

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
OCTOBER 23, 2000
7:00 P.M.

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

ATTENDANCE

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

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

DISPOSITION OF MINUTES

Motion made by Commissioner Bryan seconded by Commissioner Brooks to approve the minutes of the October 9, 2000 meeting. Vote Aye-4 Nay-0

CITIZENS MATTERS

NONE

HAW RIVER ASSEMBLY

Ms. Catherine Deininger, HRA Roberson Creek Project Coordinator was present to invite the board to a meeting on November 9, 2000, 7 PM at Central Carolina Community College (Pittsboro Campus, Multipurpose Room, Bldg. 2) for a Pittsboro Community meeting to discuss improving water quality in Roberson Creek.

CABLE TV

Manager Montgomery stated he had request a representative of Time-Warner be present tonight to explain how the rates were originally established and the process for FCC filing for increases is determined.

Manager Montgomery stated he contacted Mr. Brad Phillips, Time Warner Cable and told him the Board would like for him to be in attendance at this meeting, he stated he could not be here and he would send a letter to answer the questions the board has. Manager Montgomery received a fax from Paul Baccellieri, Time-Warner Cable,

addressing questions about why our rate is higher than some of the surrounding Time Warner Cable served communities.

Commissioner Brooks had concerns that Pittsboro is not getting as good of a price as Chatham County.

Commissioner Brooks thanked Alice Lloyd for her assistance in getting the comparison information together on her personal time.

Motion made by Commissioner Brooks seconded by Commissioner Burns to hold a public hearing on the Cable TV issues and to have Bob Sepe and Brad Phillips present. Manager Montgomery is to get a time from them and bring it back to the board to set the date.
Vote Aye-4 Nay-0

Manager Montgomery stated we have received a Resolution requesting the extension of the period of time to review FCC-1240, FCC-1205, and FCC 1235 for Regulated Cable Service provided by Time Warner Cable. The resolution has been drafted on behalf of the Town by the Triangle J Cable Consortium.

Motion made by Commissioner Bryan seconded by Commissioner Brooks to table this matter.

Attorney Messick stated this needs to be addressed tonight.

After discussion Commissioner Bryan withdrew his motion and Commissioner Brooks withdrew his second.

Motion was made by Commissioner Brooks seconded by Commissioner Bryan that they approve the Resolution extending the review period of an additional 90 days and that they send a representative to answer the board concerns about rates.

Vote Aye-4 Nay-0

A RESOLUTION EXTENDING THE REVIEW PERIOD AN ADDITIONAL 90 DAYS FOR TIME WARNER CABLE IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 210-211

NC DOT ENHANCEMENT PROJECT

Manager Montgomery advised the board that we had received NCDOT Enhancement funds in the amount of \$155,972.00. The award is to construct sidewalks and curb and gutter along Sanford Highway (US 15-501) and along Thompson St. (SR 1701) from US 15-501 to Dr. Martin Luther King, Jr. Drive with connections to US 64.

Mayor Devinney stated 15-501 North and Hwy 87 projects should have been funded.

Commissioner Brooks asked about the process of the sidewalk on E. Salisbury Street.

Commissioner Cotten stated he was disappointed that Old Graham Road and 15-501 North were not funded.

Manager Montgomery stated we have three years to complete all three projects.

DRAFT LETTER TO REP. HACKNEY

Manager Montgomery requested the board make any changes or recommendations to the drafted letter updating Representative Hackney on our efforts to address the status of Robeson Creek.

Commissioner Brooks said it is Robeson Creek not Roberson Creek.

The last paragraph – ...To improve the water quality in the Robeson Creek Watershed Pittsboro needs...

There were also so typos.

Motion made by Commissioner Burns seconded by Commissioner Brooks to approve with corrections. Vote Aye-4 Nay-0

EXTENSION OF PHASE 4 & 5 CHATHAM FOREST

Manager Montgomery stated Mr. Randy Voller has requested per section 4.2 of the Pittsboro Subdivision Ordinance a one year time extension for Phases 4 and 5 of Chatham Forest.

Mr. Voller's letter stated there are many factors including working on solutions for water pressure has precluded them from presenting a final plat.

Commissioner Burns questioned what were the factors besides the water pressure issue, which we were aware of from the beginning?

Motion made by Commissioner Cotten seconded by Commissioner Burns to approve the extension of the preliminary plat for one year. Vote Aye-4 Nay-0

REQUEST TO MODIFY PRELIMINARY PLAT FOR PHASE 4 & 5
CHATHAM FOREST SUBDIVISION

Manager Montgomery reports that Mr. Voller has requested to modify the Preliminary Plat for Phases 4 and 5 of Chatham Forest to reduce the number of lots in Phase 4 and increase the number of lots in Phase 5 as a function of water pressure availability.

Mr. Voller's letter stated he was requesting as per section 4.4, subsection B.(7) of the Pittsboro Subdivision Ordinance as revision of the preliminary plat for Phases 4 and Phases 5. Specifically they want to move the Phase line between Phases 4 and 5 to group the lots in a more rational development manner; i.e. the lots with the lower water pressures in one phase and those not affected in the other phase.

Commissioner Burns asked why does he want to modify if you have a year extension.

Mayor Devinney stated he met with someone today that wants to purchase the property.

Commissioner Brooks stated if Phase 4 is less and Phase 5 is more, want it have to have additional land.

Commissioner Bryan stated the hill has not moved.

Manager Montgomery stated a cluster subdivision and minimum lot size – they all have concerns.

Motion made by Commissioner Burns seconded by Commissioner Cotten to send it the Planning Board for recommendation along with comments.

Vote Aye-4 Nay-0

Mayor Devinney asked where we are with the tank?

Mr. Voller stated he has been working with Mr. Montgomery, Mr. Koonce and Mr. Jackson.

LEAF COLLECTION

Manager Montgomery stated we would like to pick up different sides of our Town on alternate weeks and will have the details worked out before the street fair; so that we may have the information available to the public at the street fair.

VACANT BOARD SEAT

Commissioner Cotten stated he would like to proceed tonight.

Commissioner Brooks stated he would like more time to study.

Attorney Messick stated it had to be a reasonable period of time to fill the vacancy.

Motion made by Commissioner Bryan seconded by Commissioner Brooks to fill the vacancy on the Town Board on Tuesday, November 14, 2000.

Vote Aye-4 Nay-0

ABC BOARD APPOINTEE

There was a discussion about filling the seat on the ABC Board.

Commissioner Brooks stated he had given Manager Montgomery a list of possible candidates.

Commissioner Bryan stated he has someone in mind and he will follow up on it.

Motion made by Commissioner Bryan seconded by Commissioner Brooks to fill the vacancy on the ABC Board on November 14, 2000.

Vote Aye-4 Nay-0

MCLEAN TANK

Manager Montgomery stated the contract was approved in last year's budget, FY 1999-2000, as an expense to be applied to the Capital Reserve Account. When dollars are used from the Capital Reserve Fund for projects the minutes need to reflect the approved contract.

Motion made by Commissioner Cotten seconded by Commissioner Brooks to approve the contract with McLean Tank Company and pay the invoice.

Vote Aye-4 Nay-0

COMMISSIONER CONCERNS

Mayor Deviney asked if the water lines had been installed.

Manager Montgomery stated they had pretty much been installed.

Commissioner Burns stated the stop sign at the Magnolia House still is not marked correctly.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to adjourn.
Vote Aye-4 Nay-0

Mayor

ATTEST:

Clerk