

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
MONDAY, SEPTEMBER 11, 2006  
7:00 P.M.

Mayor Randolph Voller called the meeting to order and Gary Simpson, Lutheran Minister where he also referenced 9/11 (five years ago).

Mayor Voller stated given that today is 9/11 he thought it would only be fitting for someone from our board to say a few words and he has asked Commissioner Brooks to do so.

Commissioner Brooks gave emotional comments regarding 9/11 – it touched all of our lives in a very personal way.

**ATTENDANCE**

Members present: Mayor Randolph Voller, Commissioners Max G. Cotten, Pamela Baldwin, Clinton E. Bryan, Jr., Gene T. Brooks and Chris Walker.

Other staff present: Town Manager Sam Misenheimer, Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr., Planner David Monroe, John Poteat Utilities Director and David Collins Chief of Police.

**AGENDA APPROVAL**

Motion made by Commissioner Bryan seconded by Commissioner Walker to approve the agenda as presented.

Vote   Aye-5   Nay-0

**CONSENT AGENDA**

Motion made by Commissioner Bryan seconded by Commissioner Baldwin to approve the consent agenda.

- Minutes of the August 28, 2006 Board of Commissioners meeting.

Vote   Aye-5   Nay-0

Commissioner Brooks stated that the last meeting's minutes were so long and involved, he would like to suggest that in the future that we just do motion actions taken on those motions and perhaps a brief synopsis and if we have things that are sensitive or we are very concerned about perhaps we could hire a professional transcriber with the equipment so that we could have those notes. He doesn't think that as over loaded as staff is, that they have time to do the detailed notes we had last time. Whenever we have a quasi-judicial hearing or something that the Mayor or any Board member is concerned about perhaps we can go that route. And we do always have the tapes we keep if someone wants to listen to them.

Motion made by Commissioner Brooks seconded by Commissioner Walker to look into the cost of hiring a transcriptist and report back to the board to be used as needed.

Vote Aye-5 Nay-0

## **CITIZENS MATTERS**

None

### **PRESENTATION – MPO / RPO**

#### **Special Presentation – Durham-Chapel Hill-Carrboro Metropolitan Planning Organization.**

**Mark Ahrendsen – DCHC**

**-Pat Strong – TJCOJ for Triangle Area Rural Planning Organization**

Planner Monroe had provided the following memo to the board:

Federal regulations have created the need to participate in highway planning in either a Metropolitan or Rural Planning Organization so that highway projects and transit projects are considered on a regional basis. Pittsboro has been a member of the Triangle Area Rural Planning Organization since 2004. During that time several projects important to the town have been recommended for and listed on the Transportation Improvement Program managed by DOT. Chatham County has been a member of the RPO and, for a brief time, the Durham, Chapel Hill, Carrboro MPO (DCHC).

In 2004, DCHC offered the opportunity to Pittsboro to become a member of the DCHC MPO but David Hughes decided that the interests of the town would be better served by remaining in the RPO. Several factors went in to his decision. MPO's receive a higher level of funding allocation in highway improvement dollars based on population served, but, as a member of an RPO, projects important to Pittsboro could get listed on the TIP and have the potential to receive funding.

The voting structure of MPO's favors highly populated areas. Durham gets two votes based on populations, and, I believe, on important issues, that number is raised as well as the votes assigned to Chapel Hill and Hillsboro. Staff members' salaries at Durham and Chapel Hill are paid by their participation in the MPO, so they can afford to have long and frequent meetings because their governmental bodies are not responsible for the money. Planners from Chatham County found this particularly frustrating since they did not believe they could reasonably commit the staff resources required to keep up with all the meetings.

Additionally, if the town were to consider membership in the MPO, it would have to give up membership in the RPO. Municipalities can be members of one or the other, but not both.

