildings were being rehabilitated, such as the old Ford lot, and a few others.

Commissioner Concerns

Commissioner Brooks commented Manager Terry for the written report on water and sewer included in tonight's packet.

Motion made by Commissioner Brooks seconded by Commissioner Harrington to have the Manager provide an update on water and sewer at every regular meeting, and that it be the first item under Old Business.

Vote Aye-5 Nay-0

Motion made by Commissioner Brooks seconded by Commissioner Harrington to contact the people connected to the Nicholas School of the Environment and Earth Sciences at Duke University who were specialists in the ammonia treatment of water; that the Board requests that

those people meet with the Board sometime in June or July after the Town budget was approved to provide information and specific recommendations on how their citizens, schools, and businesses might adjust to the transition to the new ammonia process that the Town would switch to in September; that information be distributed to residents, schools, and businesses about that switch; and, that a process be developed to notify such places as the dialysis center and users like Biolex.

Commissioner Walker stated he had thought they had approved a study regarding ammonia, but had not decided to actually make the switch. Manager Terry stated they had approved the design of a project.

Commissioner Brooks noted that the last information the Board had received regarding TTHMs had specifically noted the switch was to be made in September. Manager Terry said it was his understanding that the Board had approved proceeding with the project, and a budget amendment had been approved to pay for it.

Mayor Voller stated that did not preclude them from pursuing other possible processes, noting that in the future they may want to change to a much better water treatment protocol and this was a transition step.

Manager Terry reiterated that the Board had approved the design and transferred the money for that design, but they were not committed to go forward with construction until such time as bids were let and one was accepted.

Vote Aye-5 Nay-0

Commissioner Bryan said he had been made aware that the stop sign on the end of Masonic Street where it intersected Thompson Street sat back about 25 to 30 feet. He said that limited its visibility because of a building located there, and believed that should be addressed. Manager Terry said he would contact Mr. Poteat to look at it and see if the stop sign should be moved.

Commissioner Baldwin said she had talked with some downtown merchants who had said they wanted to try to update or renovate the downtown area so that it was more attractive. She said that group had wanted to attend a Board meeting and express those concerns and ideas at some future time.

Commissioner Baldwin said she had distributed the Triangle J Regional Legislative Agenda to the Board, which would be presented on behalf of Triangle J Council of Governments to the Legislature during their Short Session, and it was hoped that the Legislature would approve them. She said more of it would affect counties, but some would affect local governments. Commissioner Baldwin said that also meant that since some programs were unfunded, if those programs were approved the local governments would have to find a way to fund them.

Commissioner Harrington said one of the recommendations at the Economic Development Summit was to remove all elected members from the EDC Board, have less citizen activists, and to find business leaders/experienced entrepreneurs and place them on the board.

Mayor Voller stated that was a recommendation by the consultant from the Kenan-Flagler Business School. He said they had proposed three different configurations to restructure the board as it had been set up in the enabling document in 1997. Mayor Voller said the issue was that there were two County Commissioners on the EDC who were voting on issues, and then those same issues came before them again. He said those two County Commissioners made up 40% of the County Board who were voting twice, and the Town got no votes. Mayor Voller said the EDC Board itself would have to make the decision.

Commissioner Harrington said he was told his biggest frustration would be when people asked him to do something he could do nothing about. He said someone had reminded him that the symbol for Pittsboro was the holly tree and the tree across the street from The General Store was not looking good. Commissioner Harrington said the tree was not on Town property, but asked if there was anything the Town could do to help improve the tree. He said he would be glad to contact an arborist for recommendations.

Commissioner Brooks stated the Cultural Extension Service had a good horticulturist, Al Cook, who could be contacted.

Mayor Voller said that was an historic tree, and was the largest holly tree in the southeast. He said he believed people would want to work with him on that.

Mayor Voller reminded the Board that WRAL was coming to the Our Neighborhood School on Thompson Street at 11:00 on Wednesday to do a story on the school.

Mayor Voller asked that the Manager, prior to the retreat, get from the County a copy of the Judicial Site Plan so that the Board could see exactly what was being planned. He said that \$30 million building was a major improvement to the Town but the Town had never had a real opportunity to see the plans and study them. Mayor Voller said that was a big planning issue and would have a real impact on the downtown.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to adjourn the meeting at 9:45 p.m.

Vote Aye-5 Nay-0

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk