

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
MARCH 13, 2000
7:00 P.M.

Mayor Charles R. Devinney called the meeting to order and gave invocation.

ATTENDANCE

Members present: Mayor Charles R. Devinney, Commissioner Clinton E. Bryan, Jr., Ethel F. Burns, Max G. Cotten and Gene T. Brooks. Commissioner Cassie H. Wasko was absent.

Others present: Manager Hugh Montgomery, Clerk Alice F. Lloyd and Attorney Paul S. Messick, Jr.

DISPOSITION OF MINUTES

Motion made by Commissioner Bryan seconded by Commissioner Burns to approve the minutes of the February 28, 2000 meeting.

Vote Aye-4 Nay-0

CITIZENS MATTERS

Doris Huneycutt was present requesting support from the Board of the Chatham County Master Gardens proposed request for beautification funding. They would like to keep color landscape in the traffic island downtown.

They are in the process of writing a grant which would be funded July 1, 2000. They want to make sure the Town has no objection and that they write a letter in support of the grant to be mailed in with the application.

Commissioner Burns wanted to know who would keep it up?

Mrs. Huneycutt stated she would think it would be the master gardeners.

Motion was made by Commissioner Brooks seconded by Commissioner Burns to support the Master Gardeners in seeking a grant and to write a letter of support.

Vote Aye-4 Nay-0

PLANNING AND ZONING

WILLOW SPRING – PRELIMINARY PLAT EXTENSION

Manager Montgomery stated Mr. Robert A. Hartford has requested to have the preliminary plat extended six months because it has taken so long to get approval from the NCDENR. The plans were submitted in early December 1999 and as of today the State permits and approval have not been returned.

Bob Hartford stated the preliminary plat was approved on April 12, 1999, they have let the contract for construction, and nothing has changed since approval.

Motion was made by Commissioner Burns seconded by Commissioner Bryan to extend the Preliminary Plat application by six months beginning on April 12, 2000.

Vote Aye-4 Nay-0

PRELIMINARY PLAT – CHATHAM FOREST PHASES 3, 6, 7 AND 9

Manager Montgomery stated Chatham Forest has requested Preliminary Plat approval for Phase 3, 6, 7 and 9. A public hearing will need to be scheduled for this item.

Commissioner Burns stated she would like to see the water issued resolved before we look at Preliminary Plat approval.

Motion made by Commissioner Burns seconded by Commissioner Bryan to table this matter until we have an answer and some sort of resolution to the water problems with Chatham Forest.

Vote Aye-4 Nay-0

REZONING REQUEST – MR. & MRS. CHARLES LEWIS

Manager Montgomery stated we have received a request from Mr. & Mrs. Charles A. Lewis, III for rezoning approximately 5.77 acres from RA to R10. The property is located off Thompson Street.

Motion made by Commissioner Bryan seconded by Commissioner Burns to establish a public hearing for March 27, 2000 for a request to rezone approximately 5.77 acres from RA to R-10.

Commissioner Brooks stated he suspects that we are coming to what the state will allow us to allocate of our capacity. Manager Montgomery stated that is correct.

Vote Aye-4 Nay-0

PRELIMINARY PLAT – HUNTER CREEK SUBDIVISION

Manager Montgomery stated we have received a request for Preliminary Plat approval for a 20 unit residential subdivision to be known as Hunters Creek from Mr. & Mrs. Charles Lewis, III. A public hearing needs to be scheduled.

Motion made by Commissioner Burns seconded by Commissioner Bryan to establish a public hearing for Preliminary Plat for a residential subdivision to be known as Hunters Creek for March 27, 2000 at 7:00 p. m.

Vote Aye-4 Nay-0

HERMITAGE ASSISTED LIVING FACILITY

Manager Montgomery stated Ms. Christine Moore and Mr. John Leandro – Hermitage Assisted Living Facility (Formally Meadowbrook Assisted Living Facility) are present tonight.

Ms. Moore stated they would here to introduce themselves to the Board.

WATER TANK

Manager Montgomery stated Mr. Edward Jackson – President, R. E. McLean Tank Co., Inc., Mr. Scotty Wilkins – Utility Service Co., Inc. and Wally Jenkins is present to discuss the removal and reinstallation of the Horton Tank.

