

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
MONDAY, JANUARY 23, 2012  
7:00 PM

Mayor Randy Voller called the meeting to order and called for a brief moment of silence.

ATTENDANCE

Members present: Mayor Randolph Voller, Commissioners Pamela Baldwin, Michael Fiocco, Jay Farrell, Bett Wilson Foley, and Beth Turner.

Staff present: Manager Bill Terry, Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr., Planner Stuart Bass, Finance Officer Mandy Cartrette, and Community Policing Corporal Troy Roberson.

Mayor Voller asked for a motion to approve or modify the consent agenda which consists of the January 9, 2012 regular meeting minutes. Commissioner Foley said on page 18, last paragraph, there is a quote that is attributed to me that was actually said by Commissioner Turner. Mayor Voller said the comment has been corrected and asked for any other changes. Commissioner Turner said that she had a change on the same page in that she didn't say "bedded" she said "vetted." Mayor Voller said that for all members, especially since we have three that this is their third meeting; if you find something now or in the future that is incorrect in the minutes please bring it back up as we want to make sure the minutes are correct. Commissioner Fiocco said he had some typos that he would get with Alice later to discuss and the other commissioners approved. Commissioner Baldwin made a motion to approve the consent agenda with stipulated changes and including Commissioner Fiocco's suggestions for correcting typos, seconded by Commissioner Foley.

Vote Aye-5 Nay-0

Mayor Voller asked Manager Terry if there was anything on the regular meeting agenda that he wished to modify, if not the Board members can offer something. Manager Terry said he had no changes but understands there may be some from the Board. Mayor Voller said before we will ask for a motion to approve the agenda as set forth; we are going to ask for any modifications for changes. Commissioner Baldwin would like to modify the agenda to add Chatham County's request to old business that Chatham County requests approving capacity for the Chatham County Jail Project. Mayor Voller said the modification is to request discussion of sewer to allocation to Chatham County. Commissioner Fiocco seconded the motion.

Vote Aye-5 Nay-0

## CONSENT AGENDA

### REGULAR MEETING AGENDA

#### Citizens Matters

Mayor Voller said we have one person signed up for the Public Expression speaker. It is Laura Barringer who signed up for the animal adoption center, which is on the agenda, and he asked if she minded speaking to it at that point, at which time he will recognize her. She agreed. Mayor Voller asked if there was anyone else in the audience that has something that they would like to say that is not on the agenda, who wishes to speak. There was no response from the audience. Mayor Voller said he had something he would like to put on the record. We have had meetings, twice I believe, on my birthday. We had one on my wife's birthday, and now on my Dad's birthday. It seems that they keep falling on these days. I officially wish my Father happy 75<sup>th</sup> birthday. His speaking and hearing skills are still wonderful.

#### OLD BUSINESS

##### **1. Chatham County Request for Sewer Capacity for the Chatham County Jail Project.**

Mayor Voller recognized Mr. Brian Bock, Chair, Chatham County Board of Commissioners, and asked if he is here to represent the county or if he is here to observe. Commissioner Fiocco said an item, that Mr. Bock and I have discussed, is the resolution that we passed two weeks ago was one that allocated the sewer capacity requested, which I think was 10,740 gallons, but with the stipulation that the county staff and town staff get together to review what we considered to be a better engineering solution. The thing that we had offered was the consideration of gravity outfall, which the county has indicated is too costly and, in fact, the project does not have the time frame from which to work within to try to secure the easements and design for the outfall, and has requested that we amend that resolution to include the allocation, the conceptual design of the lift station and the force main, which would eliminate the need for the gravity sewer. That way, they could hire their engineers to begin the design on that project, which is a lead time item that they need to start as soon as possible. Commissioner Bock, I understand they need to direct their engineers this week as to which way to go with design. With that, I would make a motion that we modify our resolution to allocate the sewer capacity of 10,740 gallons with the conceptual design of a forced main and pump station and with the condition that we, as two boards – two entities, the town and the county, agree on the terms of ownership, maintenance, and certain design components of the system to our mutual agreement. Commissioner Turner seconded the motion. Mayor Voller asked for discussion and if anyone had any questions or concerns.

Commissioner Farrell asked that in talking about these stipulations if that was going to include maintenance agreement and all that would be discussed later and this would be opened up just for the allotment. Commissioner Fiocco asked to add to the resolution which he didn't state and that is that we would do this work prior to the county submitting for permit application to the state, at which time we would have to have that agreement in place to sign the required allocation

letter, which would be included in the permanent application to the state, which I expect will be probably within the next couple of months, the design could be executed. So we have that time frame to make sure we are all happy with the arrangement.

Mayor Voller said he had a couple of questions for Commissioner Fiocco since he had been leading on this. One, do you foresee at some point in the future that if they were able to get gravity sewer and securities could you actually switch or is it going to be...they need to have this in place but when the construction starts and when this actually starts going tributary to our plant, could be years down the road, but they need to have this in place in order to design and build. Commissioner Fiocco responded that was correct. Mayor Voller asked if he sees this precluding the possibility that the town and county and do you see others cooperate on looking at that in the interim period or how do you perceive that? Commissioner Fiocco said I don't think so, and I think it would be in their best interest and in ours as well to reduce the amount of force main that is in the system and so, if in fact, gravity sewer is extended up according to some of our master planning that there would be the opportunity to modify which manhole that their force main ties into. Mayor Voller responded okay, so essentially you want to be good neighbors with the county so that they can move forward on the project but not preclude the possibilities that you and others raised last meeting back in November or December. Commissioner Fiocco responded yes, that is an accurate representation.

Commissioner Foley said this is definitely a positive in our relationship with the county and working together.

Mayor Voller asked Manager Terry what do you perceive that we would work with the county on the capital improvement fees that were put forth by the schedule by County Manager Horne. He asked would that come upon the breaking ground or when? Manager Terry said typically when they come in for their zoning compliance permit and their application to the state that fee gets paid somewhere in that time frame, so we wouldn't see that for a year or so on a normal construction schedule. Commissioner Fiocco said we have the access fee and the capital recovery fee and I believe one of them is paid at the time of allocation, i.e. permit application, and the other at physical connection. Manager Terry said he believed that was correct. Commissioner Fiocco said that would just be a normal order of business that those fees would be paid at those times.

Commissioner Turner asked what the proposed date for the ground breaking is. Commissioner Fiocco said he was not aware of that schedule. Mayor Voller said we were lucky to have the County Chair in the room. He asked Commissioner Bock if he had a rough idea. Commissioner Bock did not have that information.

Mayor Voller asked for any other questions. Commissioner Farrell asked, just for the record, if we could have a base figure of what we are expecting to recoup from a monthly allotment and the tap-on fee, etc. Can we get a ballpark figure? Mayor Voller responded he thought we had that information and it was presented. Commissioner Farrell asked that we have it on record during this discussion. Commissioner Fiocco said the capital recovery fee was \$215,000 and the access was in the neighborhood of \$40,000 and the annual income was estimated in the \$60,000 range. Commissioner Baldwin stated the access fee was approximately \$215,070, the capital recovery

fee was \$22,603, and estimated annual usage fee was \$62,561 that is at 10,000 gallons per day. Mayor Voller said and that was modified by how much force main there would be. Commissioner Fiocco said there had been some discussion as to who owns and maintains the line, so it may not be the town's cost. Mayor Voller said you could pick that up from the permit application that you sign, prior to that we would just have an understanding and agreement. Mayor Voller directed Commissioner Farrell that the information was on page 7 of the minutes that were just adopted from January 9, 2012. Commissioner Farrell said he just wanted to be sure it was in the record now while we are speaking. Mayor Voller said it was a good question.

Vote Aye-5 Nay-0

Mayor Voller thanked Chairman Bock for coming to the meeting and said we hope that we can work together in this area because we see that line as a potential economic development zone and we want to continue that dialogue in the future about what happens going west.

## **2. Jordan Lake Partnership**

Manager Terry introduced Mr. Warren Miller, from Fountain Works, the consulting firm that works with the City of Durham to help manage the Jordan Lake Partnership.

Good evening, Mayor and Commissioners, thank you for having me. I am a fill-in for Don Greeley for the City of Durham. My name is Warren Miller from Fountain Works and we are the managing consultants for the Jordan Lake Partnership. What I want to do at the request of Manager Terry is give you an overview of the Jordan Lake Partnership, how it began, some of its activities, what is coming next for the Partnership, and answer any questions.

