

AGENDA
CARRBORO BOARD OF ALDERMEN
TUESDAY, DECEMBER 1, 1998
7:30 P.M., TOWN HALL BOARD ROOM

Approximate Time*

7:30 - 7:40 A. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

7:40 - 7:45 B. CONSENT AGENDA

(1) **Approval of Minutes of Previous Meeting:** November 17, 1998

(2) **Request to Cancel December 22nd Board Meeting**

The administration requests that the Board of Aldermen cancel its regular meeting scheduled for December 22nd due to the Christmas holiday, and that a meeting be scheduled for December 15th.

(3) **Resolution Designating the Installment Purchase Contracts for the Purchase of Vehicles and Equipment as Tax-Exempt Obligations of the Town**

The Board of Aldermen is requested to adopt a resolution designating the installment purchase contracts for vehicles and equipment approved in the FY 1998-99 budget as tax-exempt obligations of the town.

(4) **Budget Amendment**

The purpose of this agenda item is to amend the 1998-99 fiscal year budget to transfer funds from Contingency to Governance Support to cover expenses for use of a trolley during the upcoming tree lighting ceremony and open house sponsored by the Carrboro Business Association.

7:45 - 7:55 C. RESOLUTIONS, PROCLAMATIONS AND CHARGES

 D. PUBLIC HEARINGS

7:55 - 8:00 (1) **Annexation/Rock Haven Centre/600 Smith Level Road**
NP

This is a public hearing to receive public comment on a request to annex Rock Haven Centre located at 600 Smith Level Road. The administration recommends adoption of the ordinance annexing this property, to become effective on December 31, 1998.

8:00 - 8:15 (2) **Land Use Ordinance Amendment/Junked Cars**
P/5

This is a public hearing to review an amendment to the land use ordinance that will repeal a provision that prohibits the outside storage of any motor vehicle that is neither licensed nor operational.

E. OTHER MATTERS

8:15 – 8:25
P/5

(1) **Year 2000 Compliance Report**

Robert Roskind, with Year 2000 Solutions Group, Inc., will present a report on Year 2000 compliance.

8:25 – 8:40
P/5

(2) **Status Report/Hillsborough Road Widening Project**

The purpose of this item is for the Board of Aldermen to: (1) receive the summary report on the November 20 meeting with NCDOT, (2) schedule a public meeting with NCDOT officials for either January 6 or January 11, 1999, and (3) request that the Durham-Chapel Hill-Carrboro TAC obligate \$2.4 million in STP-DA Funds for Hillsborough Road.

8:40 – 9:00
P/10

(3) **Presentation of 1997-98 Audit**

The purpose of this agenda item is to receive the audit report for the 1997-98 Fiscal Year. The town's audit firm, Dixon, Odom and Company, will present the report.

9:00 – 9:10 BREAK

9:10 – 9:25
P/5

(4) **Presentation of FY'1998-99 First Quarter Financial Report**

At the request of the Board of Aldermen, the Town Manager directed the Management Services Department to develop and prepare a quarterly financial report. The Assistant Town Manager will present the report to the Board, explaining the purpose of this report and discuss findings on financial activity during the first quarter of the current FY98-99 fiscal year.

9:25 – 9:35
P/5

(5) **Inter-Local Agreement with Orange County for Digital Geographic Information System Products**

The purpose of this item is to present for approval by the Board of Aldermen, a draft inter-local agreement with Orange County for digital geographic information system products and services.

9:35 – 9:40 F. MATTERS BY TOWN CLERK

9:40 – 9:50 G. MATTERS BY TOWN MANAGER

9:50– 10:00 H. MATTERS BY TOWN ATTORNEY

10:00 – 10:10 I. MATTERS BY BOARD MEMBERS

BOARD OF ALDERMEN

ITEM NO. B(2)

AGENDA ITEM ABSTRACT

MEETING DATE: December 1, 1998

SUBJECT: Request to Cancel December 22nd Board Meeting

DEPARTMENT: n/a	PUBLIC HEARING: YES ____ NO <u>x</u>
ATTACHMENTS:	FOR INFORMATION CONTACT: Sarah Williamson, Town Clerk

PURPOSE

The Board of Aldermen is requested to cancel its regular meeting scheduled for December 22nd due to the Christmas holiday, and that a meeting be scheduled for December 15th.

ACTION REQUESTED

To cancel the December 22nd meeting of the Board of Aldermen and to schedule a meeting of the Board for December 15th.

BOARD OF ALDERMEN

ITEM NO. B(3)

AGENDA ITEM ABSTRACT

MEETING DATE: December 1, 1998

SUBJECT: Resolution Designating the Installment Purchase Contracts for the Purchase of Vehicles and Equipment as Tax-Exempt Obligations of the Town

DEPARTMENT: Management Services	PUBLIC HEARING: YES ___ NO <u>X</u>
ATTACHMENTS: Resolution, Memorandum to Town Manager Regarding Installment Financing Proposals	FOR INFORMATION CONTACT: L. Bing Roenigk, 968-7701

PURPOSE: The Board of Aldermen is requested to adopt a resolution designating the installment purchase contracts for vehicles and equipment approved in the FY1998-99 budget as tax-exempt obligations of the Town.