Mr. Wilkins stated they would like to know what the Board would like to see done.

Mr. Jackson stated he has been with McLean Tank for 36 years and they have been taking tanks down and reinstalling them. The tank is structurally sound.

Wally Jenkins stated he would like to see the Town make betterment to the system instead of one to serve some portion of Chatham Forest. He further stated that the Town has spent a lot of money on the Horton Tank.

There was discussion about the Midway Tank being taken down. Mr. Jackson stated he had included a price for taking the Midway Tank down.

Mr. Jackson stated 20-psi pressure is pretty low.

Mr. Jackson to move the tank to either site location and adjust the height instead of proposed standpipe tanks would cost \$120,000 to \$130,000.

Manager Montgomery stated he has received a proposal to do a Hydro Model of the Town's water system for \$2,200 (dollars were budgeted this FY).

Motion was made by Commissioner Brooks seconded by Commissioner Burns to authorize the Manager to sign the Contract to have the Hydro Model of the Town's water system prepared for \$2,200.

Commissioner Cotten asked if it was \$22,000 or \$2,200. The Manager stated \$2,200.

Vote Aye-4 Nay-0

Manager Montgomery stated if we could rent space on the tank to serve as a Cellular Tower.

Mayor Devinney stated he would like the Midway Tank to come down.

ENVIRONMENTAL ASPECS, INC.

Manager Montgomery stated Mr. David Jerose, P.G., was present to explain why the monitoring well was placed in the front yard of the Community Building.

Mr. David Jerose stated the site was changed because it was a better location so they could get better results. He stated they would make the well ground mounted and sow the grass back around it.

Manager Montgomery stated that children play in the front yard, no consideration was given to the users of the building or the Town when the location of the well was changed.

Mr. Jerose stated he could move the well it would just cost money.

Mayor Devinney suggested that he find a way to correct the problem.

Motion made by Commissioner Brooks seconded by Commissioner Burns to put the monitoring well in the gravel driveway as the board previously was told it would be.

Vote Aye-4 Nay-0

Mr. Jerose stated he would like to get into the well house on the Community Building property.

Manager Montgomery stated he has had the key since last week and had not heard back from Mr. Jerose.

Motion was made by Commissioner Brooks seconded by Commissioner Burns that the Boy Scouts be asked to move their belongings out of the well house to avoid contamination if the well has contamination and to authorize Manager Montgomery to let them in the well house to do testing.

Vote Aye-4 Nay-0

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STREET RESURFACING

Manager Montgomery stated he would like to solicit proposals for resurfacing the list of streets provided to the Board.

Manager Montgomery stated the Town is in the process of doing some of the major depth patching in Town.

There were funds in last year's budget to repair Fairgrounds Road from US 64 to the fence.

Motion was made by Commissioner Burns seconded by Commissioner Brooks to authorize Manager Montgomery to solicit proposals for street resurfacing.

Vote Aye-4 Nay-0

VOLUNTARY PETITION OF ANNEXATION MR. & MRS. CHARLES A. LEWIS, III

Manager Montgomery stated the board needs to instruct Ms. Lloyd to determine the sufficiency of the petition.

Motion made by Commissioner Bryan seconded by Commissioner Burns to instruct Ms. Lloyd to determine the sufficiency of the petition.

Vote Aye-4 Nay-0

Motion was made by Commissioner Brooks seconded by Commissioner Burns to establish a public hearing on Petition of Annexation for Mr. & Mrs. Charles A. Lewis, III for March 27, 2000 at 7:00 p.m.

Vote Aye-4 Nay-0

GPG DEVELOPMENT, LLC

Manager Montgomery stated the amended agreement with GPG Development, LLC is before the Board tonight for consideration.

Commissioner Cotten stated he has a problem with Section I, #4, which reads "The actual cost, including design and construction cost, of the twelve-inch water supply main to be constructed by the Developer shall be credited towards the water acreage fees due hereunder. To the extent the actual costs shall exceed the water acreage fee of \$69,175.20, no further payment by Developer shall be required." – does this mean that the Town will have to pay the difference?

