

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
MONDAY, DECEMBER 10, 2012  
7:00 PM

Mayor Randolph Voller called the meeting to order and asked for a moment of silence.

**ATTENDANCE**

Present: Mayor Randolph Voller, Commissioner Pamela Baldwin, Jay Farrell, Michael Fiocco, Bett Wilson Foley and Beth Turner.

Staff present: Manager Bryan Gruesbeck, Clerk Alice Lloyd, Attorney Paul S. Messick, Jr., (arrived at 7:30) Planning Director Stuart Bass, Parks Planner Paul Horne and Finance Officer Mandy Cartrette.

**CONSENT AGENDA**

Motion made by Commissioner Fiocco seconded by Commissioner Turner to approve the consent agenda with minor corrections to the November 13, and 26, 2012 meeting (November 13, 2012 change "CMAC" to CMAQ and November 26, 2012 page 13 change "excuse Mayor Voller" to recuse Mayor Voller) and to remove Item #2 to Old Business #5.

1. Approve minutes of the November 13, 2012 and November 26, 2012 regular meetings with the above listed corrections.  
Motion carried 5-0
2. Consider Approval of Administrative Schedule for Preparation of the Fiscal Year 2013-2014 Budget. Removed to Old Business #5.  
Motion carried 5-0
3. Approve a resolution Designation of Authorized Signatories for Community Development Block Grant Requisition Forms for the Hillsboro Transmission Line Replacement Project  
Motion carried 5-0
4. Appoint Alfreda Alston to the Town of Pittsboro Planning Board.  
Motion carried 5-0
5. Schedule a public hearing on January 28, 2013 to consider the expansion of the ETJ and associated zoning.  
Motion carried 5-0

**A RESOLUTION DESIGNATING AUTHORIZED SIGNATORIES FOR COMMUNITY DEVELOPMENT BLOCK GRANT REQUISITION FORMS FOR THE HILLSBORO STREET TRANSMISSION LINE REPLACEMENT PROJECT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE PAGE 211**

The resolution reads as follows:

**A RESOLUTION DESIGNATING THREE TOWN OF PITTSBORO OFFICIALS AS AUTHORIZED SIGNATORIES OF CDBG REQUISITION FORMS FOR THE HILLSBORO TRANSMISSION LINE REPLACEMENT PROJECT**

WHEREAS, The Town of Pittsboro was awarded a \$750,000 CDBG grant plus \$100,000 in additional funding for the Hillsboro Transmission Line Replacement Project; and

WHEREAS, the North Carolina Department of Commerce requires that the Town designate at least two authorized signatories of requisition forms related to the CDBG for the Hillsboro Transmission Line Replacement Project; and

WHEREAS, the Town Manager has recommended that the following three officials be authorized to sign requisition forms related to the CDBG for the Hillsboro Transmission Line Replacement Project:

1. Mayor
2. Town Manager
3. Finance Officer

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Pittsboro that the positions of Mayor, Town Manager and Finance Officer are hereby authorized to sign requisition forms related to the CDBG for the Hillsboro Transmission Line Replacement Project on behalf of the Town of Pittsboro; and

BE IT FURTHER RESOLVED that the Town Manager is directed to complete three copies of the required "Signatory Form and Certification" card and submit those cards to the CDBG administrator at the North Carolina Department of Commerce.

Commissioner Fiocco stated we need to add a closed session pursuant to personnel to new business. Motion was made by Commissioner Turner seconded by Commissioner Farrell to approve the regular agenda adding a closed session as New Business #3.

Vote Aye-5 Nay-0

**REGULAR MEETING AGENDA**

**CITIZENS MATTERS**

Michelle Sisco read the following statement into the record: My name is Michelle Sisco and I reside at 25 Cobble Ridge Drive in Powell Place. Forgive my memo as I am very forgetful since

having my son who is six-months old. I have lived in Pittsboro/Chatham County since relocating here in 2005 from Albany, New York. I have worked for an attorney here in town, so if you received a traffic ticket you likely spoke with me over the phone. I also worked at Urban Sampler until that was closed and the owner opened a store in Apex. I support local business as much as possible. I have frequented Oakleaf, Sweet Oven Bakery, New Horizons, Virlie's, GSC, Small B & B, and numerous other merchants. I am married to a man who works for UNC-CH in the Biology Department. He is also from upstate New York. We moved to Pittsboro because we liked the area and also because we wanted a good area to raise a family. We bought our home in Powell Place in late 2007. Since that time we have met many of our neighbors and now consider them friends more than neighbors. I was also against the Senior Apartments but now have a friend that lives in them and is enjoying her apartment. I would love to have my parents there but it is not possible. I have tried to become used to having the building in our development. We have even had issues with the fire department and drills with the building.

Hopefully that is being addressed. I can say that on two separate occasions we have had EMT's at our home who were able to get to our residence with no issues. So my reason for being here tonight is to request that the town repair the sidewalk in front of my home. It has been this way since moving in and I have never requested it be repaired till this year. I have contacted the developer of Powell Place who tells me the issue must be resolved by the Town. This morning I received an email from our mayor who had sent it to the Developer and owner requesting it be repaired by them. I do know that when the homes are being put in here that the builders are putting in the sidewalks, but who is responsible for maintaining the sidewalks?

She stated she has been leaving messages for public works staff and they have not returned her calls. She has also left message about getting some children at play sign put up and she hasn't heard back about that either.

Lesley Landis made the following comments: My name is Lesley Landis. I live at 21 Randolph Court, Pittsboro, NC 27312. I speak as a resident of Pittsboro and your constituent, and not as a representative of any board or organization that I am affiliated with.

A steel I-beam said to possibly be from the wreckage of the World Trade Towers destroyed in the terrorist attacks of 9/11 was brought to Chatham County a couple of years ago by a few Chatham citizens on their own initiative and using their own resources. These citizens are attempting to find a home for the I-beam in the county as a 9/11 Memorial to emergency responders.

The proposed site, just west of the new Chatham County Justice Center and along 15-501 North is NOT the right place for the steel I-beam believed to be from the World Trade Centers.

I ask the Town of Pittsboro to take into consideration Pittsboro's location, our unique identity and character, our culture, history, and values, and the constituencies in this county, and...

