

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, JANUARY 12, 2009
7:00 PM

Mayor Randy Voller called the meeting to order at 7:00 p.m. and provided the following opening statement for 2009:

“Tonight’s meeting begins a new year in Pittsboro, Chatham County, the State of North Carolina and the nation as a whole bearing the weight of historic imperative while trudging forward on slippery ground. We may fall and we may fail, but it is within that human battle of mortality and immortality that we will also stride forth and achieve the unimaginable. Our actions and ideas will be our link to the future.

In 2009 the Pittsboro Board of Commissioners will endeavor to bring forward the best of representative democracy – with all of its attendant horns and halos for one cannot expect to emerge from battle with a clean uniform.

In the year ahead, if we must disagree let it be with respect and at all times let us work with each other instead of at each other. It has never been more important during our lifetimes than it is now to keep the lines of communication open from local to state to federal governance. Local citizens will need our steady hands and our leadership and as the foundation of local representative government we will listen and we will lead.”

Mayor Voller thanked his fellow Commissioners, noting he had prepared that statement keeping in mind what they would face during the coming year and the current economic times, and that the Town Board was the link between citizens and government.

Town Manager Bill Terry introduced Scott E. Borrer as the Town’s new Finance Officer, who came to the Town from Highland, Illinois with six years of experience as their Deputy Finance Director. He provided some additional information regarding Mr. Borrer’s education, experience, and family.

Mr. Borrer said that he was thrilled to be in Pittsboro and appreciated the opportunity to serve the Town. He said he and his wife had spent some time in the area in the past and had always wanted to come back, and was pleased to be able to do so in this capacity.

The Board of Commissioners welcomed Mr. Borrer to the team.

Mayor Voller called for a moment of silence in lieu of an Invocation.

ATTENDANCE

Members present: Mayor Randy Voller, Commissioners Gene T. Brooks, Clinton E. Bryan, III, Hugh Harrington, Pamela Baldwin and Chris Walker.

Staff present: Manager Bill Terry, Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr., Finance Officer Scott Borrer, Planner David Monroe, and Assistant Planner Paul Horne.

APPROVAL OF AGENDA

Motion made by Commissioner Walker seconded by Commissioner Bryan to approve the Agenda as proposed.

Vote Aye-5 Nay-0

CONSENT AGENDA

The Consent Agenda contained the following items:

1. Approve minutes of the December 8, 2008 regular meeting.
2. Resolution Authorizing Withdrawals from Depositories of the Town of Pittsboro.

Motion made by Commissioner Harrington seconded by Commissioner Baldwin to approve the consent agenda as presented.

Vote Aye-5 Nay-0

A RESOLUTION AUTHORIZING WITHDRAWALS FROM DEPOSITORIES OF THE TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 1

REGULAR MEETING AGENDA

Citizens Matters

Max G. Cotten, 133 Pittsboro School Road, Pittsboro, stated he had several topics he wanted to comment on. He said he had prepared a citizens report card on the Board's activities for the first six months of the fiscal year but had realized that he had not discussed his concerns with the Board in advance, so that was why he was before the Board this evening. He said there were several things that had occurred since July 1 that bothered him and others a great deal.

Mr. Cotten said the first was the increase in water and sewer charges. He said he did not know if the Board had really considered what they were doing to the users, but it occurred to him that a basic rate of \$16 with no usage was completely out of line. Mr. Cotten said the basic charge should be figured on the reading of the meters, the billing, and the debt service. He said there

was some debt service, but not enough to justify what was being charged as the basic rate with no usage.

Mr. Cotten stated another issue was the connection with Springdale and Fox Chapel. He said he had spent a lot of time researching that issue for the Board, and believed he had presented enough information that the Board could have already resolved the matter. Mr. Cotten said they might consider going ahead and having the Town do the work and assessing the developer for all of the cost. He said he also understood that the roundabout had been deleted from the project, and reminded the Board that the roundabout was reviewed by the Planning Board. Mr. Cotten said the reason he believed the roundabout should be put back in was because the developer had paved a very wide area to provide for the roundabout, and unless you placed something there that people could see before they got there that they would be coming down that hill at a great rate of speed.

Mr. Cotten stated that to him it was a very poor decision for the Board to endorse liquor by the drink being put on a ballot. He said he would campaign against it if it ever came to a vote. Mr. Cotten said he hoped it would not come to a vote because he was convinced that the State would soon privatize the ABC operations which would give the Town no incentive for profit, and that if liquor by the drink was ever passed they would have to increase the size of the Police Department because of the increase in crime and other negative activities.