Attorney Messick stated it did not mean the Town had to pay the difference.

Commissioner Cotten also wanted to know about Section II, #5 which reads “To pay the Developer the sum of \$11,617.41 for the oversize cost of the 12” diameter water line installed by the Developer in its May Farm Subdivision at the request of the Town.” - Have we already paid this?

Manager Montgomery stated we have already paid this.

Motion was made by Commissioner Cotten seconded by Commissioner Brooks to delete number 5 of Section II that was previously listed.

Vote Aye-4 Nay-0

Motion made by Commissioner Cotten seconded by Commissioner Burns to approve the Amended Agreement with GPG Development, LLC with number 5 in Section II deleted.

Vote Aye-4 Nay-0

A COPY OF THE AGREEMENT WITH GPG DEVELOPMENT, LLC IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES

SUBDIVISION MORATORIUM

Motion made by Commissioner Burns seconded by Commissioner Bryan to establish a public hearing on an Ordinance establishing a moratorium on the approval of subdivisions of land in the Town of Pittsboro for March 27, 2000 at 7:00 p. m.

Vote Aye-4 Nay-0

PRELIMINARY ASSESSMENT RESOLUTION

Manager Montgomery stated we needed to approve a Preliminary Assessment Resolution for installation of sewer on Thrift and Brown Street.

There was discussion about filling in the blanks on the resolution they are as follows:

2. That 100 percent....
3. ...assessment in 5 equal rate of 6 percent per annum;
4.held on the 24th day of April, 2000....

Motion was made by Burns seconded by Commissioner Bryan to approve the Resolution with the above additions and establish a public hearing for April 24, 2000 for the purpose of a proposed Preliminary Assessment Resolution to construct approximately 650’ of 8” sewer line on Brown and Thrift Streets.

Vote Aye-4 Nay-0

COMMISSIONER CONCERNS

Commissioner Burns stated she is serving on both the Safe Road & Solid Waste Committees and would like for someone else to be the Town's representative on the Solid Waste Committee.

There was discussion, after which Commissioner Burns stated she would look for a replacement to the Solid Waste Committee and she would continue to serve until the Board approved someone.

Commissioner Burns also stated it was nice to see more Police Officers out patrolling.

Commissioner Brooks stated he would like for the Safe Road Committee to look at the Stop Light on 64 East because of the sun it is almost difficult to see the light.

There was discussion of requesting NCDOT to install a strobe in the light or maybe a black shield.

Commissioner Brooks stated he still have concerns about the water running on the sidewalks in front of Horton.

Commissioner Brooks stated that since we are going to have a moratorium in place and the Planning Board is working on the Land Use Permit, would the board consider not requiring Attorney Messick to attend the Planning Board meeting during the land use plan update.

Motion was made by Commissioner Brooks seconded by Commissioner Burns that Attorney Messick not be required to attend the planning board doing the land use plan update period. Vote Aye-4 Nay-0

Commissioner Brooks stated he felt that the Engineer should not meet with developers unless the Board of staff advises them too. He does not want citizens to pay these fees that the developers should be paying.

The board agreed.

Mayor Devinney stated the Board should authorize open pavement cuts not the engineers.

Mayor Devinney asked that name of the street beside Town Hall and stated a No Truck sign should be placed on the US 64 East entrance.

Send a letter to H. V. McCoy and County about all the litter on Chatham Fairgrounds Road.

Contact the correction department about getting inmates to pick up trash.

Mayor Devinney stated something needs to be done with Burns Exxon's property, it is a mess. The old chicken plant is an eyesore also the Trailer on 64 that belongs to Dan Burke.

Mayor Devinney wanted to commend the Northwood High School Boys and Chatham Central Girls on their great basketball seasons.

Motion made by Commissioner Bryan seconded by Commissioner Brooks to send both schools a letter of recognition.

Vote Aye-4 Nay-0

ADJOURNMENT

Motion made by Commissioner Burns seconded by Commissioner Brooks to adjourn.

Vote Aye-4 Nay-0

Mayor

ATTEST:

Clerk