SUMMARY: Annually, the Board of Aldermen, through its capital improvement plan, approves a schedule that provides for the purchase and replacement of vehicles and equipment costing \$10,000 or more. For FY1998-99, the Town approved the following items for financing:

Equipment/Vehicles for 3 year term	COST
Police Vehicles (4)	\$93,000
Public Works, Pickup Truck	\$18,193
Inspections, Pickup Truck	\$18,414
Leaf Vacuum	\$17,989
Total Cost of Items - 3 yr term	\$147,596
Equipment/Vehicles for 4 year term	COST
Fire Department Vehicle	\$26,108
Public Works Vehicle	\$26,108
GIS System	\$69,000
Fire Department Tanker Eqp	\$28,640
Total Cost of Items - 4 yr term	\$149,856
Equipment/Vehicles for 5 year term	COST
Public Works, Front Loader	\$145,000
Total Cost of Items - 5 yr term	\$145,000
GRAND TOTAL TO BE BORROWED:	\$442,452

The Town solicits installment financing proposals from banks to finance the purchase of these capital items. The Town is not required by law to request proposals but does so to ensure competitive financing. Request for proposals were sent to 11 banking and financing institutions, including two minority banks, Mutual Community Bank and Mechanics and Farmers Bank.

Of primary importance in evaluating the proposals were the interest rates offered and whether the proposal met the Town's requested format. Analysis of the proposals reveals that Centura Bank offers the most competitive financing arrangement. Centura complied with the loan schedule sought by the Town, offered the most competitive interest rates, and had relatively low out-of-pocket costs. Thus, the Town will be entering into lease-purchase contracts with Centura Corporation Banking for the installment purchase financing of the aforementioned items during FY1998-99.

ACTION REQUESTED: Administration recommends that the Board of Aldermen approve the attached resolution designating the installment purchase contracts as tax-exempt obligations of the Town and award the financing contract to Centura for FY1998-99 installment purchases.

RESOLUTION

The governing body for the Town of Carrboro, North Carolina, held a regular meeting at the _____, the regular place of meeting, on _____, at _____ a.m./p.m.

Present: _____

Absent: _____

Also Present: _____

* * * * *

_____ introduced the following resolution which was read:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT PURCHASE CONTRACT WITH CENTURA BANK TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT FOR USE BY THE TOWN OF CARRBORO, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

BE IT RESOLVED by the governing body for the Town of Carrboro, North Carolina (the "Purchaser"):

Section 1. The governing body does hereby find and determine:

- a) The Town of Carrboro proposes the acquisition of certain equipment, which may include fixtures as more fully described in the hereinafter mentioned Contract (collectively, the "Equipment");
- b) After consideration, the governing body has determined that the most advantageous manner of financing thereof is by an installment contract pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended;
- c) Pursuant to said Section 160A-20, the Town of Carrboro is authorized to finance the acquisition of personal property, including fixtures, by installment contracts that create a security interest in the property financed to secure repayment of the financing; and
- d) Centura Bank ("Centura") has proposed that Centura finance the Equipment pursuant to an Installment Purchase Contract between the Purchaser and Centura (the "Contract") and a related Escrow Agreement between the Purchaser and Centura (the "Escrow Agreement").

Section 2. The governing body hereby authorizes and directs the _____ to execute, acknowledge and deliver the Contract and Escrow Agreement on behalf of the Purchaser in such form and substance as the person executing and delivering such instruments on behalf of the Purchaser shall find acceptable. The Clerk is hereby authorized to affix the official seal of the Town of Carrboro to the Contract and the Escrow Agreement and attest the same.

Section 3. The proper officers of the Purchaser are authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the Contract and the Escrow Agreement.

Section 4. Notwithstanding any provision of the Contract or the Escrow Agreement, no deficiency judgment may be rendered against the Purchaser in any action for breach of a contractual obligation under the Contract or the Escrow

Agreement and the taxing power of the Purchaser is not and may not be pledged directly or indirectly to secure any moneys due under the Contract, the security provided under the Contract being the sole security for Centura in such instance.

Section 5. The Purchaser covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") as required so that interest on the Purchaser's obligations under the Contract will not be included in the gross income of Centura.

Section 6. The Purchaser hereby represents that it reasonably expects that it, all subordinate entities thereof and all entities issuing obligations on behalf of the Purchaser will not issue in the aggregate more that \$10,000,000 of tax-exempt obligations (not counting private-activity bonds except for qualified 501(c)(3) bonds as defined in Code) during calendar year 1998. In addition, the Purchaser hereby designates the Contract and its obligations under the Contract as a "qualified tax-exempt obligation" for the purposes of the Code.

Section 7. This Resolution shall take effect immediately upon its passage.

Upon motion of _____, seconded by _____, members of the governing body, the foregoing resolution entitled "**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT PURCHASE CONTRACT WITH CENTURA BANK TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTIONS THEREWITH**" was passed by the following vote:

Ayes: _____

Noes: _____

PASSED AND ADOPTED this ____ day of _____, ____.

* * * * *

I, _____, Clerk for the Town of Carrboro, North Carolina DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the governing body of said Town of Carrboro at a regular meeting held on _____, _____, the record having been made in the minutes of said governing body, and is a true copy of so much of said minutes as relates in any way to the passage of a resolution providing for the authorization of the Installment Purchase Contract referred to therein.

I DO HEREBY FURTHER CERTIFY that a schedule, stating that the regular meetings of the Council are held on _____ of each month at _____ a.m./p.m., respectively, at _____, North Carolina, was on file with me for at least seven calendar days prior to said meeting, all in accordance with G.S. 143-318.12.