Mr. Cotten said the last issue he wanted to speak on was public transit. He said that had been tried before by private citizens, that it had not been successful, and that it would not be successful. Mr. Cotten said the time would likely come when they would need a transit system, but to talk about a transit system to run only in the mornings and afternoons was unwise. He stated they already had a parking problem and that would worsen if people came here to park and ride the bus. Mr. Cotten said he knew people who worked in Chapel Hill who had indicated they would not use the system because they wanted their vehicles nearby in case they needed to come home during the day.

Mr. Cotten stated before he had left the Board he had mentioned some challenges that were before them. He said he intended to request time on the regular agenda sometime in the immediate future to discuss creating a voting district in Pittsboro, updating the Charter, creation of a water and sewer district, and updating the general ordinances.

Jeff Meredith, 499 Chatham Forest Drive, said with the New Year he wondered if there was any new progress on the opening of Springdale Drive.

OLD BUSINESS

1. Manager's Update on Capital Projects.

Manager Terry provided the following update on Capital Projects:

- Disinfection byproducts reduction project – the project was underway and on schedule.

- The 4 million gallon per day wastewater treatment project – the EIS document had been returned by the State for a few revisions and that was being reviewed, with a few issues left to resolve. Once that was completed and returned, it would be issued to the major agencies in the State who reviewed such documents, and after a 25-60 day review period the Town would likely receive additional comments from those agencies and would then have to respond to those comments.
- Short-term wastewater treatment improvement project – they had met with Stearns and Wheler and negotiated the removal of some items from the scope of work. They had also done a substitution which was a quick removal system in the original scope of work. They had discussed with Stearns and Wheler that the layout of the plant really did not facilitate that system being put into a position where it would do the most good, so they had removed it and added in its place an update to the UV disinfection system which was out of date and difficult to repair. They were moving forward with design and expected that work to be completed within 90 to 120 days, and they expected to be ready to bid the project sometime in August with project completion in May of 2010. The upgrade would allow treatment of 750,000 gallons per day which was what it was permitted for.
- 3M Reuse Water project – there were some minor issues that had to be clarified regarding the bid packages and they were now ready to receive and open bids; that based on the turnout at the pre-bid conference he expected to receive valid bids.

Commissioner Walker said he assumed Hydrostructures or some other qualified engineering firm would be going over the bids thoroughly. He said given the current state of the economy, he had heard from several general contractors that some contractors were throwing out numbers just to get the business, and the bids received may not necessarily be what they thought they were in terms of quality, time, and construction. Commissioner Walker said he wanted to make sure that they did have someone qualified to go over the bids received, and if they received bids that were low but the Town did not believe they would meet expectations, then those bid should be thrown out.

Manager Terry stated that Hydrostructures was one of the engineering firms involved in the project and once they opened the bids there would be a period of time where they would validate the bids and check references. He said if they found any bidders to have pending law suits or past performance issues they would not be considered. Manager Terry stated for any bids considered they would make sure that every element of the scope of work was included and understood.

Mayor Voller said because of the economic downturn they would likely receive some better bids than they had in the past, since the price of labor and materials was fading. He said the question was did they still have the option of getting bids on the 12 inch transmission line with the 8 inch tank, or was that no longer on the table. Mayor Voller said they had in the past written to Speaker Hackney to request funding, and they may get bids that were more competitive. Manager Terry stated he did not believe it was an option at this time, but after the bid opening and a contractor was selected, they could always enter into a change order and request that the low bidder meet the change order price. He said that may not be the most economical way to do that, noting it would likely be cheaper to have it in the bid document. Manager Terry stated he was not even sure that it wasn't already included.

Mayor Voller stated he would like to have that verified, because the last time they had done that it was included. Manager Terry said another thing he was not sure of was that it was possible with the upgrade from 300,000 gallons to 500,000 gallons they may have upsized the line at that time, and he would need to get an answer to that. Mayor Voller said if you went to a 12 inch line you would likely go to ductile iron and there was a lot of rock between here and there, so it was likely that most of that line would not be C900. He said with the cost for C900 he believed they would end up putting in some other type of line.

Mayor Voller commended Manager Terry on the work they were doing, and asked him to follow up on those issues. He said he did believe they should have a transmission line if they could afford it.