- reflect on whether a 9/11 Memorial in Chatham County is appropriate, relevant, timely, representative

- contemplate whether the Justice Center site is appropriate. Is another location better? Why?
- mull over if a public memorial is "public art" and if a raw piece of construction material can be considered "art"
- imagine what the likely long-term impressions of a 9/11 memorial will be given what we know now

Typically I would be happy to address you on an issue about new public art in our town, however in this case I ask you to think long and hard about what the County is proposing for the approach to our town from the south.

Thank you.

Mayor Voller asked Planner Bass if he had researched if an entity, property owner, etc. wanted to erect a monument exactly what does our ordinances say to that. Planner Bass said it is not a part of the zoning ordinance.

Mayor Voller said so in theory if he wanted to erect a very large statute honoring Commissioner Farrell's service with the fire department that was 50 ft. tall there is absolutely nothing to prevent it. Planner Bass said not to his knowledge.

Mayor Voller wanted the Board to be aware of this. He said this is something the Planning Board should be thinking about.

Jeffrey Starkweather -590 Old Goldston Road, echoed Ms. Landis's statement. He said it seems to him that a memorial for first responders should be in front of something like the Sherriff's Department, which has plenty of space in front of it. He agrees with her that while everyone is thankful and grieve for the lost lives in 9/11 – the first responders in New York. There are a lot of things that happened after that that seems to him would be a direct contradiction to being "Justice for All". He also mentioned the 1907 Confederate Soldier statue that was put up in front of the annex building.

Mayor Voller referenced the letter he sent to the Chatham County Board of Commissioners regarding the 9/11 Memorial in Chatham County it is inserted in its entirety:

December 3, 2012

RE: Potential 9-11 Memorial in Chatham County

Dear Chatham County Board of Commissioners:

The placement of iconic statues and memorials in a public space certainly deserves a rich public discussion. The current proposal is to place the memorial in downtown Pittsboro at the entrance

of the exquisite new Judicial Center, an idea that many believe merits further input from the public and perhaps a joint meeting with the Town Board to discuss.

Why?

1. Perhaps the memorial would be better suited in front of the Sheriff's Department; or
2. Locate the memorial on the new property the county purchased adjacent to CCCC in an insightful education experience, or
3. In front of the local VFW.

In lieu of the myriad of issues connected to 9-11 and subsequent to 9-11, it is appropriate to consider a wide range of viewpoints and place the memorial in a location that honors those who were lost on the tragic day and subsequent to 9-11, but does not send a mixed message.

Many believe that justice and a center serving justice is not an appropriate location; however, without debating the merits of the memorial itself they can support an alternate location in Pittsboro or Chatham County that would provide a richer educational and cultural experience.

Please consider my input on behalf of myself and these citizens.

Respectfully submitted,  
Mayor Randolph Voller

Mayor Voller stated it should be some discussion between the County and Town Board of Commissioners.

Commissioner Baldwin stated she spoke at the Chatham County Board of Commissioners public input session and told them that the property was actually purchased from Chatham County Fair Association and that property has historic significance in the African American Community. She asked that the site be used for something of significance. The Justice Center stands for justice, peace and also freedom. She feels a historically significant memorial would be a Veterans Memorial that is what they fought for.

Mayor Voller wanted to set the record straight that Chatham County purchased the property from Chatham County Fair Association it was not a gift.

Attorney Messick entered at 7:30 and Mayor Voller asked him that based on our regulations and ordinances in town is it essentially his understanding that if you wanted to build a statue to Bob Gunn at Gunn & Messick, that was 50 ft. tall there would be no regulations to say you couldn't do it. Attorney Messick stated it would depend on whether it would be considered as an accessory use to the principal use of the property. Mayor Voller asked Attorney Messick to bring back a legal opinion to the question.

## OLD BUSINESS

### CONSIDER A STATEMENT OF SUPPORT FOR A GRANT PROPOSAL FOR NATURAL RESOURCE CONSERVATION IN MUNICIPAL LAND USE PLANNING WITH THE NORTH CAROLINA FOREST SERVICE (NCFS) (BROOKE MASSA, NORTH CAROLINA WILDLIFE RESOURCES COMMISSION)

Manager Gruesbeck reported that he met with Brooke Massa from the North Carolina Wildlife Resources Commission on 12/3/12 to discuss their earlier presentation to the Board that sought support for the Grant Proposal to NCFS. The project is intended to study forest conservation methods and recommend best practice standards for the Town of Pittsboro. As you are aware, the Board was reluctant to pursue the partnership with the previous proposal because Town Staff would have been required to commit an unreasonable amount of time to the project. Furthermore, it appeared unclear to the Board what kinds of financial and in-kind matches would be required from the Town of Pittsboro.

Ms. Massa is here to give an overview of the revised proposal. It is his understanding that the Board's previous concerns may be resolved – no financial commitments will be required from the Town of Pittsboro and staff commitments will be kept to a minimum – (e.g., review project materials).

Ms. Brooke Massa said after they came to the Board in October they were encouraged by Mayor Voller and Commissioner Foley to come back again to try to receive support from the Board.

Ms. Massa went over the prepared information she submitted:

#### **Pittsboro Board of Commissioners Meeting Agenda Item Request and Information Packet**

Meeting date: December 10<sup>th</sup>, 2012

Submitted by: Nancy Stairs, NC Forest Service; Brooke Massa, NC Wildlife Resources Commission; Kacy Cook, NC Wildlife Resources Commission; Allison Weakley, NC Natural Heritage Program

Items included in agenda packet: Summary of the Redesign Grant Proposal and a copy of the draft Redesign grant proposal

We respectfully request that the Pittsboro Board of Commissioners reconsider providing a non-binding statement of support of the Redesign Grant Project from the Town of Pittsboro.

#### Summary of the Redesign Grant Proposal

##### ***Redesign Overview:***

Grant is awarded by the USDA Forest Service to the North Carolina Forest Service (NCFS) to improve outcomes of tree canopy and forest resource management and conservation relating to local government land use planning. The NCFS would be solely responsible for administering the grant, grant reporting and for meeting in-kind match requirements.