The Jordan Lake Partnership began in 2009 on the heels of the droughts, when jurisdictions in the region began looking for alternative water resources. Chatham County, Durham, and others met with the state Division of Water Resources and the state suggested that any additional allocations of Jordan Lake should be coordinated. This was the impetus for forming the Jordan Lake Partnership. The Partnership consists of thirteen partners. There are actually nineteen jurisdictions: Raleigh and six merger communities (you can see the list here). Mayor Voller asked if Sanford joined more recently. Mr. Miller said more recently, in the last year and a half. Initially, they were not members. Their reasoning was they wanted to be involved and to be part of the conversation and an active partner in the region, they see themselves as part of the region. Mayor Voller said they joined the Triangle J Council of Governments but initially they were not on the list because they get their water source after the dam. So I am curious - is that going to affect them ... are they going to be on both sides? Mr. Miller said are you asking will they seek an allocation from Jordan Lake. Mayor Voller said there was an initial list of so many millions of gallons for each partner so this is being updated to include them? Mr. Miller said they don't plan to seek an allocation directly from Jordan Lake, which is a common question that people both upstream and downstream ask. Mayor Voller said it only comes up because we have never seen them on the list but anyone can join but the question is there a finite amount that is being allocated. Mr. Miller said he will try to walk through this quickly so he can answer the question. Sanford is a relatively new member. Partners are interested in being part of the Jordan Lake Partnership for a number of reasons. They want to be able to look for ways to seek long-term water resources, be part of the projects like studying the western intake of Jordan Lake, and it is

an efficient way to accomplish goals by working together in a partnership. There are a number of different reasons why these jurisdictions are part of the partnership.

This is a map that shows regional water sharing agreements and one of the things to keep in mind is how interconnected the region is. The map is really quite striking – these are legal agreements and physical interconnections. One of the projects that we have recently completed is an interconnection study that maps out all the physical interconnections and all the legal agreements. They really help to determine how you can move water around the region.

The big goal of the Partnership is to secure sustainable water supply. One thing to keep in mind is that the Partnership does not make any policy decisions. The managers of each jurisdiction sign memorandums of understanding; they designate staff people to serve as the points of contact for the Partnership. The Partnership doesn't make any policy decisions; it serves as a technical body that engages in various studies and activities towards these goals.

I will talk more about the Regional Water Supply Plan. That is something the partners are involved with, supporting a hydrologic model, which is essentially looking at the withdrawals that are made throughout the river basin and then determining, based on those withdrawals, what the flow of the river is, basically running models based on periods of heavy rain or droughts, so forth. The Partnership conducted an interconnection study that is going to be coordinating its allocation request to the state. Some partners may be involved in looking at developing facilities like the western intake. One of the other things that we do is have an ongoing communication with upstream and downstream stakeholders. Those are some of the types of things we are working on and I want to talk a little about the water supply plan so you can get a sense of context of where this region is in terms of its current needs. The purpose of it is to study what the long-term needs and opportunities are for the region. Breaking it down into two parts, phase one water supply needs is complete so we know what our regional needs are ...the first time that's ever been completed. We are now working on alternatives and how we are going to meet those needs.

This map gives you a sense of what the needs are for the region and, if you look to the right, you get a sense of who corresponds to which color. You see Pittsboro is in purple, the third one. That gives you a sense of your water needs compared to other partners in the region. Raleigh includes Raleigh and its merger jurisdictions. This is of the next 50 years. So the total needs approaching 2060 is 291 million gallons per day. Mayor Voller asked what is Pittsboro's projection based on. Mr. Miller defers to Becky Smith to talk more about that question. Becky Smith said it is based on land use plan, considering a certain density factor, people per house and gallons per house, and corresponding outlook, comparing these and coming up with a good rough estimate.

Manager Terry said to help the Board understand Hydrostructures, and specifically Becky, has been sitting on the Technical Review Committee of the Jordan Lake Partnership representing the town. I started to go to those meetings and quickly realized I was the only non-engineer in the room, the only manager in the room, and I think we got some help from people who understood what was going in the room.

Commissioner Fiocco asked what population model is this. Becky responded we used four, compared them, and then compared that also with Master Plan. We compared five different

scenarios to come up with something we thought was reasonable for projecting population growth into 2060.

Commissioner Fiocco said the master plan, I think we have several, one which is based on known growth at the time when it was created, and then one more generalized basin-wide master plan. Were those numbers derived from the basin-wide master plan or the known development at the time? Becky responded known development at the time and then made assumptions about the number of dwelling units per acre in those development and different assumptions for density of properties that were not specifically in any known developments. Commissioner Fiocco asked if that was limited to areas that would gravity drain to the plant or did it include a larger service area, such as relying on pump stations and forced mains. Becky responded both and it included the entire ETJ.

Mr. Miller said that one of the things that we ought to did as part of this process is we had a peer review process so each of the other partners looked at Pittsboro's demand projections...how they got the numbers, and made comments on that. It served as a way to evaluate the assumptions that Pittsboro was making. The idea was that with everyone looking at everybody else's numbers and demands really made a remarkable difference in terms of the first cut and then the next one. The whole point of that is to improve the quality of the demand numbers, so that when Pittsboro goes to the state potentially with an allocation request, if that is what you decide to do, it is something that is going to be reviewed by all the technical experts in the region and I think that really benefits you.

I wanted to give you a sense of what the region looks like. The rate of demand for water is going to get slower in the next 40-50 years, which is consistent with what is going on nationally and happening throughout the Triangle. There are some different reasons for that but it is interesting to note in terms of improvements in efficiency, hardening of demand, etc. so there are some interesting trends there. This is from a region prospective. Regionally surplus disappears by 2030. What that means is that if no new additional resources are brought on line, if you have what you have today and you don't add anything else by 2030, the surplus would disappear. There are a whole host of things that different partners are planning on but I just wanted to give you a sense of where you are, where the demands are and the deficits projected today.

This is another way to look at that other graph. The only difference is you can see here the deficits by each of the partners. So how will the region meet future demands? I think the thing to do is look at alternative sources and obviously looking at additional allocations from Jordan Lake is going to be one of the things that you are going to be looking at.

The work that the Partnership is doing right now is looking at all those alternatives and evaluating those, potentially looking at some regional alternatives that might work collectively for the region. Right now, 37% of Jordan Lake is unallocated. 63 MGDs (million gallons per day) has been allocated, 37% has not been allocated. That is a source that is going to be available. Mayor Voller asked if that was based on state law or is that based on actual science. Didn't they cap it for people downstream over the Buckhorn Dam? Mr. Miller said that is correct. That is out there and what is underway right now with round four of the Jordan Lake Allocation. This will be the fourth time that this allocation process has been undertaken. The

Partnership asked the state to initiate this process. The state is moving through it. These are some of the milestones for the next year and a half. A couple of things that I want to point out are that December, 2012, is when partners will submit individual applications. That is the current time line.

While the Partnership is working together to put regional plan together, ultimately each of the individual partners are going to put their own allocation request. But by coordinating, working together, and having a peer review process what we hope is this will be a coordinated allocation.

Mayor Voller asked weren't we already locked in with Chatham County and Pittsboro for the allocation up front or are you saying now you have to come back and prove it again? When we joined they said we were going to get 15 million for the county and 7 million for Pittsboro. Are you saying that if you don't submit that on December, 2012, where does that put you? You are saying you have to codify, and each of the partners is going to come in. Manager Terry said Pittsboro does not have an allocation from Jordan Lake right now. Mayor Voller asked if we go alone through the framework of this or is the Jordan Lake Partnership going to get the master allocation and then it is divided. Mr. Miller said it is actually through individuals. Each individual jurisdiction will submit their own. What the Partnership is doing is coordinating this. Mayor Voller asked for clarification in that if we don't do it then theoretically we don't get the allocation. Mr. Miller responded that was correct. Commissioner Fiocco said that based on our allocation request we have the Partnership to back us up so we have a legitimate request. Mr. Miller replied yes, that is part of the process and the benefit of it.