Our membership and participation in the RPO has been productive. Several projects Commissioners expressed interest in have been placed on the TIP. I am not sure that membership in the MPO would be so beneficial for the town. First, the MPO would have to amend its boundaries to include Pittsboro. Then we would be faced with attending meetings with a very limited staff and an extremely minority voice. We would benefit by having access to information, but projects important to Pittsboro would have to be weighed against projects in Chapel Hill and Durham. It is my opinion that the interests of the town are better served in the RPO despite the smaller pool of money committed to rural planning organizations. At least our voice is heard and ranked in comparison to other communities in the same size category.

Presentation materials submitted is recorded in the Book of Resolutions number one pages 562-589.

Commissioner Brooks stated he would like for programs to be customer friendly.

### **OLD BUSINESS**

#### **NO PARKING - EAST STREET**

**Consideration of designating “NO PARKING” along East Street in front of 200 East Street.**

Motion made by Commissioner Brooks seconded by Commissioner Bryan to approve “no parking” along East Street in front of 200 East Street.

Vote Aye-5 Nay-0

### **FINANCING NEW POLICE VEHICLES**

**Consideration of Lease Purchase Bid Proposal to purchase police vehicles – review local banking bids.**

Commissioner Cotten stated he did not know the reason for financing the vehicles when it was budgeted for.

Motion made by Commissioner Cotten seconded by Commissioner Brooks to purchase the vehicles out right.

Commissioner Bryan stated he was in favor of going ahead and paying for it.

Commissioner Walker stated the town could possibly earn some additional interest revenue if the rates stay as they currently are. He wanted to know if the funds were available or tied up in C/D’s. The Town Clerk advised funds are available.

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

Commissioner Brooks stated he would like for us to look at purchasing the maintenance agreement that was mentioned during Mr. Strickland's presentation, he thinks it would be a good thing.

Motion made by Commissioner Brooks seconded by Commissioner Cotten that before we take possession of the vehicle from Phillips Ford that we receive a proposal for the cost of a maintenance agreement on the vehicles (with price breakdown).

Commissioner Walker stated we also need to look at what is covered.

Manager Misenheimer thanked Karen McMaster, Vice President, First Citizens of Pittsboro for putting together a proposal.

Vote Aye-5 Nay-0

### **UPDATE POLICE DEPARTMENT**

#### **Update of Police Department – speeding enforcement activity – Chief David Collins.**

Chief Collins stated he has been receiving complaints about speeding around Town and he wanted the Board to know that they are working on the speeding problem.

Chief Collins reported that the Police Department has been working very diligently in enforcing the speed limit in the residential areas in town. The increase of citations this month is largely due to the officers working driver license checkpoints around town. These driver license checkpoints are in conjunction with the Governor's Highway Safety Program Booze it or Lose it campaign. The officers have been attending a variety of training which includes field sobriety training, intoxilyzer school, highway drug interdiction school, youth gang awareness. Detective McGinty who is the police department's training officer attended a physical fitness instructor course. Detective McGinty is now certified by the State of North Carolina Criminal Justice Standards to instruct physical fitness training and administer police officer's physical abilities test. The police department also has been working on interacting with the community providing educational forums for school age children.

Commissioner Cotten thanked the police department for all the hard work. It has been noticed.

Commissioner Walker echoed Commissioner Cotten and stated that he doesn't want Pittsboro to become a speed trap. He would like to get the word around Town that the speed limit will be enforced.

Commissioner Baldwin thanked them also and said they are doing a great job.

Mayor Voller stated that we may need to look at adjusting the speed limit in some areas.

Commissioner Walker asked if the Planning Board was not looking at traffic calming devices being required within subdivisions.

Planner Monroe stated they looked at it last meeting and will look at it in depth next meeting.

### **LAND USE PLAN ADVISORY TEAM**

#### **Consideration to appoint members to Land Use Plan Advisory Team/David Monroe.**

Planner Monroe stated this is brought back before you at the request of the board. At the last meeting it was suggested that if a Commissioner had someone they would like to be considered that they submit the names. A list has been compiled and it is presented for the board's consideration.