##### ***In-Kind Match:***

Grant partners hold no legal responsibility for in-kind match. The NCFS is solely responsible for meeting in-kind match requirements internally. The in-kind match for the grant is not a required cash match. In-kind match can consist completely of documented time spent working on the project. In-kind match in the form of time is noted as a dollar amount in the grant, but this dollar amount is an estimate for the value of time spent on the project and is not a financial commitment.

We hope that Pittsboro staff and board members will provide input to this project so that it can benefit the town and to provide a real world case study. We want to tailor this project to suit the needs of the Town of Pittsboro. Any time that the Town of Pittsboro staff or board members spend providing input to and reviewing the products produced from this grant can count as in-kind match.

***Purpose of Proposal:***

To assist Pittsboro in the creation of recommended conservation standards, model ordinance and zoning language, and land use planning recommendations to enhance its natural resource base and the integrity of the natural resources services provided to its citizens by healthy forests. This project will provide resources and information to help inform land use decisions and policy for Pittsboro. It will not obligate the Town of Pittsboro to adopt any particular policy. This project could help the Town of Pittsboro get out ahead of anticipated growth and have Pittsboro be recognized as a leader on the forefront of finding innovative ways to balance natural resource conservation and economic growth.

***Summary of Major Components:***

- Pittsboro's interests will be incorporated through input by town leaders, staff and public in project components.
- Work with an environmental consultant to update data on natural resources in Pittsboro's ETJ and use it to identify and prioritize land important for conservation. This consultant will make recommendations to enhance the land use plan's conservation measures to be used as and when the town chooses.
- Work with the Chatham Conservation Partnership to develop a public forum website and host public meetings devoted to increasing participation of the public in developing conservation recommendations for land use planning and education in urban forestry issues.
- Work with a legal consultant to provide options for model ordinance and zoning language that address natural resource conservation. Pittsboro would be able – but not obligated - to consider incorporating these measures in the town's ordinances.
- Conduct an economic analysis to explore the economic benefits and costs of incorporating forest conservation measures into land use planning policies.
- Document and publicize the process to serve as a model for other municipalities.

***Costs:***

- The North Carolina Forest Service (NCFS) is the recipient of the grant and will be responsible for meeting the 50% in-kind match. The NCFS can meet this match internally and through documenting the time that partners spend on the grant.

- No partners are responsible for providing any funds to meet this in-kind match. No partners are legally liable if they fall short of documenting time spent on the project as in-kind match.
- Pittsboro is in no way obligated to meet a match requirement. However, it is recommended that planning staff be involved in reviewing the work of the consultants in order to ensure that the work will address the needs of the town.

***Partners:***

Partners that have an interest in being involved in the proposed project include: NC Forest Service, Robeson Creek Watershed Council, NC Wildlife Resources Commission, NC Natural Heritage Program, Duke University Nicholas Institute for Environmental Policy Solutions, the School of Government and the Environmental Finance Center at the University of North Carolina, Triangle Land Conservancy, US Fish and Wildlife Service, Chatham Soil and Water Conservation District, Chatham Conservation Partnership, and NC State University Cooperative Extension.

***Expectations of Town of Pittsboro:***

We are excited about the possibility of collaborating with the Town of Pittsboro, and we are prepared to commit substantial resources to this project to make it a success. In order to proceed with this grant application and the project, we need some assurance that the Town is supportive of the project goals, is interested in exploring options for conserving natural resources through land use policies and procedures, and is willing to try to invest sufficient Town staff time to working on this project (with the understanding that town staff may need to respond to higher priorities). We do not require or expect a legally binding commitment of time, resources, or policy, but we seek a statement of interest in working with us in good faith toward a common goal.

Ms Massa stated if Pittsboro is interested it will take minimum staff hours, and there is no money to be exchanged between the town and NC Forestry Service to get this project done.

Commissioner Farrell stated he was concerned about the number of staff hours that would be required.

Ms. Massa said they would probably come to the Planning Board Meeting every two months (maybe 4-6 meeting) and the same for the Town Board to give updates and they may have to talk with Stuart some.

Mayor Voller said this would not entail anything more than staff is required to do if someone calls to ask a question.

Commissioner Foley said the Town would not be obligated to follow it.

Commissioner Fiocco said in reading the summary it indicates there is a copy of the draft proposal and he doesn't see it.

Ms. Massa said she has a copy of it. The deadline for the project was December 7, so they did submit the proposal and Pittsboro is no longer mentioned in the proposal they are proposing to work with communities with the RTP area. She stated funding is not upon working with Pittsboro.

Commissioner Foley stated the deliverables would reflect Pittsboro and there would be more than one option for the Town.

Commissioner Fiocco stated he thinks it could be valuable work for the Town and he could support it if it was understood that we needed to identify what those partnership and conservation goals are before the project is started. We could voice support with the understanding if you received the grant you would come talk with the Town and we could establish what the conservation goals are. He would strike the last six words from paragraph six “by Pittsboro officials, staff and residents” and add paragraph seven “FURTHERMORE, we the Board of Commissioner request that upon receipt of the Redesign Grant that the NC Forest Service and Town discuss the possible partnership and project goals of the Redesign Grant Project.”

Motion made by Commissioner Foley seconded by Commissioner Turner to approve the Resolution Supporting The Redesign Grant Project with the following corrections: strike the last six words from paragraph six “by Pittsboro officials, staff and residents” and add paragraph seven “FURTHERMORE, we the Board of Commissioner request that upon receipt of the Redesign Grant that the NC Forest Service and Town discuss the possible partnership and project goals of the Redesign Grant Project.”

Vote Aye-5 Nay-0

**A RESOLUTION SUPPORTING THE REDESIGN GRANT PROJECT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 212**

The resolution reads as follows:

**A RESOLUTION SUPPORTING THE REDESIGN GRANT PROJECT**

WHEREAS, Pittsboro recognizes the benefits of developing the community while also conserving forests and trees, wildlife habitat, biological diversity and other natural resources for future generations, and

WHEREAS, The Redesign Grant Project provides an opportunity for Pittsboro to gain valuable information on the natural resources in its ETJ and recommendations on how to conserve these resources through land use planning and policies, and

WHEREAS, The Redesign Grant Project does not obligate the Town of Pittsboro to adopt any particular policy, and

WHEREAS, The Town of Pittsboro does have an interest in providing non-financial support to the project as needed to ensure efforts made on the project meet Pittsboro’s goals to balance natural resource conservation with economic development, and

WHEREAS, The Redesign Grant Project does not obligate the Town of Pittsboro to provide any cash or in-kind match to the project.