Commissioner Brooks said a few months ago the Board had seemed to reach a consensus that they should reactivate or consider reactivating the three charcoal water filters at the plant, and asked had that been done or was there a plan to do it. Manager Terry responded that he did not recall that discussion. Commissioner Brooks said it had been discussed and it was his understanding that the funds were available and it could be done. He said that would certainly improve the quality of the water. Manager Terry said that the project did come in under the estimated bid, plus they had gotten Rural Center funding for half of the project. He said if the Board wanted to add additional features to the plant it would likely be easy to do so.

Commissioner Brooks said the reason he brought it up was that right now they were just using one sand trap. Manager Terry said there was a sand filtration system there now. Commissioner Brooks said the biggest expense with the tertiary charcoal system was replacing the charcoal, but it would do a much better job of removing the hydrocarbons. He said he believed if it could be done then it should be.

Commissioner Brooks asked how did they do on infiltration after the last extensive rain? Manager Terry responded they had not violated the permit during that time but the flows had approached 1.8 million. He said the plant could hydraulically handle that but it was not licensed to do it on a continuing basis. Manager Terry said typically such a rainfall would disrupt the system for a few days, but would settle out after that. He said that Mark Tirone had done an excellent job of prioritizing maintenance issues, including emptying the clarifier to pull out several tons of sediment from the bottom of the tank that had accumulated over the years which allowed the clarifier to work much more efficiently. Manager Terry said the good news was that they had not violated any permits during that recent rainfall.

Commissioner Brooks said he had heard from Manager Terry and others what a fine job Mark Tirone had done and hoped that he would have a lot of input into what was done regarding those contracts, because there may be some things that he did not believe were necessary or perhaps some he believed were necessary. He said Mr. Tirone was the main person on the scene, and hoped that they would take advantage of his expertise before they signed any contracts. Manager Terry said one of his objectives was to spread the duties and labor around so that not so much was under the Manager. He said to that end he had delegated some of those projects to Frank Efird, and Mark Tirone was the project manager for the project at the wastewater treatment plant

and he was conducting all meetings with the designer and reviewed all proposals and plans. Manager Terry stated that Mr. Tirone was a remarkable young man and the last thing he would do was waste that talent. Commissioner Brooks stated that was good news, and thanked Manager Terry.

Manager Terry, continuing with his update, said that the draft of the Parks and Recreation Master Plan was under review. He said under FYI at the end of the agenda was an item related to the Pittsboro Town Park Concept Plan Illustrations, noting that it was still a work in progress. Manager Terry said they had gotten some feedback on the conceptual drawings and they hoped to bring a progress report to the Town Board meeting on February 9.

Assistant Planner Horne stated that the Recreation Board had met to discuss the New Town Park, noting the meeting was well attended and had been productive.

Mayor Voller asked did they believe they were going to have a Pedestrian Plan once it went back to the contractor, and when would that happen. Planner Horne said they had just gotten the final draft back yesterday, and believed they could complete it within two weeks. Mayor Voller asked was the plan to have the Recreation Board look at it once more before it was brought to the Town Board. Assistant Planner Horner responded that the Town Board would have the opportunity to review it.

NEW BUSINESS

1. Update on EDC Strategic Planning Issues and GIS (Diane Reid, Director Chatham County EDC).

Mayor Voller stated that Dianne Reid, the Director of the Chatham County EDC, as well as Jennifer Nelson, her assistant, were present tonight to provide the Board with an update on EDC Strategic Planning Issues and GIS.

Dianne Reid stated they were proud to introduce this new tool that had just come on line. She said one of the changes in economic development over the last five or so years was to use Internet searches for available sites. Ms. Reid said these days the Internet was used to do site searches to find appropriate properties for project, so it was in your best interest to have a good Web site that was easy to navigate and had a lot of information. She said that GIS was a primary tool to do that. Using a computer to display the process, Ms. Reid then provided some examples of how that tool would be used to locate an appropriate property in Pittsboro as well as information regarding the cost per square foot of space, who managed the property, the zoning, who supplied the utilities, nearby schools, and so on. She said by looking at the demographic report, you could access consumer expenditures to see if there was a market within the area for what a particular business wanted to supply.

Ms. Reid showed examples of things you could find on the site.

Ms. Reid said the next joint meeting would be March 17, 2009 in Siler City at the Senior Center.

Mayor Voller thanked them very much for all their work and the presentation.

RECESS

Motion made by Commissioner Walker seconded by Commissioner Bryan to recess the meeting for five minutes to allow the EDC time to remove their materials.