List of individuals submitted:

Tentative Plan Advisory Team originally suggested

Ken Hoyle – Planning Board  
Pam Baldwin – Commissioner  
Rouse Wilson – Parks and Rec Board  
Jeffrey Starkweather  
Barrett Powell  
Richard Bullock  
Cindy Perry/Vance Remick

Suggested by Commissioner Baldwin

Jim Hinkley

Suggested by Commissioner Walker

David Hughes  
Chris Boyce  
Steve Carr  
Hugh Harrington

Suggested by Commissioner Brooks

Ricky Spoon  
Bobby Scurlock  
Mary Nettles  
Bob McConnaughey  
Steve Cooper

Billy Hughes

Dr. Tom Danek

At larger members from education, law enforcement, utilities department

Mayor Voller asked Planner Monroe to remind the board what the team will do.

Planner Monroe submitted the following:

The Plan Advisory Team (PAT) will serve an important role in the development of the Pittsboro Comprehensive Plan:

- The members will serve as a sounding board and guide on project activities and products.
- The members can serve as liaisons to other groups in Pittsboro.
- The Team will serve as the conduit for project information to the Planning Board, which would make recommendations to the commissioners.

The team is expected to be made up of 7 to 10 members appointed by the Commissioners.

The team will generally meet about once a month, depending on the phase of the project. Some phases may benefit from more frequent meetings; others may not require as many. Meeting dates and times will be set once the members are appointed so that the schedule can be based on what works best for the members.

The first meeting will be an orientation for the team and is expected to cover four items:

- the scope and schedule of the plan,
- a map of recent and potential development proposals (both within and beyond Pittsboro's ETJ),
- a discussion of the different types of places that make up a community, and
- an initial discussion of issues/focus areas of interest to the Team members.

Planner Monroe stated they would like to get a board of 7-10 people, appointed by the Commissioners to serve as an advisory team who would be the sounding board and be the guides to TJCOG staff in directing the forward motion of the land use plan update. The members will not have voting authority.

Commissioner Walker stated Mayor Voller contacted him today with an idea that he is not totally unopposed to but he thinks there may have to be some kinks worked out. We certainly have a wide variety of individuals and political views and backgrounds on the list. Commissioner Walker asked that Chris Boyce be scratched off his list because he is not interested in doing it.

Commissioner Walker stated he that he would like to see Mayor Voller poll the board members individually and tally up the votes and come back to the entire board with the

top vote getters and then let the overall board see if they are in agreement on those individuals, with the board having the obviously end vote. He does not want to debate these individuals during the meeting.

Commissioner Cotten asked if they were talking about this coming back at the next agenda. Commissioner Walker said yes. Mayor Voller stated our ordinance allows us to do this procedure.

Commissioner Baldwin stated she thinks that is a good idea because there are a lot of names to debate here, it would be a little difficult.

Commissioner Brooks asked if we approve this would there be a written record of that poll given to us. Commissioner Walker stated he would not have a problem with that. Mayor Voller said he would let them know. Commissioner Bryan said it would have to be. That is the only way they can vote on it.

Commissioner Brooks stated since Commissioner Baldwin and the Chairman of the Planning Board are going to be involved with the development of the Land Use Plan would it be necessary for them to be on this commission. Mayor Voller stated typically when this type of committee is put together it will have a short life. Commissioner Walker stated he would say that the board will just have to vote on 8. Commissioner Walker would like equal representative from in-town and ETJ.

Manager Misenheimer stated Rouse Wilson was submitted as a representative from the Parks and Recreation Board.

Planner Monroe stated there will probably be about 9-10 meetings of this board, which would be open meetings.

Motion made by Commissioner Walker seconded by Commissioner Baldwin that from the list submitted, Mayor Voller poll the board members individually and tally up the votes and come back to the entire board with the top vote getters and the bring it back to the Board for a vote.                      Vote   Aye-5   Nay-0

## **REZONING REVIEW PROCESS**

### **Consideration of first draft/recommendation of rezoning review process.**

Planner Monroe submitted the following as information the Planning Board will be reviewing:

An applicant requesting a rezoning shall schedule a pre-application conference in writing with the Town Planner. The applicant shall provide the planner a description of the character, location and magnitude of the proposed development and any other supporting documents such as maps, drawings, models, and the type of development permit sought. The submittal should enable staff to identify the parcel(s) involved in the request.