NOW THEREFORE, we the Board of Commissioners of Pittsboro do hereby declare our support for the Redesign Grant Project.

FURTHERMORE, we the Board of Commissioners request that upon receipt of the Redesign Grant that the NC Forest Service and Town discuss the possible partnership and project goals of the Redesign Grant Project.

Mayor Voller asked that the board move item #3 and #4 since we have someone here on those matters since #2 Relocation of Planning/Engineering Departments to Office Space Outside of Town Hall may take some time.

**CONSIDER AN ORDINANCE ABANDONING A PORTION OF SMALL ST. R-O-W  
(STUART BASS).**

Planner Bass stated he does not have anything further to add than what was presented at the public hearing.

Motion made by Commissioner Fiocco seconded by Commissioner Foley to approve.

Commissioner Farrell asked are we getting any revenue for this land we are giving away. We are not it is tax exempt. He further asked if we were in the business of giving away town land. Mayor Voller explained that we have done this before. And that we are not losing tax revenue.

Commissioner Baldwin said the last time the board was discussing this, the attorney recommended that the board not approve it. Commissioner Fiocco said he thinks he recommended that because the street does not meet the Town's requirement it would make the r-o-w 48 feet instead of 50 ft. required by ordinance, it was determined there would not be a particular problem with using the road at 48ft. Commissioner Baldwin asked is that correct. Attorney Messick said yes.

Attorney Messick said the answer to Commissioner Farrell is this would slightly increase the size of Mr. Smith's lot and it may increase his taxes slightly, there will not be a loss in revenue. Commissioner Baldwin asked if his new recommendation was to approve it. Attorney Messick said yes.

Vote Aye-3 Fiocco/Foley/Turner  
Nay-2 Baldwin/Farrell

The ordinance is as follows:

**AN ORDINANCE PERMANENTLY ABANDONING A PORTION OF RIGHT OF WAY  
ALONG SMALL STREET IN THE TOWN OF PITTSBORO**

WHEREAS, the Board of Commissioners of the Town of Pittsboro adopted a resolution on October 22, 2012 declaring its intent to abandon a portion of Small Street and called for a public hearing thereon for November 26, 2012; and

WHEREAS, a public hearing on the issue of such closure was held on Monday, November 26, 2012 and that a copy hereof was published once a week for four successive weeks prior to the hearing; and

WHEREAS, it appears that abandonment of a portion of Small Street as described in Attachment A within the Town of Pittsboro is not contrary to the public interest and that no individual owning property in the vicinity of said streets or portions thereof proposed to be closed would thereby be deprived of reasonable access to his property;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Pittsboro as follows:

1. That pursuant to NCGS 160A-299 it intends to permanently abandon a portion of Small Street as described in Attachment A within the Town of Pittsboro.
2. That a certified copy of this ordinance be recorded in the Chatham County Registry.

#### ATTACHMENT A

Beginning at an iron pipe set in the eastern right of way line of Small Street, the northwest corner of Lot 1 according to the plat recorded in Plat Book 87, Page 62 of the Chatham County Registry, and running thence along the northern line of said Lot 1 South 84 degrees 17 minutes 39 seconds East 10.03 feet to an iron pipe, the southwest corner of Lot 3 according to said plat; thence along the western line of Lots 3 & 4 North 10 degrees 16 minutes 25 seconds East 150 feet to an iron pipe in the line now or formerly of Louise Lemay; thence North 84 degrees 29 minutes 20 seconds West 10 feet; thence South 10 degrees 16 minutes 25 seconds West approximately 150 feet to the point an Place of Beginning.

And being a strip of land 10 foot in width west of and along the western boundary of Lots 3 and 4 according to the plat recorded in Plat Book 87, Page 62 of the Chatham County Registry, reference to which is hereby made for a more particular description.

**AN ORDINANCE PERMANENTLY ABANDONING A PORTION OF RIGHT OF WAY ALONG SMALL STREET IN THE TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES 53-54**

#### **UPDATE BOARD OF COMMISSIONERS ON ROBESON CREEK WASTEWATER DISCHARGE PERMIT (FRED ROYAL, P.E. BROWN AND CALDWELL)**

Fred Royal stated he was giving a brief follow up from the previous meeting. He stated the letter to DENR has a goal of meeting with DENR with the goal of discussing the current permit and discussing options to look at increasing discharging from .75 mgd to another number which would require a modification.

He said he has received a letter of support from the Haw River Assembly and Robeson Creek Watershed Council in support of this. The question is what is next and it seems to be prudent to talk with DENR.

Mayor Voller said they are just asking that the Board approve the letter to be sent to DENR.

Commissioner Baldwin asked Catherine Deininger for comments.

Ms. Deininger said Robeson Creek Watershed Council has never been thrilled about having a discharge into Robeson Creek and in the Haw River. There is a lack of understanding about the flow in Robeson Creek. As you all are aware Robeson Creek is an impaired stream. For her getting more information would help them actually get a handle on what the flow is and getting more data (Watershed Study) would be helpful.

She said it is not clear if an increase in flow from the WWTP would be positive or negative. They see this as getting more information on what is going on. She doesn't feel comfortable saying they support an increased discharge into Robeson Creek but they do support the study on whether or not that is possible.

Commissioner Fiocco stated this letter is the first step for going down that path for more information it may not be well received and we may be left with just the two options we have on the table.

Motion made by Commissioner Baldwin seconded by Commissioner Fiocco to submit the letter to DENR for their review and consideration.

Vote Aye-5 Nay-0

The letter reads as follows:

December 10, 2012

Mr. Chuck Wakild, Director  
Division of Water Quality  
NC Department of Environment and Natural Resources  
512 North Salisbury Street  
Raleigh, North Carolina, 27699-1601

**Subject:** Request to Review Robeson Creek Discharge for Town of Pittsboro, NC

Dear Mr. Wakild:

The Town of Pittsboro, NC is fortunate to see early signs of growth and development return to the heart of North Carolina's Piedmont region. As expected, we here in Pittsboro are excited about new economic development opportunities which will add to our rich quality of life and our local business community. However, we are mindful of our responsibility to preserve, protect, and restore the important environmental

resources of the community that contribute to the rich quality of life afforded in Pittsboro.

