

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
JANUARY 27, 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, Clinton E. Bryan, Jr., Chris Walker, Gene Brooks and Burnice Griffin, Jr.

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

DISPOSITION OF MINUTES

Motion made by Commissioner Bryan seconded by Commissioner Walker to approve the minutes of the January 13, 2003 meeting.

Vote Aye-5 Nay-0

PUBLIC HEARING

Motion made by Commissioner Walker seconded by Commissioner Bryan to go into a public hearing to hear:

Request for a Special Use Permit by Mr. and Ms. Zegel for a Commercial Kennel and Pet Grooming business in the RA-2 zoning district as required by Section 5.3.3.30 of the Town of Pittsboro Zoning Ordinance.

Vote Aye-5 Nay-0

PUBLIC COMMENTS:

Mark Frye was present and asked where the kennel would be located on the property and how many dogs would it house.

Mayor May stated we do not have a complete site plan yet and she can not answer the question.

Mayor Nancy R. May read a letter in its entirety from Ms. Gretchen Lothrop, 117 Elf Way.

A COPY OF THE LETTER FROM GRETCHEN LOTHROP IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE

Jimmy Collins stated they would house 60 dogs.

Motion made by Commissioner Cotten seconded by Commissioner Griffin to go out of public hearing.                      Vote    Aye-5    Nay-0

#### CITIZEN MATTERS

NONE

#### ANNEXATION OF POWELL PLACE PROPERTY

Motion made by Commissioner Walker seconded by Commissioner Bryan to accept the sufficiency of an application as provided in NC GS 160A-31 for Powell Property.

Vote Aye-5    Nay-0

A COPY OF THE CLERKS SUFFICIENCY IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES

Motion made by Commissioner Walker seconded by Commissioner Bryan to approve the Ordinance to annex approximately 148 acres located on the southwest corner of the intersection of US 15-501/US 64 and being consistent with the metes and bounds descriptions attached as a part of the minutes and that the effective date of the annexation be January 31, 2003.

Vote Aye-5    Nay-0

#### SUP REQUEST – MR. & MRS. ZEGEL

Motion made by Commissioner Cotten seconded by Commissioner Griffin to refer the request by Mr. and Mrs. Zegel for Commercial Kennel and Pet Grooming in the RA-2 zoning district, to the Planning Board for recommendation.

Vote Aye-5    Nay-0

#### APPOINTMENT TO ABC BOARD

Motion made by Commissioner Walker seconded by Commissioner Griffin to excuse Commissioner Brooks from discussion and voting on this issue.

Vote Aye-4    Nay-0

Motion made by Commissioner Bryan seconded by Commissioner Walker to appoint Ellen Brooks to the vacancy on the Pittsboro ABC Board.

Attorney Messick stated it would not be a conflict of interest situation.

Vote Aye-4    Nay-0

Motion made by Commissioner Walker seconded by Commissioner Cotten to reinstate Commissioner Brooks.

Vote Aye-4    Nay-0

## ESTABLISH PUBLIC HEARING DATE

Motion made by Commissioner Bryan seconded by Commissioner Walker to establish February 24, 2003 as a date for a public hearing on a rezoning request application filed by Ms. Janice Escott for approximately 33.5 acres of property presently zoned RA5 to RA.  
Vote Aye-5 Nay-0

## TIME WARNER CABLE

Audit of Time-Warner Cable request for rate increase as provided by Mr. Bob Sepe, Action Audits as our agent under contract with Triangle J Council of Government and associated resolution determining that the requested rate increase is unreasonable.

Commissioner Brooks stated his last bill had already went up \$5.00 and the bill stated it was due upon receipt and they normally have 10 days to pay.

Commissioner Walker stated Time Warner ran an ad stating they would make adjustments on customers' bill for when they were out of service during the ice storm and he has not seen an adjustment to his bill.

Commissioner Bryan stated he received an adjustment.

Motion made by Commissioner Brooks seconded by Commissioner Walker to let Time-Warner Cable know that the Town of Pittsboro is opposed to any further increase.  
Vote Aye-5 Nay-0

## REFUND – SOLID WASTE FEE

Motion made by Commissioner Cotten seconded by Commissioner Bryan to refund \$144.00 solid waste fee to Lugenia Moore Est., the house has not had a solid waste container in three years.  
Vote Aye-5 Nay-0

## TOWN MANAGER'S REPORT

Hydrostructures recommends that more intensive study of the Masonic Street outfall be conducted. This phase will involve additional manhole inspections, instantaneous flow reading and ultimately t.v. of the most offending sections. Manager Montgomery gave the following three options:

1. He has asked Jay Johnston, PE of Hydrostructures to prepare a proposal to proceed with the second phase contemplated in the I/I study called, Sewer System Evaluation Study, SSES, with the focus on the most offending collection system basins;
2. Employ Hydrostructures employee @ \$45.00/hr. to assist the Town of Pittsboro employees to obtain instantaneous flow information;



closed session laws changed in 2001. He wanted to know if the Board has fairly evaluated themselves and Mr. Montgomery.

Vote Aye-4 Brooks/Bryan/Griffin/Walker  
Nay-1 Cotten

Motion made by Commissioner Bryan seconded by Commissioner Walker to go into closed session pursuant to NCGS 143-318.11(6) to consider the qualifications, competence, and performance of a public employee.

Vote Aye-4 Brooks/Bryan/Griffin/Walker  
Nay-1 Cotten

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

Vote Aye-5 Nay-0

Motion made by Commissioner Walker seconded by Commissioner Bryan to set a Special Meeting for February 5, 2003 at 7:00 p.m. to discuss 3M Reuse and other items we would like to have on agenda when we have a joint meeting with Chatham County.

Vote Aye-5 Nay-0

Motion made by Commissioner Cotten seconded by Commissioner Bryan to adjourn.

Vote Aye-5 Nay-0

---

Mayor

ATTEST:

---

Clerk