After receipt of the written request the Town Planner shall schedule a pre-application conference with the Manager, Public Utilities Director, Engineering consultant, fire chief, and other such representatives as the Planer shall so designate. The attendees at this meeting shall discuss with the applicants' information based on the application, the provisions of the ordinances pertaining to the potential development, and state and federal regulations which may apply.

Meetings with adjoining property owners and affected residents are required as opportunities for informal communication between landowners, applicants, and residents who may be affected by development to resolve conflicts about development proposals. At least one neighborhood meeting shall be scheduled and held by applicant or his agent prior to submission of the initial application. The Town Planner and his designees must be invited to this meeting.

The purpose of the neighborhood meeting is to educate neighbors about the proposed developments and application, to receive neighborhood comments, and to address concerns about the development proposal. At least one neighborhood meeting shall be scheduled and held by the applicant's agent prior to submission of the initial application. The Planner shall determine the need for additional meetings.

The neighborhood meeting shall be held at a place that is generally accessible to neighbors who reside in close proximity to the land subject to the application. The applicant or his agent shall provide a listing of all residents' mailing addresses within 100 feet of the land subject to the application meeting a minimum of twenty calendar days in advance of the meeting and to any neighborhood association that represents citizens within that area.

At the neighborhood meeting the applicant shall explain the development proposal and the application, answer any questions, and respond to concerns neighbors have about the application and proposed resolutions.

An application shall be submitted to the Town Planner pursuant to the application submittal schedule established by the Town and made available to the public along with a fee established by the Board of Commissioners.

Following the neighborhood meeting the planner shall determine if the application is sufficiently complete to evaluate the application to determine whether it complies with the appropriate substantive requirements of the towns' ordinances. This process shall occur within the time frame of the application submittal schedule as established by the town ordinances. If the Town Planner determines the application is not sufficient, a written notice shall be transmitted to the applicant specifying the applications deficiencies. No further action shall be taken on the application until the deficiencies are remedied.

When an application is determined sufficient, it shall be reviewed pursuant to the procedures and standards of this article. The Planner shall forward the application to each member of the Plan Review Committee and any other applicable agencies for review and comments. If the application is found not to comply with one or more of the aspects of the town ordinances or other regulations, the Planner shall compile a list of comments of the PRC and any other agency review. The process shall repeat until the application is found to be complete and in full compliance with the towns' ordinances and all other applicable regulations.

Upon the PRC's finding that the application is complete and in full compliance with the Town's ordinances and all other applicable regulations, the Town Planner shall prepare a staff report. This staff report shall include a recommendation from the staff for approval, approval with conditions, or denial. Town staff may recommend conditions for approval to eliminate any areas of noncompliance or to mitigate any adverse effects of the development proposal.

When an application is subject to a public hearing, the requirements of the Towns' ordinances regarding hearing notice shall be fulfilled. The public hearing shall be scheduled so there is sufficient time for a staff report to be prepared, and for the public notification requirements to be satisfied.

All applications for development approval requiring public hearings shall comply with the North Carolina General Statutes, Section , and other provisions of this ordinance.....

Planner Monroe stated that the Planning Board looked at this item briefly at their meeting on Thursday night and they wanted more time to review before making a recommendation.

Attorney Messick submitted the following written comments:

The proposed procedure seems to be written as if it were a policy statement rather than a text amendment to the zoning ordinance. If the latter is intended, I suggest that it be revised in an ordinance format. As an aside, the County has been interested in the neighborhood meetings for some time. You may wish to consult with the County Planning staff regarding their research.