We are very grateful to the staff of the North Carolina Department of Environment and Natural Resources (NCDENR) for working closely with the Town of Pittsboro to process our Environmental Impact Statement (EIS) for a wastewater treatment plant expansion project that included a dual discharge to Robeson Creek (0.75 mgd) and the Haw River (2.47 mgd). The Record of Decision (ROD) for the EIS was issued on March 29, 2010, and the Town received approval for the permit renewal and modification on June 2, 2011. Once again, I want to extend my sincere appreciation to NCDENR staff for taking the time to work with the Town to achieve this significant milestone for the current and future citizens of Pittsboro.

Since receiving the approved permit renewal and modification on June 2, 2011, the Town has been working to evaluate options to implement the wastewater treatment upgrade and expansion project with a dual discharge to Robeson Creek and the Haw River. In August 2012, the Town Board of Commissioners received an engineering report indicating that the capital cost for the discharge to the Haw River was approximately \$5.1 million. Given the scope, scale, and nature of this project and the associated costs, the Town of Pittsboro respectfully requests an opportunity to meet with you and representatives of your staff to review the dual discharge requirements defined in the approved permit renewal and modification. *Specifically, the Town would like to discuss the possibility of working with NCDENR and other stakeholders on a watershed-based study to evaluate the potential to eliminate or modify the dual-discharge requirement and increase the Town of Pittsboro's discharge to Robeson Creek from 0.75 mgd to a level that is sustainable for the ecological function of Robeson Creek.*

In making this request to collaborate on a watershed-based study, the Town clearly understands that Robeson Creek was listed as an impaired water body on the 2010 North Carolina 303(d) Impaired Waters List, and that impairment is related to habitat degradation contributions from both non-point and point sources. However, we would very much like to work with NCDENR staff and representatives from the Robeson Creek Watershed Council (RCWC), the Haw River Assembly, the NCSU School of Biological and Agricultural Engineering Department, and other stakeholders to identify the optimum combination of point- and non-point source nutrient reduction measures that can be cost-effectively implemented to mitigate the adverse impacts of excessive nutrient loading, restore the designated uses of Robeson Creek, and accommodate and

increased discharge to Robeson Creek from the Pittsboro WWTP. For this purpose of the watershed-based study requested in this letter, the Town would preliminarily view cost-effectiveness in terms of offsetting or minimizing the \$5.1 million required to construct an effluent pumping station and outfall to the Haw River, and the associated annual operations and maintenance costs.

Please know that the Town of Pittsboro is committed to meeting the Town's responsibilities to achieve phosphorus reduction targets established for the Robeson Creek TMDL and the nitrogen and phosphorus reduction targets established for the Jordan Lake TMDL. However, we believe that a unique opportunity exists for the Town to work collaboratively with NCDENR staff and other important stakeholder groups to identify innovative and creative strategies to cost-effectively meet the TMDL requirements through a combination of planned, coordinated, and targeted nutrient reduction measures for both point and non-point sources of nitrogen and phosphorus. Our ultimate objectives – in order of priority – will be to:

- ✓ Meet or exceed the effluent limitations and allocations required by the June 2, 2011 permit renewal and modification, including the Robeson Creek TMDL for Total Phosphorous and the Jordan Lake TMDL and wastewater rule
- ✓ Work with your staff and other important stakeholder groups to restore the designated uses of Robeson Creek via a holistic watershed-based investigation,
- ✓ Work to address our impaired 303(d) listed water bodies using point and non-point source nutrient management and education strategies, and;
- ✓ Receive a permit modification for increased discharges into Robeson Creek from the Pittsboro WWTP to the extent it is feasible and based on maintaining the ecological function of the receiving waters.

Attached to this letter request, are letters of interest from key stakeholder groups that would like to participate with NCDENR staff and the Town of Pittsboro to identify opportunities to preserve, protect, and restore the health and condition of Robeson Creek through innovative and alternative approaches. Rest assured, the Town of Pittsboro has no preconceived expectations regarding the findings of such a watershed-based investigation, but given the magnitude of the costs for an effluent pumping station and pipeline, and the importance of Robeson Creek as a community environmental resource, we believe it is in the best interest of our citizens to make this request of NCDENR at this time.

Thank you very much for considering our request. I look forward to meeting with you and your staff soon to discuss the feasibility of initiating this proposed watershed-based investigation which will benefit Robeson Creek, Jordan Lake and the citizens of the Town of Pittsboro.

Sincerely,

Randy Voller, Mayor  
Town of Pittsboro, North Carolina

Cc: Mr. Dee Freeman, DENR Secretary  
Mr. Bryan Gruesbeck, Town Manager

**Attachments:**

- (a) Letter from Haw River Assembly
- (b) Letter from Robeson Creek Watershed Council

Mayor Voller said it is important to look for grant monies because it is going to be expensive.

**RELOCATION OF PLANNING/ENGINEERING DEPARTMENTS TO OFFICE SPACE  
OUTSIDE OF TOWN HALL (BRYAN GRUESBECK)**

Manager Gruesbeck stated Staff has researched nearby vacant office space to accommodate the Town Engineer, Planning Director and Parks Planner. Funds in the 2012-2013 Budget have been allocated to move Staff to a new location, as well as to make basic operational furniture and equipment purchases.

Two nearby office areas appear suitable: Main Street Station to the west of the Town Hall and the Platinum Commons complex to east (adjacent to the Chatham County Board of Elections). Both locations are close in proximity to the Town Hall and appear to be in good condition with little to no rehab work necessary – Staff could begin work immediately once they move. Both locations offer sufficient office space, accessible restrooms, storage space as well as conference/meeting space. Both properties are within a base lease price of approximately \$2,000/month (Main St Station requires “35%” of electric, water and sewer, phone and cable; Platinum Commons requires the tenant to be responsible for electric, phone and cable). Physically, Platinum Commons is preferable because the office is accessible from the ground level – Main St Station would require citizens to climb stairs to the offices.