Vote Aye-5 Nay-0

Motion made by Commissioner Walker seconded by Commissioner Baldwin to reconvene the meeting.

Vote Aye-5 Nay-0

2. Mid-year Report on the Fiscal Year 2008-2009 Budget.

Manager Terry said that due to the economic downturn he believed it was a good idea to give the Board an update on where they were at this mid-year point of the fiscal year. He said in the General Fund, they were experiencing some downturn in sales taxes but he had been pleasantly surprised that it was not as dramatic as that experienced by larger cities. Manager Terry said the revenues in the General Fund collected to date were about 42%, and for expenditures they had expended about 46% of their budget, which was about average. He stated he was working with departments to pay closer attention to their budgets.

Manager Terry said with respect to the Enterprise Fund they were further behind because of the rate issue that had been experienced, with only 39.9% in revenues. He said it appeared now that there would be a shortfall, but it was important to keep in mind that during winter months water usage traditionally went down and they expected that to change during the last six months of the fiscal year. Manager Terry stated if you looked at the spreadsheet, and looked at the last two months over periods five and six, you could see that they had finally gotten the rates to the point that the appropriate revenue was being collected.

Manager Terry said he believed they could move forward with planned purchases on their capital improvements list and continue to monitor the budget from month to month to judge the economic impact, which was not as dramatic as they had first expected. He said he would recommend that they go ahead and allow the Utility Department to advertise for its vacant position now.

Commissioner Harrington stated that on page 2 of the memo he was proposing the purchase of two computers at a cost of \$7,500. He asked if that included all the software, noting that seemed a high price for two computers. Manager Terry stated those computers were to replace his and the Town Clerk's computers which were in excess of six to seven years old. He said he had just sent out the requisition for those two computers.

Commissioner Harrington asked how sales tax money came back to the Town. Town Clerk Alice Lloyd responded the State did a direct deposit to the Town's account once a month, but it was generally two months behind.

Commissioner Walker said in the General Fund under Revenues, the budget was about \$2.4 million. He said about four sentences down, it stated that four revenue accounts were actually over budgeted mid-year by \$49,000. Commissioner Walker said he was assuming that the \$49,000 was included in that 46.2% collected. Manager Terry stated that was correct, and was correct for any other account that was over budgeted. Commissioner Walker stated he believed they still needed to be careful because if they had not had those over budgeted amounts they would be at 45% collected. He stated he was nervous about what was happening in the economy and did not believe they had yet seen the worst, and he intended to be very conservative in regards to expenditures. Manager Terry said it would be a reasonable position to take to ask him to hold off on those purchases until another update was provided.

Commissioner Walker stated he would be happy to receive an update every two months, and asked if they could have another update towards the end of February. Manager Terry stated the only unknown now was ad valorem taxes which would fall due in January, so they did not yet have a real clear picture of where they were. Commissioner Walker stated he had been pleased with the process of having the County collect those taxes, noting the collection rate was very high and hoped that remained the case.

Commissioner Baldwin said that waiting on purchases and delaying recruiting for the utility mechanic position was the wiser course. She said she would prefer to err on the side of caution and wait just a little longer to see if they were continuing to meet budget expectations. Commissioner Baldwin said she could see moving forward with expenditures particularly if they were coming in under budget, but they should definitely delay the new hiring. Manager Terry said at the last meeting the Board had authorized a budget amendment to add a position to the water treatment plant to allow for 24/7 operation. He asked if the Board wanted to go forward with that.

Mayor Voller said at the last meeting the Board was well aware of those same issues and that hiring was a water quality issue. He said they could take a head count but he supported moving forward.

Commissioner Walker stated he consciously still supported it.

Commissioner Baldwin added her support as well.

Mayor Voller said hiring for water quality was very different from hiring a mechanic, and believed they should move forward with that hiring. Manager Terry asked the Board to put their preferences in the form of a resolution for the record, which if he understood it correctly would be to hold off on capital purchases, hold off on hiring the new mechanic, but go forward with adding the additional position for the Water Treatment Plant.

Mayor Voller stated some of those items were already budgeted and they had under budgeted on others, so was the Board asking that the Manager hold off on those items they had already agreed to purchase. He stated they had budgeted \$44,000 for technology, and they had spent very little of it. Manager Terry stated they had spent about half of it, noting they had purchased the new Web site as well as the new main server. He stated there was about \$22,000 remaining in that line item.