The draft document generally seems to require a pre-application conference and a neighborhood meeting prior to filing an application for a "rezoning". In addition, it seems to assume the existence of a Plan Review Committee for purposes of reviewing an application incident to a determination of completeness. It also seems to place additional responsibilities upon the Town Planner in terms of a pre-application conference and attendance at neighborhood meetings as well as an earlier review of rezoning applications.

The threshold issue ought to be a determination as to the types of development approvals to which the policy ought to apply. The town currently entertains a large number of

development applications including zoning, subdivision, site plan reviews, and variances. Even if the policy were applicable only to zoning issues, there are a variety of map changes requiring town approval. There are conditional uses as well as regular general purpose district rezoning requests. Depending upon the type of map change, the procedure may be legislative or quasi-judicial in nature. Some or all of these types of proceedings may benefit from the pre-application neighborhood meeting. Consequently, I suggest that the type of proceeding should be more clearly identified.

I am of the opinion that conditional use rezoning and site plan reviews are the most likely proceedings to benefit from the policy since a development plan is required. In the case of a “straight” general purpose-zoning, the proposed use is not relevant, and cannot be relied upon by the neighbors or the Town. In fact, the Town should consider all of the uses permitted in such a district before adopting such a map amendment. A neighborhood meeting may actually encourage reliance upon representations that are not enforceable.

In conditional use quasi-judicial proceedings there may be some question as to the appropriateness of town staff involvement in the neighborhood meeting. There may be some question raised in the course of the proceedings as to the impartiality of the decision-making process if staff were involved. It is likewise not clear what function the planner would serve at the meeting.

There are also administrative issues involved in requiring town staff to attend essentially private meetings. Likewise, the policy seems unduly burdensome on the town planner to require him to schedule meetings with various town staff and outside consultants. The burden for such scheduling ought to be placed upon an applicant, if necessary. I do not see the rationale for every “rezoning” proposal to necessarily involve a pre-application conference with all of the persons listed. If the planner is not comfortable with the scope of his expertise, he can certainly recommend that the applicant meet with other appropriate persons prior to submitting an application. The purpose of the pre-application conference is to help an applicant fashion an acceptable plan, but additional demands on staff time may take away from other responsibilities.

The draft plan requires the pre-application conference and the neighborhood meeting occur prior to the filing of an application. I believe that can be accomplished in a simpler, more concise fashion.

The draft assumes a Plan Review Committee that is not currently in existence. The language may have been taken from a larger governmental unit, but if Pittsboro is to have such a committee, some additional provisions are necessary to determine the composition of the PRC. The draft requires the PLC to determine completeness of the application, but the planner is also charged with that responsibility.

The policy seems to require a staff report prior to the public hearing. Under the current procedure, there is no staff report until after the public hearing. If this change is too effectuated, there needs to be some evaluation of the time between submittal of an

application and the timing of the hearing. Further text changes to the ordinance will be required. There is no mention of the planning board's involvement in this process. It is not clear whether the Planning board should consider applications prior to the public hearing before the staff report. With the current procedure, there may be a question raised in quasi-judicial proceedings as to whether post-public hearing deliberations could be construed as ex parte communications and prohibited. Consequently, I recommend that the public hearing be the final step before a Board of Commissioner decision in quasi-judicial matters.

This policy requires the staff report to recommend three options for the Board of Commissioners to consider. Depending upon the type of map change procedure involved, it may not be possible to approve with conditions. A general purpose rezoning map change can only be approved or denied. There cannot be a conditional approval.

In summary, if the Board of Commissioners feels that some types of rezoning applications would benefit from pre-application conferences and a neighborhood meeting, I think the ordinance text can be amended in a more concise manner. I would suggest the administrative cost for additional meetings and responsibilities be considered as well. There should be some flexibility in the policy unless the type of matter affected is strictly defined.

Planner Monroe went over the flow chart of the process.

There was a general discussion about the memos.

Commissioner Baldwin asked if he knew any other municipalities that were using this process.

Planner Monroe said Cary, Apex, Morrisville are doing this for SUP.

Manager Misenheimer stated it is not uncommon throughout North Carolina.