WITNESS my hand and corporate seal of said Town of Carrboro, this ____ day of _____, ____.

Clerk, Town of Carrboro

{SEAL

MEMORANDUM

TO: Robert W. Morgan, Town Manager
FROM: L. Bing Roenigk, Asst. Town Manager *BWR*
DATE: November 17, 1998
RE: Installment Financing Proposals

Annually, the Town requests solicits installment financing proposals from banks to finance the purchase of vehicles and other capital items identified in the Capital Improvement Plan. In the bid proposal, the Town requests financing of capital items for specified term lengths.

Attached is a spreadsheet identifying the proposals from seven (7) banks and financial institutions that were submitted in response to the Town's request for installment financing proposal. The Town also solicited proposals from First Citizens, Mutual Community Bank, Triangle Bank, and Wachovia. However, no proposals were submitted by these institutions.

The proposals were analyzed using the following criteria.

1. The bank or financial institution followed the format requested by the Town, offering interest rates by length of loan term desired for the capital items (3,4, or 5-year loan terms).
2. The bank or financial institution offered the lowest overall interest rates.
3. The bank had low out-of-pocket costs as identified in each proposal.

Of primary importance were the interest rates offered and whether the proposal met the town's requested format. Analysis of the proposals reveals that Centura Corporation Banking offered the most competitive financing arrangement. Centura complied with the loan schedule sought by the Town, offered the most competitive interest rates, and had relatively low out-of-pocket costs. The estimated out-of-pocket cost equals approximately \$387 for legal, underwriting, and administration fees associated with the contract. Out-of-pocket costs within the various proposals ranged from \$11 to \$2,700.

Based on the proposals received, I recommend that the Town, with Board approval at the December 1 meeting, enter into lease-purchase contracts with Centura Corporation Banking for the installment financing of the vehicles and equipment identified on the attached spreadsheet. In addition, the Board, as in past practice, will be requested via a resolution to qualify the contracts as tax-exempt obligations of the Town in compliance with the Internal Revenue Code of 1986 Section 265 (b)(3).

Please let me know if you need more information or have any questions.

Town Of Carrboro
FY1998-99 Lease-purchase Installment Financing - Bid Analysis

BANKS THAT FOLLOWED THIS STRUCTURE AND OFFERED 1 INTEREST RATE PER TERM CATEGORY (3,4,5 YEARS):

Bid Proposal Called for:		CENTURA	LASALLE	BB&T
<u>Equipment/Vehicles for 3 year term</u>				
Police Vehicles (4)	\$93,000			
Public Works, Pickup Truck	\$18,193			
Inspections, Pickup Truck	\$18,414			
Leaf Vacuum	\$17,989			
Total Cost of Items - 3 yr term	\$147,596	3.86%	4.38%	4.04%
<u>Equipment/Vehicles for 4 year term</u>				
Fire Department Vehicle	\$26,108			
Public Works Vehicle	\$26,108			
Fire Department Tanker Eqp	\$28,640			
GIS	\$69,000			
Total Cost of Items - 4 yr term	\$149,856	4.08%	4.38%	4.12%
<u>Equipment/Vehicles for 5 year term</u>				
Public Works, Front Loader	\$145,000	4.16%	4.44%	4.16%
GRAND TOTAL	\$442,452			

OTHER OPTIONS OFFERED:

<u>Mechanics/Farmer Bank</u>		
<u>Equipment/Vehicles for 3 year term</u>		
\$93,000	4.475%	
\$18,193	4.475%	
\$18,414	4.475%	
\$17,989	5.350%	
<u>Equipment/Vehicles for 4 year term</u>		
\$26,108	4.600%	
\$26,108	4.600%	
\$28,640	6.100%	
<u>Equipment/Vehicles for 5 year term</u>		
\$143,000	4.750%	
AVG 4.5%		
<u>FIRST UNION: 4-YR TERM @ 4.5%</u>		
<u>CCB: 5-YR TERM @ 4.43%</u>		
<u>NATIONS BANK: 3-YR TERM @ 3.98%</u>		
<u>OR</u>		
<u>5-YR TERM @ 4.03%</u>		

NOTE:

Criteria Used for Choosing Bank for the Town's business:

1. The Bank followed format requested by town - offering interest rates by length of term desired for items (3,4,5 yr. Format)
2. Bank offering lowest overall interest rates
3. Low out-of-pocket costs as identified in each proposal

FIRST CHOICE: CENTURA

BOARD OF ALDERMEN

ITEM NO. B(4)

AGENDA ITEM ABSTRACT

MEETING DATE: December 1, 1998

SUBJECT: Budget Amendment

DEPARTMENT: Management Services	PUBLIC HEARING: YES ____ NO <u>x</u> __
ATTACHMENTS: Ordinance Amending FY98-99 Budget	FOR INFORMATION CONTACT: L. Bing Roenigk, 968-7701

PURPOSE: The purpose of this agenda item is to amend the 1998-99 fiscal year budget to transfer funds from Contingency to Governance Support to cover expenses for use of a trolley during the upcoming tree lighting ceremony and open house sponsored by the Carrboro Business Association.

SUMMARY: The Board of Aldermen, at a regular board meeting on November 10, 1998, made a motion to appropriate \$300 to support costs of a trolley for use during the tree lighting ceremony and open house on December 3-5. This motion requires amending the 1998-99 fiscal year budget to transfer funds from contingency to Governance Support. The attached budget ordinance provides for the costs associated with the open house.