Mayor Voller stated one thing noted in the report was that the Town had received funds from the ABC Board which they would continue to receive. Manager Terry stated that was about \$5,000 a year. Mayor Voller said his main worry was that some of the items were dependent on the business community to continue its support, particularly when you knew that the building industry was suffering and some of those revenues would not be there to support the Enterprise Fund. He said for ad valorem taxes they would have to ride the wave, but those that were being escrowed last year if not being foreclosed they would be getting that money. Mayor Voller said the next year would be the worry because once properties were foreclosed there were no more taxes to be collected from the homeowner, but presumably if the bank got the property the bank would pay the taxes but that was not a certainty.

Commissioner Brooks said the last figures he had seen they had a fairly high percentage, but at the same time the number of foreclosures reported for Chatham County he believed were somewhat misleading. He said he had believed for many years that even if they said they did, they did not have a review process such as an Office of Budget Management to judge how effective things were, such as the tertiary water treatment system. Commissioner Brooks said he believed the Board should make it their job to do a little better job of reviewing to see if what was spent was accomplishing what they had hoped it would. He said he believed they did an admirable job for a small town, but they could certainly tighten that up.

Mayor Voller agreed they were a small town but they were beginning to have big town problems, which was the unfortunate result of demographic change and growth.

Commissioner Brooks said he only wanted to make sure that when they spent a dollar that they got a dollar's worth.

Mayor Voller stated it was a competitive market, and they would be facing the same issues as many other small towns. He said they had a great chance for success because they were the County seat and they were uniquely located, and they would just have to be competitive. Mayor Voller said they could not avoid all risk but they could not be foolhardy either, so they would have to recognize opportunities that made Pittsboro more competitive and a better place to live. He said he felt confident with whom they had on their team and the changes they had been making over the last couple of years that they would be able to achieve that. Mayor Voller said that was a part of what they would be addressing at the upcoming retreat, and believed that it was a great piece of information Manager Terry had brought forward. He said if another update could at least be brought forward by the end of the third quarter rather than the end of February that would give them a really good viewpoint so they would know exactly where they were heading in the last quarter. Manager Terry responded he could provide another update at the first meeting in April, which would allow them time to close out the third quarter. Mayor Terry

stated that would also allow them to prepare trend lines, since February was traditionally the lowest month for water usage. Manager Terry stated he would also provide an updated list of all the capital improvement equipment that had been budgeted.

Commissioner Walker stated that unfortunately he believed they would have to make use of Fund Balance towards the end of the fiscal year in order to meet all of their obligations. He said perhaps they could reduce expenditures or delay purchases so that the amount needed from Fund Balance could be lessened.

Mayor Voller stated it was sobering data, but at least it gave them enough information to move forward.

Commissioner Brooks said when they had contacted the County regarding liquor by the drink it was his understanding that they had sent the County a letter which basically said that if the County wanted to hold a referendum they were willing to be a part of that. He said they had not endorsed liquor by the drink, but had endorsed holding a referendum to allow the public to decide the issue.

Mayor Voller agreed that the letter had been very clear that they were not going to stand in the way of giving the public a chance to vote on the issue, but that the Board was not endorsing the issue one way or the other. The Board agreed that was indeed the situation.

The Board briefly discussed whether particular purchases should be made now or delayed, and whether or not to freeze the filling of any vacancies. Manager Terry stated there was one item he would recommend not delaying, which was the total organic carbon analyzer for the water plant. He stated he would like to allow Mr. Efird to move forward with that purchase.

Mayor Voller said he believed anything that had to do with improving water quality this Board would support, but believed there were other items the Board would likely need to consider individually.

Mayor Voller asked Manager Terry if he needed an official resolution from the Board, or was the discussion that had taken place sufficient. Manager Terry responded he believed the minutes would be clear as to what the Board wanted him to do, which was to proceed with purchase of the total organic carbon analyzer and hold off until the end of the third quarter on the balance of the other items.

Mayor Voller stated they could not hold off on “must haves” but most others could be delayed and should be. He stated he believed they also had decided to fill the position at the water plant to allow for 24/7 operation but hold off on filling any others. Manager Terry stated he would be bringing forward a budget amendment at the January 26 meeting.

3. Planning Board Vacancies.

Planner Monroe said that they had advertised the vacancies in October and November and had received two applications for the In-town vacancy and one application for the ETJ vacancy.