Mayor Voller asked the Fire Chief be involved in this also.

Motion made by Commissioner Walker seconded by Commissioner Cotten to table for further study at upcoming meeting(s).      Vote                      Aye-5    Nay-0

## **NEW BUSINESS**

### **WATER BILL REQUEST MARK AND LISA GOUGH**

**Request consideration to adjust water billing for Mark and Lisa Gough of 6 Windsong Drive in Potterstone Village.**

Manager Misenheimer has recommended that the board allow an adjustment for sewer since the water did not go into the wastewater system. The amount of that adjustment would be \$636.44.

September 1, 2006

Sam Misenheimer and The Pittsboro Board of Commissioners

Hello, we would like to introduce ourselves. We are Mark and Lisa Gough of 6 Windsong Drive in Potterstone Village. We are brand new residents of the town and we searched for a long time before choosing Pittsboro as our home. We really love the “home town” feeling of living here, but we have an issue that we hope you can help us with.

We are very concerned with our first water bill and don't understand how it could be so large. We were billed \$1,280 for 144,000 gallons of water for one month.

We have had several cordial conversations with the employees of the Water Department and with Mr. Misenheimer and although they tried to be helpful, they were ultimately unable to adjust our bill. They suggested that we ask your Board to help us resolve this issue.

We certainly believe in paying our bills and are very responsible citizens, but we feel strongly that this bill is incorrect and would like to bring to your attention the following items as background information for our upcoming meeting.

- 1) This is a single-family dwelling, we are a household of 2 and we both work out of the home full time. There is no commercial water use; we have only ordinary household usage.  
  
Mr. Misenheimer reviewed our situation and determined that no adjustment was appropriate believing that the size of the bill was due to watering the lawn. The remaining points address this.
- 2) Sod was laid on the day of closing (6/30/06) and we watered as advised for the first few weeks.
- 3) Our lot is .59 acres, only the front yard is sodded and there are large, unsodded natural areas in the front yard – estimated sod coverage is 1/5 acre.

- 4) Our testing shows the capacity of sprinkler system – maximum use for both sprinklers used together is 380 gallons per hour. (See attached calendar)
- 5) To use 144,000 gallons within the 27-day billing period would require almost 16 days of 24hr, “bibs open all the way” use of the sprinklers.
- 6) We believe that we watered according to the attached calendar – about 21,660 gallons during that period which would amount to approximately \$200.
- 7) We would gladly pay for the above. We also estimate that we used \$60 of water unrelated to the sprinkling that month, for a total of about \$260.
- 8) We believe the amount billed in excess of that must surely be due to other factors and request that you adjust our bill accordingly.
- 9) The Water Department advises us that our second month’s bill should be about \$90 for 7,930 gallons. We believe this represents more typical use for us, if not somewhat higher due to lawn watering continuing during the early part of the month.
- 10) The attached letter from our Builder, Phil Stone, attests to the functioning condition of our water line and that the typical water usage for newly sodded lots in Potterstone Village averages \$118.50.

We have spoke with many people (homeowners, businessmen, and others) and there has been no one that believes this is even close to being possible. We would like to handle this matter as friendly and responsible as possible and feel sad that this is our first experience with the town of Pittsboro. Both of us would like to pursue an active role in becoming a part of Pittsboro’s growth and wish this was not the way we were meeting all of you. We truly appreciate all your help and understanding with this matter and if you have any questions please feel free to call either one of us.

Sincerely,

Lisa and Mark Gough

**THE ABOVE MENTIONED ATTACHMENTS ARE RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 558-561**

The Gough's went over the above letter and said there is no way they could have used that much water.

Manager Misenheimer stated it is policy that town staff cannot adjust a water bill if the water has actually registered through the meter. It is a mysterious situation. We do not have a policy or authority to waive the sewer part of a bill of this magnitude. It's not uncommon if it is for irrigation purposes the sewer side of the bill is waived. Town staff has been through the process of re-reading and testing the meter.

Manager Misenheimer stated we are also going to have to look at our existing policy and decide if we are setting precedent here as well.