Manager Terry said the consultants with the State of North Carolina and the Partnership are keeping the folks at DENR apprised of what we are doing and they are reviewing the work. Part of the logic is that if we have all of this inter-government cooperation ahead of time and we are pleasing DENR at each step we take and if we all go in and prepare our own individual applications and the formats are all the same, we anticipate that the length of time that it takes to process those should be dramatically shorter than if everyone was doing their own thing, on different schedules with different methodologies and different formats. Doing this advance homework is a collaborative effort from all these government entities and will streamline the process. Mr. Miller said you don't want to leave it to the state to be leading this - you want the local governments to be leading this.

Mr. Miller said these are some of the key benefits. Through the alternatives process you might be looking at options that might not exist and there may be ways to meet interim needs over the next 10-20-30 years for different partners. By running through the alternatives process these things should emerge – that is one of the benefits. There are also opportunities for developing regional projects like the western intake, water transfers between interconnecting systems, etc. These are some of the reasons why different partners are enthusiastic about being in the Partnership.

So, what is going to be important in the next year? It is important that the Partnership has spoke with the board, that you have an understanding of what the Partnership is doing and you are supportive of that, that we continue to work with the State closely as we have throughout this process, and that we continue to keep the lines of communication open with folks downstream. Once we have the needs assessment done, we want to go down and talk to the folks in

Fayetteville, the people in Wilmington, we want to be sure that people understand what we have come up with and it is important that we keep all these lines of communication open and that we have a coordinated allocation request that we submit. I am just mentioning the importance of coordinating with our upstream and downstream partners. I would be happy to answer any questions and I appreciate the opportunity.

Mayor Voller asked isn't this leading toward the regional plant to be built for the western intake so if we submit for allocation individually who's processing the water ultimately and how is it getting back to Chatham County, Pittsboro? Mr. Miller responded that some of the partners may be interested in participating in that. Manager Terry said that the way this partnership has worked so far is that with each additional sub-project that the Partnership undertakes the participants can opt in or opt out. For example, we opted in to the interconnect study and we had to pay a certain share of the fees to do that study. At some point of time, one of the amendments to the original memorandum of understanding will be do you want to opt in or opt out of phase one of a feasibility study of the western intake on Jordan Lake. I am assuming that when that comes up Pittsboro would probably want to opt in to that. Right now, there is no conceptual design as to what they will look like... will it be a regional water plant operated by some authority that wheels water out to different municipalities and authorities or will we be taking raw water out at the input and shipping that down to different plants all over the region. Right now that level of conceptual planning isn't even done yet. That is one of the sub-projects that is on the horizon and when it comes up will we be ready to spend our first dollar and we will get an opportunity to say whether we want to be involved in that or no we don't. Right now the western intake is just an idea and there is really very little meat on the bones about where it will be, who will run it, whether it is a raw water intake that ships raw water to different governmental entities or is it a cooperative effort to build one massive water production plant that ships finished water out to other entities.

Commissioner Fiocco asked if the next step would be a feasibility study. Mayor Voller said the location is not unknown. OWASA has the western intake on that. Manager Terry said that OWASA does have the property. Mayor Voller added that they had a 5 million gallon allocation that they never intended to use. Mayor Voller said he assumed we would be going to that western side and Manager Terry replied it was a probable location but it is not guaranteed.

Commissioner Fiocco asked if application is made at the end of 2012, then when the state would make the allocation effective. Mr. Miller said these are rough times lines and one of the things we are doing is pushing the state to keep with their timelines. Based on the schedule we have right now that's what we are looking at.

Commissioner Fiocco said so the merit of the allocation would be based on growth projections as opposed to any technical delivery systems? Mr. Miller said there would be a hydrologic model that they look at based on the demand. It would look at these scenarios in a lot of different ways and it would look at whether there is enough water to meet the demand and what would that look like if we were in a drought. They are in the process of putting this model together. The partners are in good shape because we have done our due diligence and we have put together the means and demands projections that feed into the model.

Commissioner Fiocco asked so if depending on how many submit an application it might change the outcome of your request? Mr. Miller responded that Jordan Lake has 100 MGDs and 37% are not allocated and there are letters now that have been submitted to the state by those who have an interest and they include all of the partners, Fayetteville, etc.

Commissioner Fiocco asked is it anticipated that this round four would deplete the 37 mgd. Mr. Miller responded this is a good question. He does not believe it would deplete it. I think it would most likely be in the mid 80's to 90's in this next round, but that is just based on some assumptions.

Commissioner Foley asked that once the allocations are granted, is there a period of time during which the allocations will be reviewed or is it just set for the next 50 years? If communities don't grow as projected, are the allocations reviewed at any point or do you stick with your original reviews. Mr. Miller responded at this round they will review the existing jurisdiction's allocations and there is always a possibility that you could lose your allocation if you don't show need as we go into this next round. That is really a question for the Division of Water Resources to say.

Mayor Voller asked what the Partnership's view on water quality issues that could affect the product. Mr. Miller responded the focus is on water supply. Each of the members of the Partnership are involved in water quality and do that as part of other work that they do but the focus of the partnership itself is on supply. For example, the City of Durham is involved in various efforts and work with water quality but through the Partnership itself. Mayor Voller asked if they had been looking at anything that could potentially affect the supply and or the quality. Mr. Miller responded that the state certainly will.

Mayor Voller presented a map that came from Triangle J and is a hydraulic fracking map that is right over Jordan Lake. Mayor Voller told Mr. Miller that the Partnership should be aware of the map because if you frack under Jordan Lake it could affect the supply and/or the quantity or the quality. Mr. Miller agreed to take the map back and added that Triangle J is the one that conducted the regional water supply study.

Commissioner Fiocco asked how frequently does the state open up Jordan Lake for requests. Mr. Miller said he believed the last time, round three, was a little over ten years ago but he will verify.

Mayor Voller asked if they were going to build a plant was there was a consortium would it be looking at over a decade out? Mr. Miller replied he is really not the person to talk to about this and that would be better discussed with the directors of OWASA and the City of Durham. He doesn't know if there has been a time table set out. He does know there is a little less urgency than there was a few years ago but in terms of a time table he does not know but would be happy to help with any conversations or connections.

Mayor Voller said that if the town is planning to improve our water plant it is contingent on whether there will ever be a supply from Jordan Lake or if this is so far out there that all six members of this board will be long gone and is it happening in 2030? Manager Terry responded in his opinion it was very long range based on meetings he has attended. He feels we will be

taking water out of the Haw River for a very long time but we don't want to pass up this opportunity to be in the group of entities that have a claim to an allocation from Jordan Lake. Mayor Voller agreed.

### **3. Guardians of Angel's Proposal for a Long-term Pet Adoption Center**

Mayor Voller welcomed Rev. Terry Dorsey back. Rev. Dorsey gave the Board copies of the updated brochure and told the Board that he had given Manager Terry the updated adoption center proposal within the last couple of weeks. Rev. Dorsey said he was here on behalf of our Vice President, Bill Browder, who is the Chatham County Board of Health Chair. Mr. Browder was going to come to speak with the group but had a board meeting tonight.

We wanted to introduce the concept to the new Board members. Also with me is one of our board members, Dr. Laura Barringer. The concept behind the Adoption Center is to take adoptable animals from Chatham County, some of which are homeless, some are in the shelter, some are a result of military being shipped overseas or owners dying and put them in a facility (an adoption center not a shelter) which would be attractive to people from surrounding counties, which is true of existing adoption centers, Paws Forever in Orange, and SPCA in Wake. What it does is it allows animals a long time to stay and to interact with people so they remain adoptable for a year or two versus the five-day waiting period they have at the shelter.

None of us would want to be at the shelter on euthanasia day, that's hard on staff; in fact it contributes to the turn-over of staff, although we have a good staff at the Animal Control Shelter here in Chatham County. As they expand their facility they find there is a challenge in that more animals are coming with the troubled economic times and some other things going on in the world. We really need to have a facility. This is good for Pittsboro because we are discovering from other adoption centers in other counties that this draws people to Pittsboro. They come and they visit an animal, they stay for a day, they may have some lunch, and come back that same day. Most of the time they are coming back two and three times because once they are introduced to an animal they fall in love with there is at least a 72-hour waiting period where we check their background and they would come back. In other words, they are visiting Pittsboro more than once – on average it is two to three times that they are coming. This is good for businesses in Pittsboro as well as good for the community. This raises the bar on overall animal care in the county.