Motion made by Commissioner Walker seconded by Commissioner Harrington to appoint Ethel Farrell to the In-town vacancy and to recommend to the Chatham County Board of Commissioners that Harold Howard be appointed as the ETJ member.

Mayor Voller asked what the situation was with the alternates appointed last year. Planner Monroe said it was the consensus of the Board not to fill them at the time that the seats were created. He said they had received some applications, but Commissioner Cotten had persuaded the Board not to recommend filling those seats. Planner Monroe said the language in the Planning Board charter stated that the Commissioners “may” appoint alternates, not that it was required that they appoint alternates.

Mayor Voller stated he believed it had been the recommendation of the Planning Board to have at least one alternate. Ken Hoyle, Planning Board Chair, responded that in all the years he had served on the Planning Board there had been only two meetings cancelled due to lack of a quorum. He said that it is difficult to find people willing to attend meetings but not vote.

Mayor Voller called for the vote.

Vote Aye-5 Nay-0

4. Acceptance of Streets in Chatham Forest Phase 9.

Planner Monroe said the Board was being asked to consider accepting the streets in Chatham Forest Phase 9, which were Bellemont Drive, Parkview Drive, and Bellemont Ridge Road. He stated those streets had been inspected by Hydrostructures and had been found to meet the requirements. Planner Monroe stated he had attached the warranty provided by Voller Realty and reminded the Board that the Town still had in its possession the bond that would guarantee the repair of those roads if any deficiencies were found to exist within one year.

Mayor Voller asked that he be recused from consideration of this item, and that Mayor pro tem Brooks preside in his absence.

Motion made by Commissioner Walker seconded by Commissioner Baldwin to recuse Mayor Voller from consideration of this item and that Mayor pro tem Brooks preside over this portion of the meeting.

Vote Aye-5 Nay-0

Commissioner Walker asked was the east side of Bellemont Ridge Road paved all the way to the property line. Planner Monroe replied no. Commissioner Walker stated the Board had talked about those two roads connecting, and he did not want to end up in another situation like Springdale. He asked who was going to fix the difference between point A and point B for connectivity.

Commissioner Walker stated that if Ricky Spoon developed his property then they would have about a 20-foot section of unimproved road, and they would be back to wondering who would pay for the improvements.

Motion made by Commissioner Walker not to accept the streets as public streets until paving had been accomplished up to the property line on the east side of Bellemont Ridge Road.

Commissioner Walker's motion died for lack of a second.

Commissioner Baldwin asked that Commissioner Walker restate his motion and point out the location of the area in question on a map.

Commissioner Walker pointed out the area in question, and asked if it was possible they could find themselves in the same situation they had with Springdale. Planner Monroe replied he believed the Town had legal standing to require the contractor to pave that last stretch at the time the connection was intended to be made.

Manager Terry asked was the resolution asking that the Town accept the streets that were now paved, which would mean the area not paved would not be accepted as a public street. He said in the future that 20-foot section would have to be paved in order to be accepted as a public street. Planner Monroe stated that was correct.

Attorney Messick said there was no question the Town could accept the streets that were complete, which were Parkview Drive and Bellemont Road. He said if the Town decided not to accept Bellemont Ridge Road because it was not complete, then that could be done at some future date after the paving was completed.

Motion made by Commissioner Walker seconded by Commissioner Baldwin to accept as public streets Bellemont Road and Parkview Drive, but not to accept Bellemont Ridge Road until it was paved to the property line to further the connectivity to the property owned by Ricky Spoon, assuming that property came to fruition and was developed.

Commissioner Harrington stated he was concerned that the reason for not accepting the street was not valid. Attorney Messick stated the street was not complete; the Town could accept what was complete but there was a gap as Commissioner Walker had pointed out.

Manager Terry asked if Voller Realty, as the Town had asked them to do, put curb and gutter loops at both ends and the east and west sides of Bellemont Ridge Road as directed by Hydrostructures. Planner Monroe stated yes, they had done so. Manager Terry said then Voller Realty had done exactly what the Town had asked them to do. He said what the resolution would do was to accept that paved portion between those two curb and gutter sections; the section that was not paved would not be accepted.

Commissioner Walker withdrew his motion and Commissioner Baldwin withdrew her second.

Commissioner Harrington asked was that how the process would normally work, in that the work would be done and then a warranty would be offered. Attorney Messick responded it was exceptional for that road because it had not been done that way in the last 15 years. He said this

was the way it was suppose to be done, but for whatever reason the Town had not been following that process.