Commissioner Bryan stated that normally if it has not been treated we waive the sewer part of it so he would not have a problem with that at all.

Mayor Voller asked how many gallons per minute can the sprinkler put out. Mr. Gough said 380 gallons per hour.

Ms. Gough said they expected their bill to be about \$200.

John Poteat stated the meter was tested at high flow it tested at about 96 percent and low flow tested at 99 percent. That meter is a 20 gallon per minute meter by AWWA standards maximum is thirty gallons per minutes. Using the figures they provided on the times they watered at minimum it would be 68,000 gallons and it would be 102,000 at maximum and that does not consider regular household consumption.

Commissioner Cotten stated according to the letter from Mr. Stone he found no leak. In the past the best he can recall we only made adjustments if there was a leak or the meter had malfunctioned and it seems that neither of these two cases has happened here.

John Poteat stated the meters are tested before they are installed.

Commissioner Cotten asked if they had asked the builder to help pay the bill. Mr. Gough stated he had not, he just asked that he check for leaks. The sod was put down the day of closing therefore they had to water it from day one.

Motion made by Commissioner Walker seconded by Commissioner Bryan to credit the Gough's sewer account for \$636.44.

The Gough's still were concerned about having to pay on the conception that they used 144,000 gallons per day.

Commissioner Cotten stated it bothers him. He feels like somebody (they or the builder) are responsible. We have people in town that have watered their garden without protesting paying the sewer on the bill. Still, he thinks they could go back to the builder for help with payment.

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

Mayor Voller stated he thinks the board would consider allowing payment arrangements. Manager Misenheimer said we already will do that.

### **SCHEDULING PUBLIC HEARING REZONING REQUEST – RICKY SPOON**

**Request for a public hearing on September 25, 2006 to consider a rezoning request by Ricky Spoon for approximately 114 acres of property known as Bellemont Point from R-10 to MUPD.**

Motion made by Commissioner Bryan seconded by Commissioner Walker to set a public hearing for the rezoning request from Ricky Spoon for September 25, 2006 at 7:00 p.m.

Mayor Voller asked if Mr. Spoon's project would have to go by what was discussed earlier.

Planner Monroe stated according to state law his project would be governed by what is in effect when the application is made. He will be reviewed on the existing procedures.

Mayor Voller said that as Mr. Messick pointed out we can ask for reviews.

Vote   Aye-5   Nay-0

Ricky Spoon stated he has notified the adjacent property owners and have spoken with them all but the owner of Chatham Forest has not returned his call.

### **ECONOMIC/BUSINESS UPDATE – MAYOR VOLLER**

**Business/economic development updates-Mayor Voller.**

Mayor Voller stated the Mexican Grocery Store downtown has opened. We should support our downtown businesses.

Commissioner Brooks stated he would like to suggest when you have the opportunity that you look at the latest Consumer Guides Magazine. One of the items is rating grocery stores and one of the chains that he has never heard of has hundreds of stores in the south. Some of the developers we have talked with have said that would be interested in getting

a grocery store to come here, he would suggest that it be mentioned to potential developers.

Mayor Voller stated Piedmont Biofuel's will be opening soon.

Staff Reports/Manager updates

- Updates on Town projects- we have started having a meeting the 3<sup>rd</sup> Tuesday of each month to keep track of various things taking place.
- Update on reclaimed water system to serve 3M – have received favorable comments regarding 3M

**COMMISSIONER CONCERNS**

FYI

- New library panel discussion meeting, September 19 @7:30
- 2<sup>nd</sup> Annual 5k Reindeer Run and Family Fun Event
- Piedmont Biofuels grand opening, September 25, 2006  
11:00 AM – Press event            6:00 PM – Co-op event
- Update on Pittsboro Street Fair

**ADJOURNMENT**

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

\_\_\_\_\_  
Randolph Voller, Mayor

ATTEST:

\_\_\_\_\_  
Alice F. Lloyd, CMC, Town Clerk