ACTION REQUESTED: It is recommended that the Board approve the budget ordinance transferring funds from Contingency to Governance Support.

The following ordinance was introduced by Alderman _____ and duly seconded by Alderman _____.

AN ORDINANCE AMENDING FY'98-99 BUDGET ORDINANCE

WHEREAS, the Town Board of the Town of Carrboro on June 23, 1998 adopted the annual budget for the fiscal year beginning July 1, 1998 and ending June 30, 1999; and

WHEREAS, it is appropriate to amend the expense accounts in the funds listed to provide for increased expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following expense and revenue accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

FUND	ACCOUNT TITLE	ACCOUNT NUMBER	INCREASE (DECREASE)	AMOUNT	FROM	TO
General	Governance Support	10418.	INCREASE	\$300	\$ 0	\$ 300
General	Contingency	10999.7000	DECREASE	\$300	\$11,108	\$10,808

REASON: Transfer funds from Contingency to Governance Support to support costs associated with use of trolley at open house and tree lighting ceremony.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 1st day of December, 1998:

Ayes:

Noes:

Absent or Excused:

The following ordinance was introduced by Alderman Alex Zaffron and duly seconded by Alderman Allen Spalt.

AN ORDINANCE AMENDING FY'98-99 BUDGET ORDINANCE
Ordinance No. 9/98-99

WHEREAS, the Town Board of the Town of Carrboro on June 23, 1998 adopted the annual budget for the fiscal year beginning July 1, 1998 and ending June 30, 1999; and

WHEREAS, it is appropriate to amend the expense accounts in the funds listed to provide for increased expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following expense and revenue accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

FUND	ACCOUNT TITLE	ACCOUNT NUMBER	INCREASE (DECREASE)	AMOUNT	FROM	TO
General	Governance Support	10418.	INCREASE	\$300	\$ 0	\$ 300
General	Contingency	10999.7000	DECREASE	\$300	\$11,108	\$10,808

REASON: Transfer funds from Contingency to Governance Support to support costs associated with use of trolley at open house and tree lighting ceremony.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 1st day of December, 1998:

Ayes: Hilliard Caldwell, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Alex Zaffron.
Allen Spalt

Noes: None

Absent or Excused: None

BOARD OF ALDERMEN

ITEM NO.: D(1)

AGENDA ITEM ABSTRACT

MEETING DATE: DECEMBER 01, 1998

SUBJECT: PUBLIC HEARING: VOLUNTARY ANNEXATION OF 600 SMITH LEVEL ROAD

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
ATTACHMENTS: PETITION FOR ANNEXATION DEED DESCRIPTION LOCATION MAP ORDINANCE	FOR INFORMATION CONTACT: ROY M. WILLIFORD, 968-7713	
THE FOLLOWING INFORMATION IS PROVIDED:		
(X) PURPOSE	(X) ACTION REQUESTED	(X) ANALYSIS
() SUMMARY	(X) RECOMMENDATION	

PURPOSE:

To receive citizens' comments regarding the proposed annexation of 4.79 acres located at 600 Smith Level Road.

ANALYSIS:

James L. & Nancy Hodgin submitted a **PETITION FOR ANNEXATION** on October 27, 1998. The **PETITION FOR ANNEXATION** requests that 600 Smith Level Road be annexed into the Town. The property located at 600 Smith Level Road houses the Rock Haven Centre and consists of 4.79 acres. The 4.79 acres to be annexed is contiguous to the Town of Carrboro, is tax map referenced 7.122.A.5F, and extends to the eastern edge of the Smith Level Road right-of-way.

At the Board of Aldermen's November 10, 1998 meeting, a public hearing was set to receive citizens' comments regarding the **PETITION FOR ANNEXATION**.

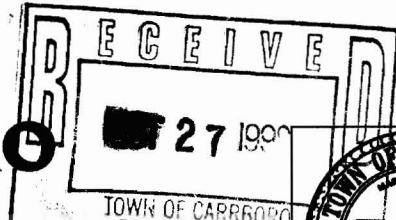
ACTION REQUESTED:

The Board of Aldermen is requested to receive citizens' comments and to consider the **PETITION FOR ANNEXATION** submitted by James L. & Nancy Hodgin.

RECOMMENDATION:

The Administration recommends that the Board of Aldermen adopts the attached ordinance which annexes the 4.79 acres located at 600 Smith Level Road into the Town Limits effective December 31, 1998.

TOWN OF CARRBORO



PETITION FOR ANNEXATION OF CONTIGUOUS PROPERTY

TO THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

1) THE UNDERSIGNED, BEING THE OWNER OF ALL REAL PROPERTY LOCATED WITHIN THE AREA DESCRIBED IN PARAGRAPH #2 BELOW, REQUESTS THAT SUCH AREA BE ANNEXED TO THE TOWN OF CARRBORO, NORTH CAROLINA.

2) THE AREA TO BE ANNEXED IS CONTIGUOUS TO THE TOWN OF CARRBORO, AND IS LOCATED AT 600 South Level Rd AND TAX MAP REFERENCED 7.122-A.5F. THE BOUNDARIES OF SUCH TERRITORY ARE AS SHOWN ON THE METES AND BOUNDS DESCRIPTION ATTACHED HERETO.