Motion made by Commissioner Harrington seconded by Commissioner Baldwin to accept the streets in Chatham Forest Phase 9 that have been completed and that are covered by the warranty letter from Lesley Landis of Voller Realty.

Attorney Messick clarified that there was a 20 foot section not being accepted, and it was shown on the final plat for Phase 9. He stated that section was presumably covered by the bond, or Letter of Credit, so to the extent that the section was not completed within the timeframe of that Letter of Credit, that money could be used to pave the remaining 20 feet. Attorney Messick stated if the Letter of Credit expired and the Town did not use the money to improve that 20 foot section, then that 20 foot section would then became a public street that was not improved to Town standards. He added that if the paving did not go all the way to Mr. Spoon's property line, the Town could not expect Mr. Spoon to pay for it.

Commissioner Baldwin asked when the Letter of Credit expired. Manager Terry replied it expired in December 2009.

Mayor pro tem Brooks called for the vote.

Vote Aye-5 Nay-0

Motion made by Commissioner Walker seconded by Commissioner Bryan to readmit Mayor Voller into the meeting.

Vote Aye-5 Nay-0

Mayor Voller stated that he wanted to comment on Commissioner Walker's question in general. He said when you had neighboring properties, the Town may want to develop a policy that when a connection was made it was to be done 10 years from approval, subject to Hydrostructures' requirements. Mayor Voller stated there were many times when paving was done to a property line and then nothing was ever built, so you ended up with a cul-de-sac used for turnarounds. He said he believed it would be wise to have such a policy. Mayor Voller said he knew Mr. Spoon would very much like to develop his property, but would not invest millions of dollars to do that during the current economy.

Commissioner Walker, speaking to Mr. Spoon, asked would he pave into Chatham Forest. Mr. Spoon stated in Mayor Voller's defense, there was a large tree at the property line which he believed would eventually have to be removed because that was where the street would go. He stated he would work with Voller Realty to make sure that was taken care of.

Mayor Voller said he believed in general that Commissioner Walker and others were concerned about having a situation where someone would not dedicate, so if the question was dedication to the Town that should just be a requirement by the Town for approval; that is, that the land be dedicated to the Town so that they would not have that problem. Mayor Voller said the issue was that the Town did not want to fight a situation 10 years from now that could be solved today.

5. Governor's Highway Safety Program (GHSP) Grant Application.

Manager Terry stated obtaining the grant would allow them to hire an additional Police Officer next fiscal year. He stated the Police Chief had indicated the Town had applied for that same grant last year but they had been unsuccessful, and was asking that the Town resubmit the grant application. Manager Terry stated to do so; the Board would need to direct him to place matching funds in the next fiscal year budget in the amount of \$14,647.50. He said there was a second resolution authorizing the grant application in the amount of \$83,002.50.

Manager Terry stated if received, the grant would pay the cost of one full-time Police Officer, a fully equipped vehicle and any necessary training.

Commissioner Walker asked would that grant be creating a new position or filling a vacant position. Manager Terry stated it would in effect create a new position, and the Board would need to make the decision in future years if they were unsuccessful in obtaining additional grant funds to either fund the position or remove it.

Commissioner Walker stated in the 7 years he had served on the Town Board they had approved similar grants, and at a certain point in time, year 2 or 3, the Town's cost of employment increased. Commissioner Brooks replied that was correct. Commissioner Walker asked if he knew how many of those positions the Town had and what impact would that have on budgets going forward. Commissioner Brooks stated he did not know the number, but knew they existed.

Commissioner Walker said he wondered if there were still such positions that the Town would have to begin funding at some point. He said acceptance of this and other grants was a graduated program, for example the grantor would fund the entire salary for the Police Officer for year 1, in year 2 the Town may have to pay a quarter of it, in year 2 it would be half, and then in year 4, the Town would have the full responsibility of continuing the employment for that Police Officer, or remove the position. Commissioner Walker said they had done some in that manner, but did not know how many or what year they would become the Town's full responsibility.

Manager Terry stated the Town had only one other Police Officer being paid through grant funding, which was the new Domestic Compliance Officer and that was a 2-year grant. He said that position was covered through the next fiscal year, and beyond that the Board would need to make the decision to either apply for a grant or, if that was unsuccessful, to either pay the full cost or remove the position. Manager Terry stated all other officers on the Police force were fully paid by the Town.