In the last three years we have been a part of a spay-day effort, we have been a part of a couple of adoption efforts and we would like to continue to do that. But, we need some land. It is not uncommon for a county or a town to lease; I understand donating is not in the mix, but to lease a piece of land to something like this for a long period of time. One of the tracts that one of our volunteers had found in her search was two acres down in front of Pittsboro Elementary School.

Our Capital Campaign folks tell us that it is crucial for the county and the town to be invested in such a project and that it really benefits the fund-raising efforts. We want to bring \$1.5 million to the table in building a state of the art facility where people can interact and where animals thrive. A lot of that cost is in ventilation, plumbing and sound. We're not talking about a shelter, we are talking about a center which, next time we meet with you, I'll have Bill bring the pictures from

the architects we are talking to, the Bacon Group, who is one of the premier architects on adoption centers.

Our Capital Campaign folks tell us that there is a need for the county and the town to be invested via land because that really increases the response on the part of residents to donate to such a project. It gets the town and the county invested, and it helps us to raise that \$1.5 million, \$1.2 million of which is for the facility itself and \$300,000 is the first two years of operating costs.

We have spoken to the vet-tech program director in Sanford. Dr. Porterfield is excited about the possibility of having his vet-tech students have externships at an adoption facility. We are also thinking that senior citizens, high school students would be interacting as well. You can't just house animals, you have to have interaction with them...they have to play and have interaction with people, otherwise, just like people if you cage them up they will get depressed.

This whole idea was the initiation of the Animal Control Director, John Sauls, who is now retired; he came up with this idea five years ago. We have been talking about and pursuing it for the last three and we have come to you for the last couple of years. So we are asking you to reconsider a land donation so that we can, in full force with our Capital Campaign folks, start a \$1.5 million fund-raising effort. I will turn this over to Dr. Barringer.

Dr. Laura Barringer said she met Terry in May. In April, my husband and I adopted some kittens and, in May, in the parking lot behind my business we saw a litter of four-week old balls of fluff. My choices were call Animal Control and have these adorable, beautiful long-hair, purring balls of fuzz be euthanized in five days or to trap them myself and invite them home. So my upstairs was home to ten cats over the summer. CARE had no room. The Goat house had no room for them. Shame on us!

Wake and Orange counties have wonderful adoption centers and I don't want to be the "crazy cat doctor" but I found homes for four kittens, I paid to have six animals taken to the vet and fixed, and shots, worms, etc. This would do nothing but benefit Pittsboro. If we can build a shelter like Terry is talking about, that is pretty and clean and people can come, meet an animal, fall in love with an animal, they will have lunch, go shop, and come back after 72 hours, meet the animal again, maybe fall in love with two, tell their friends, it's a great idea. High school students in general need a certain number of volunteer hours now and instead of having a senior project where they have to volunteer at a non-profit, well here's a non-profit and I can't tell you how many seniors would love to go pet kittens for two hours and get credit for that. As a small business owner here in Pittsboro, I think it would do nothing but benefit us to show that we are responsible, that we care, and that we are looking out for the whole community.

Commissioner Turner had a question about the tract ... is that not where the tennis courts are? Rev. Dorsey said he was not sure but when Deb Tunnelle pulled up tracts of land in Pittsboro we came up with several pages and that one we honed in on. We are obviously looking for a central-Pittsboro location and we are looking for something that gives it some visibility. Again, this is an idea that is not new but I think our time has come for it. Pittsboro is ideal for pulling potential adopters from western Wake County and from Randolph, Orange and maybe even some from Lee County. So Pittsboro is centrally located.

What we would love to do is sit down with the Mayor, Manager Terry, whoever is appropriate, and the Capital Campaign folks we have talked to say there is about a 36-month point of inertia, after 36 months the idea starts to get cool in people's heads. The largest amounts of money are to be raised within 36 months of the idea being launched, so 2012 is a key year for us because we have been talking about it for a couple of years now.

We would be happy to talk with you about any and all tracts and we are also talking with the County Commissioners. Pittsboro is the ideal location for us. We have looked at Siler City and we have talked about a large tract south of here but Pittsboro really is the ideal place to not only help to grow businesses here like Laura and, in fact, Greg Massey, Pittsboro Discount Drug, was here and had to go but he was also going to speak as a small business owner as to why he feels this is important to grow his business by bringing people to the county. It really does build the moral fiber and add to the quality of life here.

I talk to the Sheriff all the time and he said they constantly get calls about homeless or stray animals in the county. The Shelter just simply does not have the capacity nor do they have legality to hold animals for long periods of time. John Sauls said (letter on website) he really feels that we need this because of all the adoptable animals that they euthanize. 80% of cats are euthanized and 50% of dogs and that is in spite of the rescue efforts of groups like CARE and even the adoption center in Orange County, Paws Forever. They come and they pull animals from our shelter so you have other shelters or other adoption centers pulling animals and CARE constantly trying to place animals but there are a whole lot of homeless animals that CARE and the shelter just don't have room for.

We challenge you and congratulate you as new Board members and, Mr. Mayor, I know you are interested in growing this town and county to work with us and to help us make this happen. We will build a state of the art facility and we will bring people to the town and the county and we will activate its citizens to make for a much higher quality of life in regard to animals and people in Chatham County.

Commissioner Fiocco said the literature refers to a facility of 5,700 feet on five acres of land. Do you think two acres is sufficient? Rev. Dorsey replied it is pushing it but the architects; the Bacon Group in Florida, one of the reasons why we started conversations with them is because they had designs to build up as well as out, which I didn't know you could do. We also talked to some architects in Houston; there are all sorts of designs because, obviously, there are all sorts of circumstances. That will be double of what the capacity currently is at the Chatham County Animal Shelter – and double the runs and we would like to expand that later but this would be a good starting facility. Commissioner Fiocco asked when you say runs do you mean exterior space? Rev. Dorsey said ideally you have both. You want to keep animals at play and moving and interacting with people because they literally, within 90 days, begin to become depressed, they become unadoptable. The county shelter has gone above and beyond the call of duty in terms of keeping animals out there but they can only keep them so long and it depends on the number of animals coming in and they can only interact with them so much because they are doing animal control issues (strays, violations, etc.).

Commissioner Foley asked how you would address the noise that would come from the dogs? Rev. Dorsey said with the new facility a big part of the cost is acoustics. I was told by the architects the reason it runs from \$225 to \$250 a square foot is because of plumbing, ventilation and acoustics. Commissioner Turner said that if part of it is outdoors then ... Rev. Dorsey replied ideally if we move away from an 80 and 50% euthanasia rate so if we have to adjust around that there is a possibility of indoor play it is just better to have outdoor if you can. Commissioner Turner said but if you have outdoor play at 2:00 in the morning... Rev. Dorsey replied there are all those considerations and they are good ones but there are all sorts of designs all over the United States. We've made it a point to talk to professionals about this and to work with them. We really think the Bacon Group we are going to work with, we're not sure on the Capital Campaign folks yet, we are still interviewing.

Commissioner Fiocco said he did not see the information but asked Rev. Dorsey to follow up with Manager Terry and have the architects/engineers put a projection on sewer needs for the facility. Rev. Dorsey said he would have that information to them within a week.

Mayor Voller asked how would this coordinate with a dog park or could it? Rev. Dorsey replied that would be perfect, excellent. The adoption center really is a public space and you want to involve your citizens and residents and I have heard a lot of people say they would love a dog park. We have a lot of animal advocates in this county and one man in a shop in Siler City asked if he could start a petition. Before I knew it others had gotten a hold of it and handed me 10-12 pages of signatures of people. The animal advocacy crew in this county is very strong and I've not talked to anybody against either idea and I credit you, Mr. Mayor, because I know this was originally your idea and it just comes to the point at which we have to make the next step. We have got to make it happen or we are going to lose it.