Manager Gruesbeck stated that either of these options be temporary. The Town should begin looking for permanent space to relocate all of its non-police operations under one roof.

Commissioner Fiocco asked what the cost was per sq. ft. so that a cost analysis can be done.

After discussion a motion was made by Commissioner Baldwin seconded by Commissioner Farrell to establish a sub-committee of the Board to look at the possibilities for office space current and in the future. The committee will consist of Mayor Voller, Commissioner Baldwin and Commissioner Farrell and all three remaining board members would serve as alternates if Commissioner Farrell or Baldwin could not attend.

Vote Aye-5 Nay-0

Commissioner Fiocco said he would like to see a cost analysis. Commissioner Farrell stated a two-three year lease is long. The Board directed Manager Gruesbeck to see if we could lease a space for a shorter period.

**NEW BUSINESS**

**CONSIDER BUILDING REUSE AND RESTORATION/RURAL HOPE GRANTS  
PROGRAM PRE-APPLICATION WITH CHATHAM COUNTY ECONOMIC  
DEVELOPMENT CORPORATION (BRYAN GRUESBECK).**

The NC Rural Center Building Reuse and Restoration Grants Program are designed to help small towns across the state enhance their commercial assets by assisting in the renovation of vacant buildings. The vacant Pizza Hut building qualifies as it has been vacant for at least 90 days. The Town will be the applicant and grantee. The Town will advance the Rural Center Funds under a loan agreement with the owner that requires them to create the jobs within an 18 month period and retain those jobs for 6 months. After that point, the project is closed out and the loan is forgiven. If, however, the jobs are not created and retained, the business is obligated to repay funds pro rata (\$5,000 per job).

Jennifer Everage, Chatham County EDC stated that Donna and Robert Bianco are the owners of Bella Donna LLC currently located on Thompson Street. They want to expand to the Old Pizza Hut on East Street and they want to apply for a building reuse grant. They will hire five new employees. They are requesting \$50,000 to up fit the building. Donna will be paying \$25,000 and the Rural Center will be paying \$25,000. The Town would have to be the applicant and grantee.

EDC has reviewed the business plan and financials; bank approval for the building purchase is pending, with a closing set for this month. A pre-application meeting will have to be held and the application submitted by January 4, 2013.

Manager Gruesbeck emphasized that the town is not responsible to repay the funds.

Motion made by Commissioner Fiocco seconded by Commissioner Foley to approve the resolution.

Commissioner Baldwin stated she wanted to clarify for the record the Town of Pittsboro is not giving Bella Donna \$25,000.

Commissioner Baldwin stated she would also prefer that where it says Mayor is authorized to execute and file an application.... and on the last page where it states Mayor Voller, and successors so titled... be changed to the Town Manager. Commissioner Fiocco and Foley agreed with that change.

Ms. Bianco stated their last day open at the current location is December 22 and they will vacate that location by December 31, 2012. They will open sometime in February at the new location.

She stated they are going to have the drive-thru open for breakfast, they will be serving lunch and dinner and they will have an ABC permit.

Vote Aye-5 Nay-0

Resolution is as follows:

**AUTHORIZING RESOLUTION BY GOVERNING BODY OF THE APPLICANT**  
NC Building Restoration and Reuse Grants Program

**WHEREAS**, in June 2004, the North Carolina General Assembly passed House Bill 1352, authorizing funds to stimulate economic development and job creation in distressed areas through constructing critical water and wastewater facilities, addressing technology needs, renovating vacant buildings and implementing research and demonstration projects; and,

**WHEREAS**, in July 2007, the North Carolina General Assembly passed House Bill 1473 to expand the Economic Infrastructure Fund and to provide funding to facilitate economic transitions in rural communities; and,

**WHEREAS**, The Rural Center Building Restoration and Reuse Grants Program was created to spur economic activity and job creation by assisting in the productive reuse of vacant buildings in small towns; and,

**WHEREAS**, the Town of Pittsboro was designated on July 12<sup>th</sup>, 2011 as a North Carolina Small Town Main Street Community by the North Carolina Department of Commerce and the Town of Pittsboro intends to engage in activities that will specifically address the appearance and potential economic vitality of buildings in the downtown district as well as participate in programs specifically designed to assist in the productive reuse of vacant buildings in the Town such as the former Pizza Hut building located at 440 East Street. The aforesaid participation will be done in order to spur the expansion of the tax base, economic activity and job creation through the location and expansion of a Bella Donna, LLC.; and,

**WHEREAS**, the Town of Pittsboro intends to request grant assistance from the Building Restoration and Reuse Grants Program;

**NOW, THEREFORE, BE IT RESOLVED, BY THE COMMISSIONERS OF THE TOWN OF PITTSBORO:**

That the Town of Pittsboro will provide five percent (5%) of the total project costs of the project, if approved for a grant.

That the Town of Pittsboro will provide for efficient administration, implementation and operation/maintenance of the project.

That Bryan Gruesbeck, Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of the Town of Pittsboro with NCREDC (Rural Center) for a Building Restoration and Reuse Grant.

That Bryan Gruesbeck, Manager, and successors so titled, is hereby authorized and directed to furnish such information as the Rural Center may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Town of Pittsboro has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

**A RESOLUTION AUTHORIZING NC BUILDING RESTORATION AND REUSE GRANTS PROGRAM IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 213-214**

**UPDATE FROM CHATHAM COUNTY ECONOMIC DEVELOPMENT CORPORATION REGARDING A CONCEPTUAL LAND USE PLAN (JEFFREY STARKWEATHER, CHATHAM COUNTY ECONOMIC DEVELOPMENT CORPORATION BOARD).**

Jeffrey Starkweather member of Chatham County EDC reported that the Chatham County Board of Commissioners asked the EDC to undertake the development of a conceptual land use plan for Chatham County. The plan will layout, broadly, the areas of the county that are appropriate for commercial development, providing the EDC with a tool to market to prospective businesses.

They are asking the Town to authorize these individuals to devote the necessary time to the conceptual planning work, which will begin with a full team meeting on Thursday, December 13, 2012

Mayor Voller stated he gave a handout to the Board tonight that has eight items that he thinks should be discussed. The committee would like to expand the team to include key planning staff for the County and Towns in Chatham and Public Works Director David Hughes.