3) A MAP (NO LARGER THAN 18" X 24") OF THE FOREGOING PROPERTY, SHOWING ITS RELATIONSHIP TO THE EXISTING CORPORATE LIMITS OF THE TOWN, IS ALSO ATTACHED HERETO.

4) THE TOTAL ACREAGE AND DWELLING UNITS LOCATED ON THIS PROPERTY ARE AS FOLLOWS:

4.79 ACRES 0 DWELLING UNITS

RESPECTFULLY SUBMITTED THIS 19 DAY OF OCT, 19 98.

NAME:	<u>JAMES L. & NANCY T. HADGIN</u>
ADDRESS:	<u>183 NORWOOD Rd.</u>
	<u>CHAPEL HILL, N.C. 27516</u>
OWNER/PRESIDENT:	<u>OWNERS</u>

ATTEST: _____ SECRETARY

I, Sarah W. Williamson, Town Clerk of the Town of Carrboro, do hereby certify that the sufficiency of the above-reference petition has been checked and found to be in compliance with G.S. 160A-31.

This the 10th day of November, 19 98.

TOWN CLERK: Sarah C. Williamson

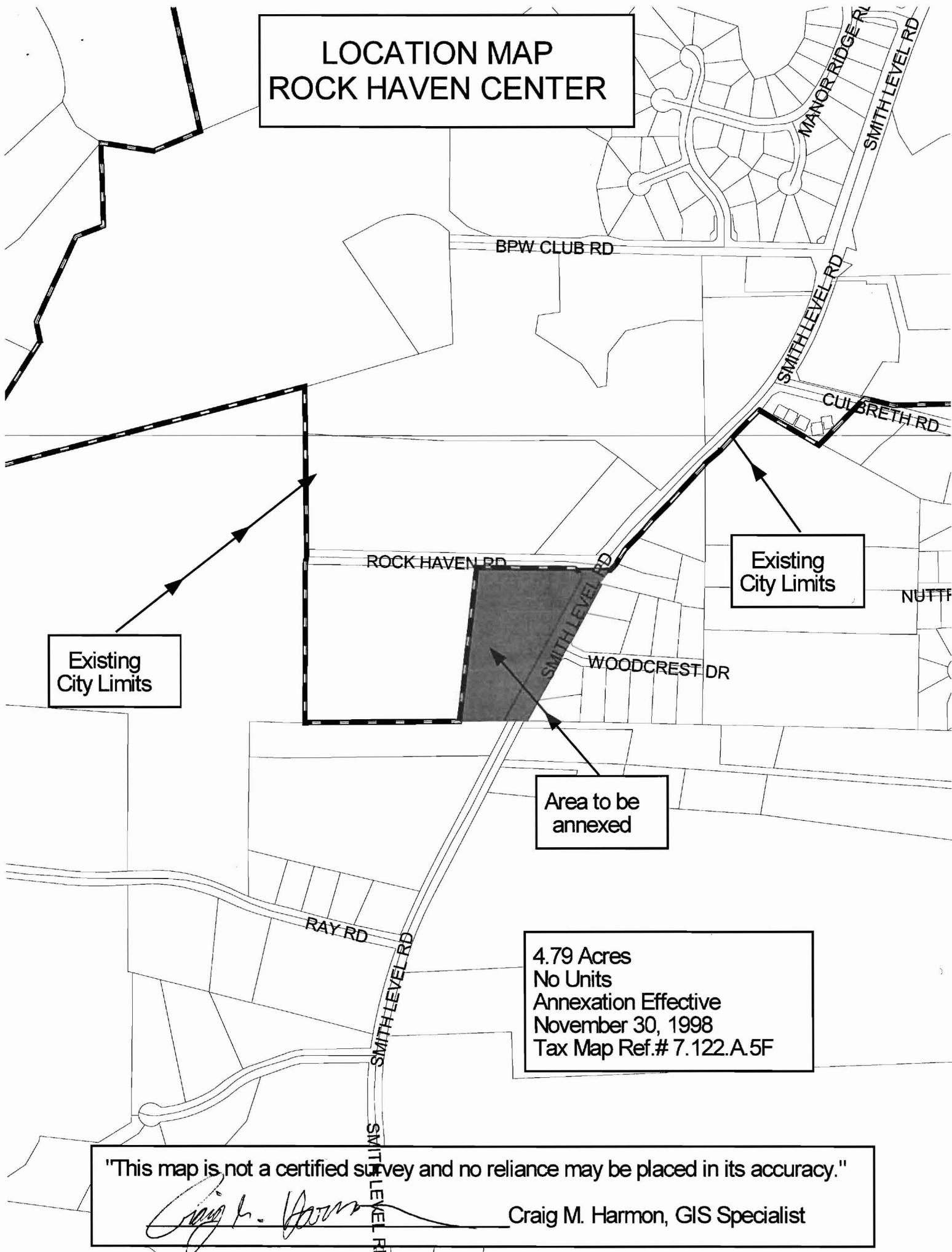
FREEHOLD LAND SURVEYS, INC.