Mayor Voller asked what the Police Chief's general feelings were on that matter. Manager Terry responded the Town's force was small, and there were occasions when vacations or illness caused them to be shorthanded. He stated that occasionally required that the Police Chief to work as the second person on a shift, although that was fairly rare. Manager Terry stated creation of a new position would alleviate that issue.

Commissioner Brooks asked how many Police Officers the Town had, including the Police Chief. Manager Terry responded 11. Commissioner Brooks asked how many auxiliary officers they had. Manager Terry stated that number changed frequently. He said they had 4, but had just lost one so they were down to 3.

Mayor Voller asked how often auxiliary officers were called into service, if ever. Manager Terry stated they were used to fill in during illness or special events, or if the Police were conducting an operation such as a drug bust and needed additional manpower. Mayor Voller asked would this additional position put them on track for having an officer assigned to either pedestrian coverage or having a bike patrol downtown, which this Board had discussed on two occasions over the last few months. He stated the Town already owned a bike, and wondered if the position would get them closer to having someone either on foot or on a bike in the downtown district. Mayor Voller stated he believed it would be advantageous to have an officer patrolling in that manner. Manager Terry replied he would not want to commit to that at this time, particularly since they were not guaranteed the grant would be successful.

Commissioner Walker stated he was not opposed to applying for the grant since his question regarding the number of such positions had been answered. Manager Terry said the resolution would only direct him to apply for the grant and to set aside matching funds. He said they should know whether or not the grant was successful by October 2009.

Motion made by Commissioner Walker seconded by Commissioner Bryan to adopt a resolution directing the Town Manager to include \$14,647.50 in the FY 2009-2010 budget as matching funds for a GHSP Grant in the amount of \$83,002.50 and adopt the resolution on Form GHSP-02-A, authorizing the Police Chief to apply for a GHSP grant in the amount of \$83,002.50 for one police officer position and associated equipment.

Vote Aye-5 Nay-0

**A RESOLUTION FORM GHSP-02-A IS RECORDED IN THE BOOK OF RESOLUTINS
NUMBER ONE, PAGE 2**

Mayor Updates

Mayor Voller stated he had no updates to provide to the Board at this time.

Commissioner Concerns

Commissioner Baldwin directed the Town Board's attention to the 2009 Legislative Agenda for Triangle J Council of Governments. She stated that the items listed on the agenda were the issues TJCOG would recommend that the Legislature adopt for municipalities and some counties in the State. Commissioner Baldwin asked that the Board review the agenda and either email or call her with comments or questions, and she would then bring acceptance to TJCOG at its next meeting.

Commissioner Harrington asked about the new Web site. Manager Terry stated they were making progress and expected to have it ready for the Board to review by the end of the third quarter.

Commissioner Harrington asked if the Police Chief was recovering from his back injury. Manager Terry stated he was recovering nicely and was back at work.

Commissioner Harrington asked what the Town needed to do to apply for an extended deer season for the Town. Manager Terry stated the deadline was April, and a simple letter would get that process started. He stated that would be done so that at least the Town would have that option if it decided to use it.

Commissioner Brooks said he had been told there was a State statute that allowed the Police Department to dispose of deer if they were deemed a nuisance. He asked that Commissioner Harrington research that to see if it was indeed a fact.

Commissioner Harrington said he would like to do that. He said he had heard that some other municipalities around Enfield or Clayton did the same thing, and he would be happy to find out if there was a State statute that would allow that and then bring that information back to the Board.

Mayor Voller said they had created a wish list of projects they would like to have funded if moneys were offered by the new administration in Washington, and that other entities such as the County who would like to have the Town's list so that they could advocate on their behalf on items of mutual interest, such as transportation. He stated they would be wise to authorize the Manager to share that list, adding they needed all the help they could get in securing funds.

Motion made by Commissioner Brooks seconded by Commissioner Baldwin to authorize the Town Manager to send the list to any entity he believed would be appropriate.

Vote Aye-5 Nay-0

FYI

- Memorandum of Appointment appointing Scott E. Borrer as the Finance Officer of the Town of Pittsboro
- Chamber of Commerce Notice RE: January 28, 2009 "Lunch & Learn" on a possible County referendum on Liquor-by-the-Drink.
- Pittsboro Town Park Concept Plan Illustrations – Still a Work in Progress
- Manager's memo RE: Staff Training Opportunities

ADJOURN

Motion made by Commissioner Brooks seconded by Commissioner Walker to adjourn the meeting at 9:10 p.m.

Vote Aye-5 Nay-0

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk