

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
APRIL 14, 2003
7:00 P.M.

Mayor Nancy R. May called the meeting to order and gave invocation.

ATTENDANCE

Members present: Mayor Nancy R. May, Commissioner Max G. Cotten, Burnice Griffin, Jr., Gene T. Brooks and Chris Walker. Commissioner Bryan was absent during the regular meeting and present during closed session.

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

DISPOSITION OF MINUTES

Motion made by Commissioner Walker seconded by Commissioner Cotten to approve the minutes of the March 24, 2003 meeting.

Vote Aye-4 Nay-0

CITIZENS MATTERS

Lisa Reynolds – 120 Possum Trail – Heads Up Therapeutic Riding Program was present and asked the Board to grant them a Special Use Permit with a time limit so they can continue to perform services. They were told they would not be closed down. Bur for insurance purposes they would need to have a Special Use Permit with a time limit.

Commissioner Brooks is in agreement with Ms. Reynolds, this is not a commercial stable and he does not understand why they had to do this.

Jim Hinkley stated in his opinion this is a commercial business.

Attorney Messick stated they need to follow the correct procedure.

SCHEDULING PUBLIC HEARINGS

Commissioner Brooks made a motion to schedule a public hearing for April 28, 2003 at 7:00 p.m. for the following:

- a. Norcal Enterprises request for rezoning Lot A, R-15 to C2.
- b. Norcal Enterprises request for rezoning Lot B & C, R-15 to O & I.
- c. Al & Karen Davis request for a special use permit.

Commissioner Cotten asked why not item # D? There are questions regarding D. Attorney Messick stated Voller requesting that what was done for May Farms be done for them.

Vote Aye-4 Nay-0

Motion made by Commissioner Cotten seconded by Commissioner Griffin to establish a public hearing for April 28, 2003 at 7 p.m. for the request from Voller Realty for a vested right status for Chatham Forest.

Vote Aye-4 Nay-0

CHATHAM FOREST

Motion made by Commissioner Brooks seconded by Commissioner Walker that staff make a visual count of houses in the development – he would like the opportunity to know this and also to know how many permits have been issued that have not been started, he would like this information for the public hearing.

Vote Aye-4 Nay-0

RICKY SPOON REQUEST

Ricky Spoon has requested a 12 month extension of the approved special use site plan for the Pittsboro South Shopping Center project located at the intersection of Highway 15-501 and Highway 64 by-pass. The application was made in the name of Doris Allen, Robert Hancock, and Jack Hancock. The project was approved on May 13, 2003.

Motion made by Commissioner Walker seconded by Commissioner Brooks to table this request until the annexation process has been completed.

Vote Aye-4 Nay-0

PLANNING BOARD RECOMMENDATIONS

Motion made by Commissioner Walker seconded by Commissioner Griffin to set a date (soon) for a worksession (joint meeting) with a date to be worked out.

Vote Aye-4 Nay-0

ANNEXATION – RICKY SPOON

Attorney Messick stated the Clerk has certified the sufficiency of the petition.

Motion made by Commissioner Walker seconded by Commissioner Brooks to schedule a public hearing for April 28, 2003 at 7:00 p.m.

Commissioner Cotten stated we are going to have a lot (7 or 8) of public hearings for this meeting.

Commissioner Brooks stated this is the time we have set aside to do public hearings and we recently made a policy stating that.

Vote Aye-4 Nay-0

AFFORDABLE HOUSING

Josh Prokopy made a presentation to the Board regarding affordable housing within Pittsboro.

He would recommend: Affordable Housing Commission, density bonuses, and setting up an affordable housing trust fund.

A COPY FO THE REPORT FROM JOSH PROKOPY IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 108-122

MANHOLE REPAIR AND REHABILITATION PROJECT

Motion made by Commissioner Walker seconded by Commissioner Cotten to award the contract for manhole repair and rehabilitation to Professional Industrial Coatings, Inc. in the amount of \$56,941.50.

Vote Aye-4 Nay-0

A COPY OF THE BID IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 100-101

Commissioner Brooks stated staff had contacted Hammond Snyder (former WWTP Operator) at the time the video was done and he suggested that we contact Alley, Williams, Carmen & King, Inc. for more information. Commissioner Brooks asked if it might be worthwhile and ethnical to contact the firm to see if they have information that may be helpful to us.

Jay Johnston said that it could be done, if they did a project for us, we would have the right to all information.

BOB SEPE, ACTION AUDITS

Mr. Bob Sepe was present to answer questions from the Board.

Commissioner Walker asked what would happen if we did not approve the rate order.

Mr. Sepe stated Time Warner would file an appeal with the FCC and they will send it back to you.

Commissioner Walker stated during the ice storm Time Warner advertised that they would be issuing credit for the lack of service – he has not been received a credit yet and he wonders how many other citizens have not been credited.

Commissioner Walker stated the Town of Pittsboro has been without cable for 36 hours – How do you get in touch with them, they do not have a number on any correspondence they send to the Town.