Post Office Box 188 ♦ 113 West Main Street ♦ Carrboro, North Carolina 27510
Phone (919) 929-8090 ♦ Fax (919) 942-0698 ♦ Email freehold@mindspring.com

Being all that tract of land lying and being in Chapel Hill Township, Orange County, North Carolina, and being further described as: Beginning at a point, the Northeast corner of Lot 2A of the Clifton W. Pendergrass Property, recorded in Plat Book 42, Page 78, in the Southern R/W of Rock Creek Road, a Sixty foot existing private R/W, running thence S 89 06 08 E 416.27 with the Rock Creek Road R/W to a point of curvature, thence with a clockwise curve to the right as the Rock Creek Road R/W merges into the Smith Level Road R/W (an existing public R/W) to a point, said curve having a radius of 30 feet and an arch length of 64.38 feet, running thence with the Western R/W of Smith Level Road (45 feet off the centerline of the existing pavement) S 33 50 57 W 17.46 feet to a point, continuing thence with said R/W S 30 06 22 W 103.55 feet to a point, thence S 28 00 37 W 100.60 feet to a point, thence S 27 52 27 W 458.58 feet to a point, thence leaving the Smith Level Road R/W and running with the line of Long N 89 28 49 W 183.11 feet to a point, the Southeast corner of Lot 2A, Clifton Pendergrass, and running thence with the Eastern line of said Lot 2A N 05 46 36 E 653.15 feet to the point and place of beginning and being all of Lot 2 B, Clifton W. Pendergrass, shown on a Plat by Fred P. Johnston, RLS and recording in Plat Book 42, Page 78, containing 4.79 acres.

LOCATION MAP ROCK HAVEN CENTER



"This map is not a certified survey and no reliance may be placed in its accuracy."

Craig M. Harmon

Craig M. Harmon, GIS Specialist

The following ordinance was introduced by Alderman _____ and duly seconded by Alderman _____.

AN ORDINANCE ANNEXING
Rock Haven Centre

WHEREAS, a petition was received requesting the annexation of Rock Haven Centre; and

WHEREAS, the petition was signed by the owners of all the real property located within such area; and

WHEREAS, a public hearing on the question of annexation was held on December 1, 1998, following notice of such hearing published in The Chapel Hill News on November 22, 1998.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. The Board of Aldermen finds that a petition requesting the annexation of the area described in Section 2 was properly signed by the owners of all the real property located within such area and that such area is contiguous to the boundaries of the Town of Carrboro, as the term "contiguous" is defined in G.S. 160A-31(f).

Section 2. The following area is hereby annexed to and made a part of the Town of Carrboro:

Being all that tract of land lying and being in Chapel Hill Township, Orange County, North Carolina, and being further described as: Beginning at a point, the northeast corner of Lot 2A of the Clifton W. Pendergrass Property, recorded in Plat Book 42, Page 78, in the southern r/w of Rock Creek Road, a 60 foot existing private r/w, running thence S 89 06 08 E 416.27 with the Rock Creek Road r/w to a point of curvature, thence with a clockwise curve to the right as the Rock Creek Road r/w merges into the Smith Level Road r/w (an existing public r/w) to a point said curve having a radius of 30 feet and an arch length of 64.38 feet, running thence with the western r/w of Smith Level Road (45 feet off the centerline of the existing pavement) S 33 50 57 W 17.46 feet to a point, continuing thence with said r/w S 30 06 22 W 103.55 feet to a point, thence S 28 00 37 W 100.60 feet to a point, thence S 27 52 27 W 458.58 feet to a point, thence leaving the Smith Level Road r/w and running with the line of Long N 89 28 49 W 183.11 feet to a point, the Southeast corner of Lot 2A, Clifton Pendergrass, and running thence with the Eastern line of said Lot 2A N 05 46 36 E 653.15 feet to the point and place of beginning and being all of Lot 2 B, Clifton W. Pendergrass, shown on a Plat by Fred P. Johnston, RLS and recorded in Plat Book 42, Page 78, containing 4.79 acres.

Section 3. The area within the street right-of-way (to the center of the street) immediately adjacent to the boundaries of the above-described area is also annexed to the Town of Carrboro.

Section 4. The Board hereby strongly requests that the applicant for the annexation and all persons associated with the annexed property indicate in all advertisements and sales information regarding this property that the property is located within the corporate limits of the Town of Carrboro.

Section 5. This ordinance shall become effective on December 31, 1998.

Section 6. The Town Clerk shall cause to be recorded in the Office of the Register of Deeds of Orange County and in the Office of the Secretary of State an accurate map of the annexed territory described in Sections 2 and 3 together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Orange County Board of Elections as required by G.S. 163-288.1.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 1st day of December, 1998:

Ayes:

Noes:

Absent or Excused:

The following ordinance was introduced by Alderman Alex Zaffron and duly seconded by Alderman Hilliard Caldwell.

AN ORDINANCE ANNEXING
Rock Haven Centre
Ordinance No. 10/98-99

WHEREAS, a petition was received requesting the annexation of Rock Haven Centre; and

WHEREAS, the petition was signed by the owners of all the real property located within such area; and

WHEREAS, a public hearing on the question of annexation was held on December 1, 1998, following notice of such hearing published in The Chapel Hill News on November 22, 1998.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. The Board of Aldermen finds that a petition requesting the annexation of the area described in Section 2 was properly signed by the owners of all the real property located within such area and that such area is contiguous to the boundaries of the Town of Carrboro, as the term "contiguous" is defined in G.S. 160A-31(f).