1. **Status of Omtron, LLC and the bankruptcy court:** The CCEDC needs to keep the Town informed as information comes forward and opportunity presents itself. The property could become a job creating eco-industrial park and a great opportunity for public/private partnerships. Waste water treatment, reuse water, spray fields, bio-diesel production, and food processing can coalesce on this property with a coherent mixed use plan.
2. **Status of Sanford/Chatham/Pittsboro cooperation:** Long term it makes fiscal and planning sense to construct a waste water treatment line that can carry reuse water and/or municipal solid waste to Sanford's new plant.
3. **Reuse water network:** Long term we should look to support investment in reuse water processing from the waste water treatment plants in Pittsboro and Siler City and construct purple pipe networks that allow commercial, industrial, institutional, and residential users to use reuse water as opposed to wasting more valuable potable (drinking) water. This will make use more competitive (this water is less expensive) and environmentally sound in the future. Chatham Park Investors, 3M and other will support this idea. (Pittsboro is currently sending tens of thousands of gallons a day of reuse water to 3M).

4. **Support Pittsboro's effort to discharge more effluent at its current plant location:** (The Haw River Assembly and Robeson Creek Watershed Council support studying this idea and it is fiscally more prudent and less environmentally intrusive than installing a discharge pipe miles on Robeson Creek with an ultimate discharge in the Haw river. Combining this idea with 32 and #3 above would be a great hedge going forward, less costly and provide more options for balanced and vibrant growth along with good stewardship of the greater community.
5. **Support Pittsboro and Siler City working with the County to link water lines on US 64:** Once again there is a drought affecting Siler City and they cannot receive water from Pittsboro because we are not interconnected.
6. **Support the County tearing down its existing annex and building/leasing on another location in Pittsboro:** The CCEDC is about economic growth. Getting downtown Pittsboro "right" as the center of the County and the crossroads of 15-501 and US64 will pay dividends for attraction, growth and development if we follow the lead of other great places and create spaces that inspire citizens. We have invested millions to rebuild the historic courthouse and tens of millions to develop the new judicial center. What we lack is a clear and visible connection between the two architectural marvels. Why? The existence of the aging county building in the middle that the county has discussed either tearing down or rehabbing. Let's think big and tear it down, build a first class public space in its place with a fountain, etc. and move the county building to either the old Ford lot on US 64 East, Chatham Mill property, the old Piggly Wiggly property on 50 Salisbury Street or the properties between the old General Store and the old Piggly Wiggly property. A project of this nature done well will be a game changer and put Pittsboro and Chatham County on the map. (And this could be public/private partnership)
7. **Support/encourage Chatham County, Pittsboro and CCCC to start planning a new mixed used development on the property the county purchased adjacent to CCCC in Pittsboro:** (This was Westmore) Again, yet another opportunity for public/private partnership that would pay dividends long term. This is where a hotel should be built to take advantage of programming and events that can be held all year round at CCCC.
8. **Inter-modal transit:** Support/encourage Chatham County/Siler City to develop a transportation hub in Siler city to take advantage of its location and transportation assets that will support inter-modal transportation development.

Mr. Starkweather said he would come back to give the board updates on the process.

The Board agreed the town should participate.

#### **ADMINISTRATIVE SCHEDULE FOR PREPARATION OF FISCAL YEAR 2013-2014 BUDGET**

Commissioner Fiocco stated last years' venue was really good; he could do it all day again.

Commissioner Foley stated she has to work on Saturday's.

After discussion the board decided the Retreat would be held on January 19, 2012 from 8-12 noon in the library meeting room.

Motion made by Commissioner Fiocco seconded by Commissioner Turner to approve the FY 2013-2014 Budget Preparation Schedule.

Vote Aye-5 Nay-0

**AN ADMINISTRATIVE SCHEDULE FOR PREPARATION OF FISCAL YEAR 2013-2014 BUDGET IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 218**

The schedule is as follows:

**ADMINISTRATIVE SCHEDULE FOR PREPARATION OF  
FISCAL YEAR 2013-2014 BUDGET**

<b>Board of Commissioners Actions</b>	<b>Dates</b>	<b>Administrative Actions</b>
	January 7, 2013	Publish FY 2013-14 Budget Schedule to the Town Staff and Budget Kick-Off Meeting for Town Staff
Strategic Planning Retreat and Preliminary Budget Work Session for BOC, Department Heads, Town Attorney (Location TBD)	January 19, 2013	Strategic Planning Retreat and Preliminary Budget Work Session for BOC, Department Heads, Town Attorney (Location TBD)
	January 31, 2013	Convene CIP Budget Working Group (Meeting # 1) for Manager's Budget Guidance (Subsequent Meetings TBD)
	February 4, 2013	Finance Officer Submit Revenue Projection to the Manager for Review
Receive Mid-Year Financial Summary Report from the Finance Officer	February 11, 2013	Advisory Boards Submit Statements of Budget Priorities and Budget Recommendations to the BOC with Copy to Manager and Finance Officer Presents Mid-Year Financial Summary to BOC
	February 15, 2013	Departmental Capital Improvement Budget Requests due to the Manager, the Planner and the Finance Officer (3 copies).
	February 15, 2013	Departmental Operating Budget Requests Due to the Manager and the Finance Officer (2 copies).

	March 11, 2013	Manager's Recommended Budget (Operating and CIP) submitted to the BOC.
Budget Work Session – Capital Improvement Program Budget (if needed)	May 6, 2013	
Public Hearing on Manager's Recommended Budget	May 13, 2013	
Budget Work Session – General Fund and Enterprise Fund Operating Budgets (if needed)	Sat, 5/11/2013 or Mon 5/13/2013	(Note: Date and time to be determined).
	May 27, 2013	Final Budget Submission Incorporating Changes from Budget Work Sessions and Public Hearing
Adoption of Fiscal Year 2013-2014 Budget	June 10, 2013	

Motion made by Commissioner Baldwin seconded by Commissioner Fiocco to recess for five minutes.

Vote Aye-5 Nay-0

Motion made by Commissioner Turner seconded by Commissioner Farrell to go into closed session pursuant to GS 143-318.11(a)(6) to discuss a personnel matter.

Vote Aye-5 Nay-0

Motion made by Commissioner Baldwin seconded by Commissioner Turner to go out of closed session.