Commissioner Baldwin said it says here your estimated cost is \$1.2 million and Chatham County's percentage would be 20% so have you spoken with them again? Rev. Dorsey replied yes, we have had several conversations with the Commissioners about this. The last idea was Commissioner Cross wanted us to pursue a possible spot at the Community College campus, which we did and that is not going to work; there are just too many obstacles and hurdles to get to that place. Commissioner Baldwin asked what about the cost, did they say they would... Rev. Dorsey said they were not there yet, that was a plea, but they are not there yet. They are like everybody else they are crunching numbers. The consultants tell us the biggest step to beginning the fund-raising campaign and, believe me, I used to do it for United Way, there is \$1.5 million out there in this county and we are not limiting contributions to just Chatham County. We have talked to a couple of supporters who have said when you are ready with land give us a call, we are very interested in making large donations, maybe even naming donations. So it is out there, we just need a place to put it.

Mayor Voller asked the Board what they would like to do. We've heard from Rev. Dorsey a couple of times in the last couple of years. Where would you like to see this go? Commissioner Fiocco had a question on water and sewer...my first thought is that the map, the parcel that you put forward to us, is the tennis courts and basketball courts and potentially an area the skate park people want. It already seems to have a lot of claim and I'm not sure if that would work, but

there has got to be something that would work. Rev. Dorsey said he went through the list looking at good locations and felt two acres would probably be minimal anyway.

Commissioner Fiocco said he generally supports it and has adopted all his animals. Rev. Dorsey said the entire Guardians group; just like the CARE group, our homes are bursting with animals, mainly my cat population comes from downtown Pittsboro. We have had a group out that has been feeding, vaccinating and fixing cats for the last five years. Commissioner Foley said it would certainly be a venture to the public/private partnership and it brings into question some of the other groups in town that care for animals. Rev. Dorsey said we are not a rescue group; we are building an adoption center.

Mayor Voller asked for thoughts of the Board of designating some members of the Board to work with them and get answers to these questions and bring it back: the property (if there is such a piece that works), the questions Commissioner Fiocco asked and other Commissioners have asked. Commissioner Turner asked what about the ETJ is there anywhere in terms of dogs barking not right in town, which might impact other business around. Rev. Dorsey said it may, it depends on the design. One of the thoughts behind having it in town is to draw people and business to town. Commissioner Turner said she thinks it is generally something we should explore. Commissioner Turner agreed she said she used to trap, spay, neuter, and release anything that walked in her yard. Rev. Dorsey said the cat population at night in Pittsboro is extensive and we are going to more with Animal Control on adoption days and stray animals – we are going to try to meet the goals which are on your brochure.

Commissioner Foley asked what happens if you get animals that are not adopted, do you just continue to house? Rev. Dorsey replied long term means long term, a year or two. We have been asked if we will be a no-kill adoption center and I say I can't say that. Because one of the games no-kills play is they will just transfer them out to a kill shelter or the animal shelter. There are times it is the most merciful thing you can do, it is heartbreaking but imagine how the staff feels at Animal Control when every couple of weeks they are putting down perfectly good, very adoptable cute kittens and puppies, it is really hard on people. Commissioner Foley said she thinks they told her once they have to put down about 80% of the cats in the summer. Rev. Dorsey said they have a woman now who is going to work with the shelter with social media; she is going to take pictures and get it out. There are adopters throughout North Carolina and people who will come from Virginia to adopt animals.

Commissioner Fiocco asked if there was any grant funding the group may have identified. Rev. Dorsey replied he has a former board member who does research at UNC and writes grants and she is going to pursue that this year. That is part of the investment plan we have spelled out is to seek grants. Mayor Voller said that maybe the proper route is when the grants committee is up and running to have them interface with them. Rev. Dorsey told Commissioner Fiocco he would love to have him on that team; he knows his heart is in this because they have spoken before.

Mayor Voller asked what is the route that the Board would like for this to go forward? Obviously there are some questions we would like to have answered. This isn't the first time this has come to the Board, this is probably the second, third or fourth time. Rev. Dorsey asked if there are any plans at all to lay sewer and water down at that big 3-M tract that was donated or is that years in

the future. Mayor Voller said if there are any plans you know something I don't know, but you can never tell what the future will bring. Rev. Dorsey said, speaking of grants, would that help that happen, we obviously want the town to benefit from this.

Commissioner Fiocco is supportive of the cause. I would be interested in helping you find a solution. But I feel you will have to do a lot of the leg work. Rev. Dorsey replied they have and they are willing to and they have a pretty good board; Laura is part of the board. Bill Browder who is the Board of Health Chair, we have had some pretty successful fund raisers and some good outreach going. We are happy to do whatever.

Commissioner Fiocco asked what is a typical lease period. Rev. Dorsey said it is typically 30 or 50 years at \$.99 a year. Commissioner Fiocco said he thinks a key question is what their sewer capacity is because we do have a very limited supply, it is something to think about and talk about when there's a lot of plumbing involved. Rev. Dorsey agreed you have to have the right water supply because you want it very clean. Mayor Voller asked Rev. Dorsey if he could find out that answer because that is a very good technical question that a lot will hinge on versus in town or out of town. He said we need to have a clear understanding of that. Water supply isn't an issue but the waste water allocation could be and there are solutions to that but we need to know. Rev. Dorsey said he will get back to the Board on that. Commissioner Fiocco said Rev. Dorsey could contact him directly. Mayor Voller said the next step is to nail down some of these outlying issues.

## **NEW BUSINESS**

### **1. Audited Financial Statement for the Year Ended June 30, 2011**

Lynda Ward, Ward & Foust CPAs, we have done the Town of Pittsboro's audit for 21 years now. We have an office in Siler City and an office in Sanford. I work out of the Sanford office. My partner, Donna Foust, who couldn't be here tonight, is in our Siler City office. First off, I want to thank Manager Terry, Mandy Cartrette, and Alice for their hospitality while we were doing the audit. We came and camped out for a few weeks.

There is probably between 450 and 500 hours worth of work that goes into the audit of the financial statements. While we come up with 100 to 115-page document for you, I have 1,500-1,700 pages of documentation in my office of things I had to do to come up with that audit. It is a large undertaking to do an audit of a municipal government.

The Town of Pittsboro has two main funds: General Fund which covers recreation, police, fire, roadway and public safety, and water and sewer (Enterprise) fund. In addition, this past year you also had sixteen additional funds we had to audit: a couple of Capital Reserve Funds, Capital Project Funds, Park Project and Southern Park Project, Sidewalk Project, plus numerous capital projects in the water and sewer fund. Your town audit this year was probably the largest we have done for the Town of Pittsboro. I want to hit a few highlights of the audit but I invite the Board to please feel free to contact our office should you have questions come up during the year.

The General Fund this past year finished up the year with assets of about \$2.8 million, liabilities of about \$348,000, so you have a fund balance of \$2.5 million, which is a very healthy general

fund balance. Of that \$2.5 million of fund balance, unreserved fund balance is about \$1.8 million that is the portion of fund balance that is available to be allocated to be used for budgeting purposes, special projects, etc.

Your revenues for this past year were about \$2,678,000. Last year they were \$2,675,000 so your revenues are stagnant, they only grew about \$3,000 this past year. Unfortunately, your expenses increased \$144,000. Part of that you had some additional salary because you had some additional police where you got some grants but they also had to have matching portions of the salary - it did not cover 100% of the salary. For the end of the year, your expenditures exceeded your revenues in the General Fund by \$285,000. I will say \$83,000 of that were transfers to other funds for some of these capital projects funds. You had to transfer some money to the Sidewalk Fund for the sidewalks that were built by the DOT and you also had to transfer some money to the Southern Park Project as part of your matching funds for that grant money.

Last year, 2010, your expenditures only exceeded your revenues by \$35,000 so you can see there was a significant difference this year. With revenues remaining stagnant in municipalities and counties all around, I think the Board is going to have to figure out how they can juggle the budget because you need to be able to raise revenues and, unfortunately, there is not a lot of revenue sources, grants, etc. in your General Fund that is going to help with those expenses.

Mayor Voller said monies went out to projects like Southern Park, for instance. Mayor Voller asked Finance Officer Mandy Cartrette when we got the money from PARTF. Finance Officer Cartrette stated she believed that was either in October or November. So Mayor Voller asked if this would show up on this fiscal year. Mrs. Ward replied no, this was transfers that the General Fund had to transfer to the project that will not be coming back. You actually spent much more than that on the Southern Park project that the General Fund loaned that money to the Park Project that will come back in as cash, but it will not come back in as revenue to the General Fund. Mayor Voller asked so it is shown as a loan on the balance sheet so the loan is satisfied, does that go back to the allocated or the unallocated part of fund balance? Mrs. Ward replied that is not included in the calculation of fund balance because that is a loan, it is shown right now as an asset on the General Fund. When we spent the money it was not an expenditure on the General Fund so that is not included in your calculation of fund balance. When it comes back it is a receivable in the General Fund but that receivable will go to zero so it does not affect the expenditure or the income part of the General Fund, it is different line items of assets on the General Fund.

Mayor Voller asked where this activity of money going in and out show up on the balance sheet. Mrs. Ward replied if you will see on page 56 of the audited financial statement, you will see a line item called "Due from other funds" of \$187,836, that is the portion of the Southern Park Project that the General Fund has paid for that has been reimbursed with grant money that you have already received this year but you had not received it as of June 30, 2011. Mayor Voller asked if the line item "Due from other governments" is a similar line item. Mrs. Ward said it was money that you have outstanding such as sales tax, franchise tax, etc. that you were due for the period ending June 30, 2011 but you did not receive it until later.

Mrs. Ward said on the Water and Sewer Fund for this year, I will say your revenues increased \$215,000 from the prior year. Of that \$215,000 increase, \$98,000 of that was where you were billing Northwood for in-town and out-of-town rates so that is a one-year deal. Your net increase in revenues was \$116,000. Your expenditures were \$2.4 million; the expenditures were up \$175,000. You still have operating income of \$152,000 and that is something that has been a concern of ours for years in that for years the water and sewer fund which is supposed to be run like a business, the operating income was a negative number so you were not being able to generate enough revenue to cover the expenses of the water and sewer fund and other monies were having to supplement that. Included in that \$152,000 of operating income is that \$98,000, which is the one-shot deal from Northwood, but you still have a positive operating income of \$54,000. It really is a little better than that because if you will look on page 23 of the audit, your depreciation expense went up \$130,000 this year. The reason the depreciation expense increased is you have the waste water reuse project from 3-M which was finally completed last year and that was turned over to Pittsboro by Chatham County so we started depreciating that. That as well as the waste water treatment plant improvements that were made were some big assets that started being depreciating, that is what increased your depreciation expense.

I think overall the Board is going to have to look at the Water and Sewer Fund and rates and pay close attention to make sure you are able to maintain the operating portion of that in a positive way. Mayor Voller said he has been coming to the meetings since back in the '90s when Bobby Wood was here with you, that was an issue but the last fiscal years were in the black. Mrs. Ward agreed that for three or four years you have had operating income so you are still headed in the right direction.

Mrs. Ward said the other thing that the Town of Pittsboro had this year that I was very pleased with, you had \$2.8 million of grant revenue. That is revenue that is out there for you to take advantage of. Most of that grant revenue was used to improve your infrastructure in the water and sewer fund. But you did have \$205,000 of grant revenue in the General Fund, the majority of that did come in Public Safety in the form of grants for police or equipment, additional officers, etc. You also had \$332,000 of that grant revenue from the Southern Park Project, so I would say I am very pleased. Pittsboro is finally getting some of their fair share of well-deserved money that you haven't gotten in the past.

One thing I will say is, with this grant money come additional auditing work that we have to do and you will see in your audit report there are actually three opinion letters we have to do. We have to do the general opinion letter, and then we have to talk about the Yellow Book and the single audit letters, which means we have to actually look at the programs because the government wants us to audit and make sure you are spending the money in the way the grant intended for it to be spent. We did not find any problems with that at all.

That's all I had to cover tonight. I will entertain any questions you have now, in the future, or when you start working on budget please if anything comes up please feel free to call us with any questions.

Mayor Voller asked with the Enterprise Fund, and Townsend's stopped paying their bills to us when they shut down and asked Attorney Messick if he recalled when they stopped paying past-

due bills. Attorney Messick said we adjusted the very end of this audit year, he doesn't feel it had a large impact on that audit year. Mrs. Ward said she thought they would see more of an effect in this current year, more than last year.

Mayor Voller asked if we got any benefit tax wise from having depreciation – it's merely reflected to show what you are going to have to collect for deferred maintenance and things for replacement, but if you are looking at our actual cash on cash operation, the Town of Pittsboro is doing a pretty good job. Mrs. Ward agreed, you finished the year in all your funds you had cash of \$5.1 million. The town is still in a very healthy financial situation, we just want to keep you there and that is where it concerns us a little when the expenditures do exceed the revenues, especially in the General Fund. You have a healthy fund balance now but if you continue having to use the fund balance to supplement your expenditures in five or six years that healthy fund balance will decrease down to very little.

Mayor Voller said his question back with the grant is once it converts to cash is it allocated to stay in the area where it came from so if it came from Parks and Rec does it stay in that or does it go back into, from your perspective where does it go? Mrs. Ward replied from our perspective, basically what the General Fund is doing is lending money to the Park Fund. So when that grant money comes in the grant money has already been spent on the park, so that cash just goes back to the General Fund as cash, and there is really no restrictions on the cash when it comes back in the General Fund.

Mayor Voller said so you had given us a figure of \$2.5 million with \$1.8 million as unallocated. Mrs. Ward replied that is based on the local government commission has a formula we have to go through to determine what portion of that is unallocated and if you will look on page 56 of the statement you can see where part of the allocated is what they call "stabilization by State statute" that is some accounts receivable monies that you don't have yet, it is not in cash, therefore they will not let you allocate that. You had about \$98,000 that was still reserved by the Powell Bill that can only be used for street money. You had also designated \$352,000 for the 2011-2012 budget to meet some short falls so we had to decrease that also, so that's what left the \$1.8 million as undesignated at June 30, 2011.

Mayor Voller asked that it shows that if all of that were to convert to cash it is almost \$2.9 million (looking at page 56). Mrs. Ward said that is your assets but then you have to look at your liabilities so you have to subtract that \$348,000 from the \$2.8 million, which leaves your fund equity, or what is available, as \$2.5 million.

Mayor Voller said we may want to have Mrs. Ward to come again during the budget process to ask questions. Manager Terry said if the Board would like to do that we certainly could do so.

Mayor Voller asked Mrs. Ward for next year when do you anticipate the audit Mrs. Ward said that this year with all the additional projects it took a little additional time. The earliest we are going to be able to finish the audit is sometime late November, as we don't get some of the bills and assets until September, so it will normally be November or December. Mayor Voller said he felt it beneficial for the board to have this at either the November meetings or the first meeting in December. We don't have a second meeting in December so if people want to look at this and generate questions and spend time to go over this it's better then. Because when we come back

in January we are having a retreat, discussing budget, etc. so knowing this then is very helpful. Mrs. Ward said they would do their best to come to the board meeting in December.

## **2. Update on the Controlled Substances Drop Box Program**

Corporal Troy Roberson, Community Policing Officer, Pittsboro Police Department, is the Community Policing Officer in Pittsboro and I am one of the grants the auditor was talking about - the COPS grant, a four-year grant. I have been with Pittsboro for about six years. One of the initiatives I want to talk to you about tonight is prescription drugs and prescription drug abuse and what we are doing as a police department and as a town to address that issue head on. It is probably not surprising to know that prescription drug abuse is the nation's fastest growing drug problem and the Center for Disease Control and Prevention has classified prescription drug abuse as an epidemic.

Some of you may be aware of the "take back" programs that we have had for the past two years. We did a large take back programs in 2010 and 2011. In 2010, we brought 8,000 dosage units in Pittsboro and in 2011 we brought in 10,000 dosage units. We will have another take back program in a couple of months. We gave out surveys and talked to people at these two take-back events and 80% of the residents said they either threw their old medications in the trash or flushed them down the toilet. Even more concerning is that over 90% said they kept their medications in an unlocked cabinet or left them on the countertop. We are also very active with a local coalition called Chatham Drug Free. Chatham Drug Free passes out surveys to our students every year and in the last survey we conducted 32% of students believe their school has a drug problem.

Basically we are providing the town a way to dispose of these unused and retired medications and keeping the drugs out of the wrong hands and out of our landfills, our rivers and streams. Water quality was brought up earlier, this is a big way to address water quality and keep our prescription meds out of our local water system.