Section 2. The following area is hereby annexed to and made a part of the Town of Carrboro:

Being all that tract of land lying and being in Chapel Hill Township, Orange County, North Carolina, and being further described as: Beginning at a point, the northeast corner of Lot 2A of the Clifton W. Pendergrass Property, recorded in Plat Book 42, Page 78, in the southern r/w of Rock Creek Road, a 60 foot existing private r/w, running thence S 89 06 08 E 416.27 with the Rock Creek Road r/w to a point of curvature, thence with a clockwise curve to the right as the Rock Creek Road r/w merges into the Smith Level Road r/w (an existing public r/w) to a point said curve having a radius of 30 feet and an arch length of 64.38 feet, running thence with the western r/w of Smith Level Road (45 feet off the centerline of the existing pavement) S 33 50 57 W 17.46 feet to a point, continuing thence with said r/w S 30 06 22 W 103.55 feet to a point, thence S 28 00 37 W 100.60 feet to a point, thence S 27 52 27 W 458.58 feet to a point, thence leaving the Smith Level Road r/w and running with the line of Long N 89 28 49 W 183.11 feet to a point, the Southeast corner of Lot 2A, Clifton Pendergrass, and running thence with the Eastern line of said Lot 2A N 05 46 36 E 653.15 feet to the point and place of beginning and being all of Lot 2 B, Clifton W. Pendergrass, shown on a Plat by Fred P. Johnston, RLS and recorded in Plat Book 42, Page 78, containing 4.79 acres.

Section 3. The area within the street right-of-way (to the center of the street) immediately adjacent to the boundaries of the above-described area is also annexed to the Town of Carrboro.

Section 4. The Board hereby strongly requests that the applicant for the annexation and all persons associated with the annexed property indicate in all advertisements and sales information regarding this property that the property is located within the corporate limits of the Town of Carrboro.

Section 5. This ordinance shall become effective on December 31, 1998.

Section 6. The Town Clerk shall cause to be recorded in the Office of the Register of Deeds of Orange County and in the Office of the Secretary of State an accurate map of the annexed territory described in Sections 2 and 3 together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Orange County Board of Elections as required by G.S. 163-288.1.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 1st day of December, 1998:

Ayes: Hilliard Caldwell, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Alex Zaffron. Allen Spalt

Noes: None

Absent or Excused: None

BOARD OF ALDERMEN

ITEM NO. D(2)

AGENDA ITEM ABSTRACT

MEETING DATE: Tuesday, December 1, 1998

SUBJECT: PUBLIC HEARING: Land Use Ordinance Amendment to remove a provision that prohibits junked cars

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
ATTACHMENTS: Letter from Geoff Gledhill Re: JPA provisions Draft Ordinance Memo re: Enforcement or repeal of Subsection 15-150 (d)(1) Advisory Board Recommendations Letter from John Link Re: County Review Summary sheet of Appearance Commission Issues	FOR INFORMATION CONTACT: Patricia McGuire -- 968-7714 Mike Brough -- 929-3905
THE FOLLOWING INFORMATION IS PROVIDED: (X) Purpose () Analysis (X) Summary () Action Requested (X) Recommendation	

PURPOSE

To hold a public hearing to review an amendment to the land use ordinance that will repeal a provision that prohibits the outside storage of any motor vehicle that is neither licensed nor operational.

SUMMARY

In late August of this year, staff of the Zoning Division received the complaint of a resident of the Transition Areas regarding the presence of unlicensed and non-operational automobiles on a neighboring property. Zoning staff subsequently met with the resident to determine what, if any, course of action might be taken to address concerns associated with this activity. Earlier in the year, County Attorney, Geof Gledhill had contacted Mike Brough, Town Attorney. A copy of Mr. Gledhill's letter is attached.

On September 21, 1998, Mr. Brough submitted a memo to Town Manager, Bob Morgan, regarding an issue that had arisen in the Northern Transition Area regarding the enforcement of a junked car provision in the ordinance. A copy of Mr. Brough's memo is attached.

Staff reviewed this issue and determined that this provision was applicable to the Transition Areas and extra-territorial planning jurisdiction (ETJ). Chapter 11 of the Town Code specifies a procedure for controlling junked cars within the city limits.

The enforcement of the land use ordinance's prohibition on junked cars is more akin to the provision of other town services, such as police and fire protection, than planning or development review. The Town only has *planning* jurisdiction in the Transition Areas and ETJ at present. As a consequence, the Town plans for the development of these areas so that any development will be consistent or harmonious with the policies of the town, should they be annexed in the future. The regulation of the manner in which the land is used is still controlled at the county level.

Staff determined that a request to repeal this provision of the Land Use Ordinance should be submitted for review by the Board of Aldermen.

On October 27, the Board of Aldermen referred the item to the Joint Review Advisory Boards and Orange County. Copies of the recommendations of the Planning Board and Transportation Advisory Board are attached. The Appearance Commission is expected to complete its' review of the proposed change on December 3, 1998. A summary sheet of the issues raised during their discussion is attached.

It is expected that staff of the Orange County Planning Department will not discuss the proposed amendment with the Board of County Commissioners prior to the public hearing on December 1, 1998, as is noted in the attached copy of a letter from John Link, County Manager. As the Board of County Commissioners may have questions or elect to take other action in association with this amendment, the Board of Aldermen may wish to delay their vote on this matter until the County has completed its' review.

RECOMMENDATION

The Administration recommends that the Board of Aldermen adopt the attached ordinance entitled, "An Ordinance Amending the Carrboro Land Use Ordinance to Remove the Prohibition against the Storage Outside of Substantially Enclosed Structure of any Motor Vehicle that is neither Licensed nor Operational." The Administration further recommends, however, that the Board continue the public hearing, delaying the vote on this matter until the Town has received an acknowledgement of the action, if any, taken by the Board of County Commissioners.