Mr. Sepe stated he would notify the Cable Company of these issues.

Commissioner Brooks stated he spoke with Brad Phillips, Time Warner cable about the hard time he was having trying to get in touch with them and they still have not gotten that fixed (numbers in the phone book).

Mr. Sepe stated he would write them a letter about the Internet service.

Motion made by Commissioner Brooks seconded by Commissioner Griffin to approve the report and Rate Order.

Vote Aye-4 Nay-0

COPY OF THE APPROVED RATE ORDER IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 102-104

BUDGET AMENDMENTS

Motion made by Commissioner Cotten seconded by Commissioner Brooks to approve the budget amendments as presented.

Vote Aye-4 Nay-0

A COPY OF THE BUDGET AMENDMENTS ARE RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 105-107

CLUB INSIGHT

Kathy Cole, Director for Club Insight was present to receive approval for renting the Community Building on Monday and Wednesday – Friday from 10 a.m. – 4 p.m. the month of May and perhaps longer, while renovations are being done to their property at 815 Sanford Road.

Motion made by Commissioner Walker seconded by Commissioner Griffin to approve the request from Club Insight to rent to Community Building May thru June 30, 2003.

Vote Aye-4 Nay-0

COMMISSIONER WALKER – LEGISLATIVE MATTERS

Commissioner Walker stated he is now serving as the Town's representative with Triangle J Council of Government and they would like for him to present this plaque of appreciation to Commissioner Cotten.

Commissioner Walker stated he has contacted our legislators regarding the talk of the Governor wanting to rescind the “Hold Harmless” bill that was passed.

Commissioner Walker stated he has received an e-mail back from Representative Hackney.

Commissioner also presented the board with a list of estimated FY 03-04 impact of the reimbursement for ½ cent local option sales tax trade, which would be an increase for the Town of Pittsboro of approximately \$30,740.

STREET RESURFACING

Commissioner Cotten was requesting that the Board provide authorization for Mr. Jay Johnston, representing Hydrostructures, to prepare specifications and seek bids for resurfacing the following:

- McClenahan Street from Pittsboro School Road to West Street.
- Pittsboro School Road from McClenahan to 220 Pittsboro School Road.
- Pittsboro School Road from Lockville Street to Sanford Road.

Motion made by Commissioner Cotten stated by Commissioner Griffin to authorize Mr. Jay Johnston to prepare specification and seek bids for resurfacing of the above referenced streets.

Commissioner Brooks stated we need someway to hold people financially responsible for damages done to the streets (i.e. Time Warner, gas companies, etc.)

Commissioner Brooks asked that on a future agenda we have our policy or if we do not have a policy some type of policy to handle damage to our streets.

PAIGE C. MOODY

Paige C. Moody is requesting the Board’s interpretation of a zoning matter.

Mr. Carmen was present representing Ms. Moody.

The property is located on Dee Farrell Road (twenty-six acres) and is currently zoned RA-2. She plans to establish a landscape operation and her new home on the property. The business will provide landscaping services to customers off-site. The accessory building she plans to build on the property will serve as a storage barn for materials and supplies, not a retail sales business.

The current use type according to section 5.2.1 permitted use table allows nurseries, truck farms, commercial greenhouses, etc. in the RA-2 zoning classification. She feels that her proposed use of storing equipment and supplies in an accessory building appears to fall

within the guidelines of the uses specifically stated as “permitted by right” in the zoning table.

Commissioner Walker stated he did not see any difference in what is permitted by right and what Ms. Moody is requesting.

Jim Hinkley stated this is not permitted by the ordinance, this is storage of commercial products.

Paige Moody stated there will be no traffic at this business.

Motion made by Commissioner Walker seconded by Commissioner Griffin that this request is a “permitted by right” use within the zoning district.

Commissioner Cotten asked if this could be interpreted as a change in the zoning ordinance.

Attorney Messick stated it could not this is not a rezoning.

Vote Aye-4 Nay-0

COMMISSIONER CONCERNS

Commissioner Brooks asked that the Road Closed due to flooding signs be removed.

The Planning Board gave a date of April 23, 2003 and April 24, 2003 as possible dates for the joint worksession.

CLOSED SESSION

Motion made by Commissioner Brooks seconded by Commissioner Walker to go into closed session according to GS 143-318.11(a)(6) to discuss a personnel matter.

Vote Aye-4 Nay-0

Commissioner Bryan came in.

Motion made by Commissioner Brooks seconded by Commissioner Walker to go out of closed session.

Vote Aye-5 Nay-0

Motion made by Commissioner Brooks seconded by Commissioner Bryan to employ Bill Sutton as an Consultant for a fee of \$1,000 per month (he will be working in the office on Monday, Wednesday and Friday).

Vote Aye-5 Nay-0

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

Vote Aye-5 Nay-0

Mayor

ATTEST:

Clerk