We transition now from these take back events to what the town is now doing, you may have noticed the drop box that is in our front lobby. This will provide year-round availability for our citizens to come by and drop off their medications and not have to wait on the once a year, one day event that they may not be able to get to. Now they can come to the Town Hall any time during business hours to drop off their medications.

The reason I want to come tonight and talk to you about this is just so you don't think this is some fly by night idea where we are just going to put a mail box out front and take back a bunch of medications. The door will be locked at all times; I am the only one that is going to have a key to it. I will empty all the medications at the end of the day. It will be in front of town staff during the business hours Monday through Friday in the front lobby and it is also monitored by camera. What if someone were to break into Town Hall and steal the mail box at 2:00 am? That is possible but they will get an empty mailbox. I will empty, log in all medication received that day, and place it into evidence. I will take the medication to an incinerator in Greensboro,

probably once a quarter, where it will be incinerated and disposed of. Those are the guidelines that have to be followed.

We are going to aggressively pursue a media campaign in the next couple of weeks. We have already hired a graphics person to design the ads, the brochures, etc. The drop box has been purchased and it is out front. The graphics have been designed. We are going to do radio and newspaper ads. Officer Roberson asks the media person in the audience, Mr. Wilcox, to please wait for the Police Department to contact him about the media campaign because Siler City is also participating and they have not received their authorization letter from the DEA yet. We wouldn't want to advertise to the county and people take medications to Siler City because they cannot legally receive at this time.

Corporal Roberson said the cost of the program is zero dollars. We worked very closely with Chatham Drug Free and they are paying for everything mentioned except his time, which is dedicated to the initiative.

Commissioner Fiocco said you mentioned that you are going to dispose of it on a quarterly basis. Corporal Roberson replied it would depend on how much is taken in. We obviously don't want to keep our evidence room full of meds so it could be more or less frequent. Commissioner Fiocco asked if it were going in more frequently would it have an impact on cost to the town? Corporal Roberson replied no, that Chatham Drug Free is paying for everything and the company with the incinerator company will probably charge by the pound and bill Chatham Drug Free for that.

Mayor Voller asked his thoughts about our ability to store it in the evidence locker. Corporal Roberson replied that with the previous take-back events, although it is a large number it does not take up a lot of space and he foresees it being highly successful for the first six months until everyone has had a chance to dispose of medications they have had for years and after that it will be on an as-needed or gradual basis.

Mayor Voller said he thought it was a great program and the Chief had talked to him about this in the past. How do you perceive any potential safety issues, meaning if somebody is an addict and they know we have a drug store in the front lobby, is there anything you think we should do to prevent a potential problem. We had someone throw a brick or something through the window of the ABC store to get a bottle so is this potentially something someone would do and how would we prevent that. Corporal Roberson said it is hard to say but the box will be emptied every afternoon at 5:00 before he goes home. So if they broke in and stole the box it would be an empty box. But I say for the same reason banks or ABC stores get broken in to it could potentially be a problem. Commissioner Foley said having the Police Station here might be a deterrent. Mayor Voller said he is only asking these questions because that is the one outcome that theoretically could happen. Corporal Roberson replied it will be on camera so if there is a problem we can identify and make an arrest in that case but that is the only downside he can see with this program and the positives far outweigh that one potential that may never happen. Mayor Voller agreed the positives far outweigh the risks; it is just a risk we should be aware of and take the necessary steps. Commissioner Turner said to have it part of the media campaign that it will be emptied every day. Commissioner Foley wondered if it would be a good idea to get

the word to the local pharmacies. Corporal Roberson said that had been taken care of as well as notifying local physicians, nursing homes, and other partners.

Commissioner Fiocco asked if it is possible to do it more than once a year. Corporal Roberson said it was perhaps possible to do it twice a year, however, this year we are going to have it March 19, 2012 in front of Pittsboro Discount Drug, I don't foresee us having that big event again for the simple reason we are offering the service every day. That particular program falls under Safe Kids and Safe Kids is pushing local police departments to go the route we have gone so they also foresee us doing away with those take back events as well. While there are other permanent drop boxes in North Carolina, we will be the first one in Chatham as well as Randolph, Lee, Harnett and Wake, so we actually will be the first one in the surrounding area so we will be getting a lot of press and you should be hearing a lot about it.

Commissioner Farrell asked about pick up for some of our citizens who do not drive or are unable to drop off. Corporal Roberson is going to look into this and check into the chain of custody but if the DEA says they can do that then they will. Mayor Voller added if the citizens are not bed-ridden Chatham Transit could bring the folks to drop off their medicines. Mayor Voller said he certainly recognized the consequences of someone picking up the medications and taking them off site and being responsible for bringing them in to the drop box or someone other than the patient having the prescription drugs. Commissioner Farrell said there are a lot of people at home who can't drive. Mayor Voller said the Corporal could perhaps work with Chatham Transit to get them there. Corporal Roberson said really no one other than the patient should have prescription drugs in their possession that is not theirs but he feels they can find a solution. Mayor Voller thanked the Corporal for this successful program.

### **3. Appointment of Members to the Planning Board**

Mayor Voller asked if Manager Terry or Planner Bass wanted to say anything, they gave us a chart. Manager Terry said this was fairly simple and self-explanatory. We had two Planning Board seats, whose terms ended in December, 2011. Of those, Mr. Howard has decided not to reapply. Mr. Clifford has decided to reapply. In addition to Mr. Clifford's application, you have several others. Mayor Voller noted Mr. McConnaughey withdrew his application today via email. Manager Terry said there are four candidates for the in-town position and two for the ETJ position. Mayor Voller asked if we still had alternate positions. Manager Terry said one of the alternates is an applicant, Mr. Plummer, is a current alternate and he has put in his application to fill Mr. Howard's position on the ETJ. Mayor Voller asked technically we have six members plus an alternate. The Board replied there are two alternates – one for in town and one for ETJ. Mayor Voller asked if we had an alternate for in town. It has not been filled.

Mayor Voller asked if we advertised for the in-town position and no one applied? The Board has to have an even number in-town and out-of-town so we made the alternate position because there were quorum issues that were happening and they needed to have someone to take part in discussions and fill in and vote if we didn't have a quorum or they were missing members, but I think later it was discussed we had to have an alternate for in-town. Planner Bass said according to ordinances we are supposed to have one for in-town and one for ETJ. Mayor Voller said Mr.

Plummer had been in the position of alternate for about 18 months. He moved from in-town to out-of-town.

Commissioner Baldwin made a motion that John Clifford be reappointed as the in-town member to the Planning Board, seconded by Commissioner Turner.

Vote Aye-5 Nay-0

Commissioner Farrell asked if we could nominate anyone else. Mayor Voller replied these are the ones that came in but he didn't think there was anything that kept anyone from nominating. Mayor Voller asked Manager Terry and Attorney Messick for their comments. Mayor Voller said there is nothing to prevent a Commissioner from nominating anyone they liked. Manager Terry responded certainly. Mayor Voller said you could nominate anyone who had submitted an application and we could caucus on it here. Commissioner Farrell said he had talked to Billy Hughes, who had served on the Planning Board several years ago, and he had a lot of interest to get back on the Board. Mayor Voller said he lives in town so technically he could be nominated for the in-town alternate position. But he can't get the ETJ spot because he doesn't live in the ETJ.

Commissioner Fiocco said that he would like to make a motion to appoint Shannon Plummer for the ETJ spot. Shannon has been an alternate and as an alternate has attended the meetings and stayed current on topics and when asked to do so was ready and able to vote on critical matters for the Planning Board, seconded by Commissioner Baldwin.

Vote Aye-5 Nay-0

Commissioner Foley moves that we postpone the vote on the alternates because she wants to know more about Mr. Hughes. Manager Terry stated we could extend the advertising period. It has been advertised in the newspaper twice and it is a standing announcement on our website. Manager Terry said he has found that sending the notice to the home owners' list serves is a good way to get to a lot of people and we could postpone and bring it back on February 13, 2012. Mayor Voller asked if that would include Commissioner Farrell's motion concerning Mr. Hughes and would include everyone.

Commissioner Farrell also wanted to include in this motion to include Robert Butler in the ETJ as an alternate. Mayor Voller said that right now there is a motion on the floor to table that and we re-advertise and come back on the February 13, 2012, seconded by Commissioner Turner. Mayor Voller said that everyone could come back on the February 13, 2012 and there could be a vote since their applications are already in and they would both be considered for alternate slots, both in and out of town, along with anyone else who might potentially submit.