Vote Aye-5 Nay-0

Motion made by Commissioner Baldwin seconded by Commissioner Turner to go back into regular session.

Vote Aye-5 Nay-0

## **CAPITAL PROJECTS REPORT**

### **MANAGER'S UPDATE ON CAPITAL PROJECTS**

Manager Gruesbeck presented the following written update:

#### **PROJECT: Hillsboro St Transmission Line Replacement Project**

**UPDATE:** \*(Please see weekly progress report from Becky Smith, Hydrostructures)

Staff has received complaints of stone dust "screenings" associated with the project. The dust results from the NCDOT requirement to prohibit the buildup of red clay from trenches on the

Hillsboro St road surface. Town Staff procured a street sweeper on 12/7/12 to clean the road surface and prevent the dust clouds and tracking of dust into downtown business. The contractor will assume the cost of the street sweeper as part of its obligation to keep the worksites reasonably clean.

The project is expected to go on holiday hiatus on 12/21/12 and resume on 1/3/12.

**PROJECT: Improvements on 15/501 at Springdale Drive**

**UPDATE:** Mr. Messick is waiting for collateral, letter of trust or performance bond from the Chatham Forest HOA before the Town of Pittsboro commits its subcontractors to making the improvements on Springdale Drive and the intersection of Springdale and 15/501.

**PROJECT: East Street Sidewalk Extension – CMAQ Grant**

**UPDATE:** Waiting for draft agreement from CMAQ. Town Staff expects this document in the next week, or so.

**PROJECT: Hire Town Engineer**

**UPDATE:** Board of Commissioners will review a recommendation on relocated office space outside of Town Hall on 12/10/12. Once this decision is made, Planning Staff will relocate their offices in preparation of including the soon to be hired Town Engineer in the move. Meanwhile, I have begun reviewing applications and look forward to identifying a short list of candidates to interview in early January 2013. Ideally, the new Town Engineer could begin work in a new office by early February 2013.

**PROJECT: Replace Water Treatment Plant Supervisor**

**UPDATE:** As I indicated in my email to you earlier this week, Scott Jewell is accepting a position in the private sector for a considerable increase in pay and responsibility. This news is bittersweet for all of us as Mr. Jewell has been an integral part of changing the operational culture and the water treatment plant. Mr. Jewell is not seeking to renegotiate his pay or responsibilities with the Town of Pittsboro and appears very excited for this new challenge, which will begin on the conclusion of his 30-day notice. I am scheduling an exit interview with Mr. Jewell which will take place sometime in the next couple weeks. John Poteat, Utilities Director, and I are developing a succession plan and we will update the Board at the next meeting.

The board agreed they like the abbreviated version but they also liked the full length version to refer back to.

Manager Gruesbeck stated it is his understanding that the board would like the short update in addition to the full update. The Board agreed.

Manager Gruesbeck stated he received an agreement from CANQ for the sidewalk extension on the south side of East Street. They will be reviewing it and coming back to the board with a recommendation. It appears we have until sometime in 2014 to spend the money for it.

Commissioner Fiocco said he spoken with Mr. Bennett (Chatham Forest HOA) this morning and he thinks the ball is in Attorney Messick's court. Attorney Messick stated he spoke with the HOA attorney this morning.

Commissioner Baldwin said s e thinks it is a very good idea to do exit interviews.

Mayor Voller stated he received a letter that the other \$100,000 is coming through from the Hillsboro Street Project.

Commissioner Fiocco stated that one thing Ms. Sisko said during her comments earlier in the meeting that she has made repeated phone calls that have not been returned, that is troubling to him. He has never had that problem even long before he was on the board. He don't think that is the kind of town we want to be so he would like to reiterate to staff that it is very information to return phone calls.

Mayor Voller stated they have roads in their development that varies from our standards. Commissioner Foley said you can barely squeeze two cars by there when you have a vehicle parked on the side of the road. Attorney Messick said you can always prohibit parking on the street. Mayor Voller stated this is something that needs to be looked at.

#### Mayor Updates

- EDC
- RPO
- Solid Waste
- Fairground Association
- PMA/Downtown

#### Commissioner Concerns

Commissioner Farrell stated he had brought this up before about the truck route around town. He said it has been pretty nice not hearing the trucks coming through town, he feels we should look into this because he has had a lot of people interested in it.

Commissioner Foley gave an update on Retire NC. She stated they have gotten all their materials together and the fundraising committee is heading out this week to raise money. The donations will be made to the Town of Pittsboro so donors can get a tax write off. The money will go to the Town and when it is time to file the application the Town will cut the check for the amount collected.

Commissioner Foley said she had met with Chatham Transit this week and they are hiring her to do PR for them. She said she did know that Chatham Transit picked up people that can't drive themselves to their doctor appointment but what she didn't know, is how much public transit

they do for the general public. It is a wonderful service that she thinks not many people know about. They asked her if there was any way the Town could get the word out – because this is public transit right here.

Mayor Voller said we can put it on the water bill and website.

Commissioner Foley stated she mentioned at an earlier meeting that her parents had received a \$750 water bill – this month it was \$800 and she was wondering when customers have leaks is there anything we can do about it. Her parents only have water. Attorney Messick said the Town does allow a payment plan.

Commissioner Foley said other surrounding communities wave half of the bill and this is only allowed once per year if you have a leak.

Manager Gruesbeck said normally we would make an adjustment on the sewer if the customer has a leak and it did not go through the sewer system. He asked Commissioner Foley to forward him the examples she has from other communities.

Commissioner Fiocco asked the status of the audit. Manager Gruesbeck said the audit will be presented at the next meeting.

Commissioner Foley asked if they could decide who would go to the next Liason breakfast. The board agreed it would be decided through email.

### **ADJOURN**

Motion made by Commissioner Baldwin seconded by Commissioner Fiocco to adjourn at 11:07 p.m.

Vote Aye-5 Nay-0

FYI -

1. Tentative Future Agendas December 10, 2012.
2. Bi-weekly process report – Hillsboro Street Transmission Line.
3. Comprehensive Land Use Plan

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Randolph Voller, Mayor

ATTEST:

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Alice F. Lloyd, CMC, NCCMC  
Town Clerk