Commissioner Baldwin asked if an applicant is currently a member of the Chatham County Planning Board would it be consistent for him to be a member of both the Chatham County and Pittsboro Planning Boards? Manager Terry said it was not illegal but it is up to the Board. Mayor Voller said Andrew Allden has been a member of the county and town Rec Board at the same time and it, in fact, actually helped carry communications back and forth but it is up to this Board who you want on there and what role you think they will play. Mayor Voller said Commissioner

Farrell made a point about Mr. Hughes and knowing him for years and him being on the Planning Board. Presumably we consider similar candidates.

Commissioner Fiocco asked Manager Terry how long we advertised. Manager Terry said we started in December and we put it on the website for about six weeks now. Commissioner Fiocco said most of the applications came in the later part of January except for two current members of the Board who were on time. He doesn't see any harm in pushing it out and he does think in consideration for folks who see the application and sign up and do something about it speaks volumes to their initiative to be engaged and I wouldn't want to diminish that enthusiasm for volunteering by kicking it out. Mayor Voller said but they didn't apply to be alternate members, they applied to be voting members, and that person would have to know they are signing up to attend meetings and taking part in discussions but they are not voting. Commissioner Turner said that's a different position and we would have to make sure they would be interested in that position. Commissioner Baldwin said she believed Commissioner Foley also said she wanted additional information on one candidate. Mayor Voller said to address the concern that Commissioner Fiocco mentioned he suggested that someone on the Board or a staff member could call these folks and ask if they were still interested in being an alternate member. Commissioner Fiocco said that was a reasonable approach to reach out. Mayor Voller said Bob McConnaughey, for instance, withdrew but that was on the basis of being a full Planning Board member, he might not withdraw if he was offered to be an alternate, because we didn't even talk about the alternate position in this application. Commissioner Fiocco said it would be respectful to reach out to these folks touch base with them and he suggested Manager Terry contact them. Manager Terry said he would let them know we filled the permanent seats and selection of alternates will be considered at a subsequent meeting and ask if they want to leave their applications in place for that purpose.

Mayor Voller asked all in favor of re-advertising and taking on any other applicants for the two alternate positions coming back on the February 13, 2012.

Vote Aye-5 Nay-0

Mr. Plummer said he put his name in the hat with Mr. Bland and the Board chose Mr. Bland and then I was approached afterwards saying sorry we didn't chose you to fill a board seat but to see if I would like to fill an alternate position, which I accepted. I have been able to vote three or four times in the past twelve months. Mayor Voller asked Attorney Messick if we had a full understanding of when an alternate votes. He wasn't sure if there is a quorum requirement or does an alternate vote to replace a member. Attorney Messick replied that was correct. Mayor Voller said an alternate would vote if there came up a conflict of interest or a reason that a member thought they would have to recuse themselves. Mr. Hoyle said that was correct. As Shannon said, he filled in four times and did vote but he was filling in for a particular person. And the last time in December with regards to the school situation, Karl recused himself and Shannon got to vote. Mayor Voller said our intent of doing the alternate was specifically to address the issue where we were having problems of getting down to three and four members and people couldn't do the business before the Planning Board because we weren't reaching quorum requirements so we have eliminated that problem.

## CAPITAL PROJECTS REPORT

Manager Terry said that many of the Board members are already aware that the City of Sanford has approved their participation in the engineering study for the Sanford to Pittsboro wastewater line. I have spoken to David Hughes and he has taken steps to initiate the test water to McGill Associates and we would expect to have that report probably by the first of May.

Becky is gone but she has been working closely with DOT on the Hillsboro Street transmission line. I think they have most of their differences worked out and questions answered. I think they are on schedule for advertisement in mid to late February. Becky had about a three-hour meeting with them last week and they have come to agreement and she is finalizing the documents now.

Mayor Voller asked if we had received anything from the County about reaching out to them about perhaps participating with the cost of this or the Justice Center or the Courthouse and their need. Manager Terry replied the way the Board left this was we knew we had potentially a cost differential between the grant amount and what the project is likely to cost and we discussed how we would fund that and, at the end of the discussion, I think the Board decided that until we know what the actual number is they want to defer discussion till we open the bids and we see if it is a very big problem, small problem, etc. So where we left it was to finish up the bid documents, get the bid out, open the bids and then come back to the Board and let us discuss how we fund this.

Mayor Voller said he thinks that given we have just had a very good cooperative moment with the county it might be a good time to at least open discussion point on this. They want to finish that courthouse by the end of 2012 and that's an issue of safety, so just starting the dialogue... We know it could be \$1 or \$600,000 and are they willing to participate in that cost difference or are they willing to do what they did with Goldston and give us a loan. Attorney Messick are you familiar with the terms of the loan to Goldston? Attorney Messick said what Goldston did is not applicable to your situation. Mayor Voller said we could perhaps request a loan but I would prefer that they participated since it is directly connected to their buildings and a fire protection issue. Manager Terry feels the county is more concerned with the part of the project that we didn't get to do ... the downtown water system improvement project has, if I'm understanding David Hughes correctly, it is not the old courthouse that is worrying them as much as the new one. Mayor Voller feels that would be an appropriate reason to start this dialogue. We already had done the study with Hydrostructures that looked at this other alternates and the USDA grant and I don't know why we wouldn't want to ask them if they want to get involved.

Commissioner Fiocco asked had they not modified their design of their facility to accommodate pumping operations. Manager Terry said they did, they knew there were some issues with pressure in that area and so they have added a mechanical pump station to service the fire sprinkler system but even at that, after the design was completed and they were under construction apparently they discovered that issue was resolved by the addition of that mechanical room and booster pump and there are still concerns about the pressure of the fire hydrants that surround the building. The Hillsboro Street transmission line won't go far enough to fix that - it will terminate at the circle. I don't want to speculate on whether or not an extension of that would totally solve their problem around the new courthouse but I guess there

are two ways to go: just do the rest of the project that Jay Johnston designed or do some engineering study to find out if a simple extension of the Hillsboro Street line farther enough south would impact that favorably enough to dissolve the issues. It is my understanding that it is the new courthouse that is of most concern to them regarding the pressure issues. Commissioner Fiocco said he thinks from their perspective that if they have the need they have the data and the expertise to do the analysis themselves to see if that would solve the problem, if so, I would imagine they would want to invest in that solution. Mayor Voller said yes but I think we want to start the dialogue sooner than later.

Mayor Voller asked Manager Terry to call Charlie Horne and David Hughes and bring Becky back in there and see what needs to be done and pursue what Commissioner Fiocco said they probably do have some idea and they probably have analyzed it and find out where we stand and, at that point, are we going to have to come up with a budget figure between them and us. I don't want it to be next December and realize this should have been done. We may as well do it now. There is no time like the present, they are very happy that we just modified the agreement so let's follow up. This is the more important issue...that jail may not be built for four or five years.

We have to make a quick five-minute adjournment and then go into closed session. Commissioner Baldwin moves to take a recess for five minutes, seconded by Commissioner Farrell.

Vote Aye-5 Nay-0

Commissioner Fiocco made a motion to go back to the meeting. The motion was seconded by Commissioner Baldwin.

Vote Aye-5 Nay-0

### **CLOSED SESSION**

Mayor Voller asked for a motion to go in to closed session. Commissioner Fiocco makes a motion to go into closed session pursuant to GS 143-318.11(a) (3) to receive information or discussions with an attorney under the attorney-client privilege. Motion seconded by Commissioner Farrell.

Vote Aye-5 Nay-0

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

Vote Aye-5 Nay-0

### **REGULAR MEETING**

Commissioner Baldwin moved that the Board call for another public hearing on the Haw River Christian School application for February 13, 2012, seconded by Commissioner Turner.

Vote Aye-3 Baldwin/Foley/Turner Nay-1 Farrell

Commissioner Fiocco had previously recused himself from any involvement in the matter

Motion made by Commissioner Foley seconded by Commissioner Farrell to adjourned at 11:00 p.m.

Aye-5 Nay-0

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Randolph Voller, Mayor

ATTEST:

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Alice F. Lloyd, CMC, Town Clerk