LAW OFFICES

COLEMAN, GLEDHILL & HARGRAVE

A PROFESSIONAL CORPORATION

129 E. TRYON STREET

P O DRAWER 1529

HILLSBOROUGH, NORTH CAROLINA 27278

919 732 2196

FAX 919 732 7997

SAMUEL E. COLEMAN

GEOFFREY E. GLEDHILL

DOUGLAS HARGRAVE

LEIGH ANN PEEK

July 31, 1998

Michael B. Brough, Esquire
The Brough Law Firm
1829 East Franklin Street, 800A
Chapel Hill, North Carolina 27514

RE: Joint Planning Area

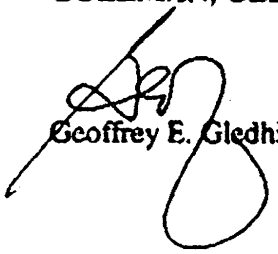
Dear Mike:

This letter quickly confirms our resolution last week of two joint planning administrative issues. The first has to do with "what to do with junk cars." Junk cars within the Carrboro transition areas of the Joint Planning Area will be handled through the Carrboro Land Use Ordinance, particularly Section 15-150(d)(1). Presumably, the Town of Chapel Hill has comparable provisions in its development ordinance, that is, provisions dealing with junk cars and their not being permitted in residential zoning districts. By copy of this letter, I am alerting Ralph Karpinos to this "problem." The problem is that the only ordinance Orange County has relating to junk cars is its Zoning Ordinance and since its Zoning Ordinance is not applicable in the transition areas, the remedy for the junk car problem must be in the Carrboro Land Use Ordinance or the Chapel Hill Development Ordinance.

The second issue is building code enforcement which is not expressly covered in the Joint Planning Agreement but is being administered day to day by the Town of Carrboro and the Town of Chapel Hill in the transition areas. A short term solution will be an Interlocal Agreement or Interlocal Agreements involving Orange County and Carrboro and Chapel Hill for building code enforcement. The long term solution is to amend the Joint Planning Agreement to provide for building code and whatever other planning functions that make sense under Article 18 of Chapter 153A and Article 19 of Chapter 160A to be handled by the Towns in the transition areas.

Very truly yours,

COLEMAN, GLEDHILL & HARGRAVE, P.C.


Geoffrey E. Gledhill

GEG/lsg

xc: Gene Bell

Ralph Karpinos, Esquire

John M. Link, Jr.

Rod Visser

lsg-14\brough.ltr

AUG - 3

**AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO
REMOVE THE PROHIBITION AGAINST THE STORAGE OUTSIDE OF A
SUBSTANTIALLY ENCLOSED STRUCTURE OF ANY MOTOR VEHICLE
THAT IS NEITHER LICENSED NOR OPERATIONAL**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. That subsection 15-150(d)(1) is hereby repealed.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this _____ day of _____ 1998.

Ayes:

Noes:

Absent or Excused:

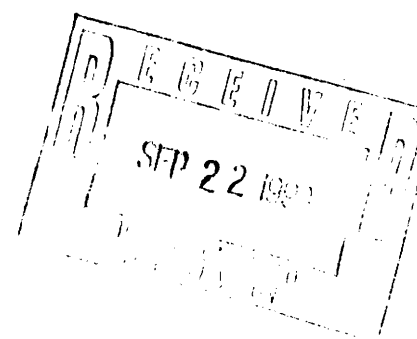
Memorandum To: Bob Morgan

Cc. Keith Lankford

From: Mike Brough *MB*

Subject: Enforcement Or Repeal of Zoning Ordinance Provision On Junk Cars

Date: September 21, 1998



This memo responds to an issue that has arisen in the Northern Transition Area regarding the enforcement of Subsection 150(d)(1) of the land use ordinance. That subsection specifically prohibits within any residential district the "[s]torage outside of a substantially enclosed structure of any motor vehicle that is neither licensed nor operational." As I understand it, an individual who lives within the transition area wants the town to enforce this provision against one of his neighbors.

When this matter was first brought to my attention, I believe the question asked was whether the town could enforce within the transition area the provisions in Chapter 11 of the town code dealing with junk cars. I replied that we could not since the property in question was out of town. I did not at that time think about the corresponding provision in the land use ordinance. Later, County Attorney Geoff Gledhill called me and asked specifically whether any provision in the land use ordinance (which the town enforces within the transition area) addresses junk cars, and I pointed him to the above cited provision. He related this to the individual in question, who then came to the town and asked that this provision be enforced.

Subsection 150(d)(1) was originally included in the land use ordinance as a "back-up" to the provisions in Chapter 11 of the town code dealing with junk cars. My thinking was that, if we had any difficulty enforcing Chapter 11, then perhaps a corresponding provision in the land use ordinance would give us an alternative enforcement tool. As it turns out, the town has never had to use Subsection 150(d)(1). The Chapter 11 provisions dealing with vehicles were revised a few years ago, and the revised ordinance seems to be working satisfactorily. Thus, the problem of junk vehicles within the town has been dealt with and can continue to be dealt with using Chapter 11.

It appears, then, that Subsection 150(d)(1) has no practical value except as an enforcement tool to be used in the Transition Area, outside the town's general ordinance enforcement jurisdiction. However, it is plain that the issue of junk cars is not really a zoning or land use issue in the typical sense. In other words, the town administers the land use ordinance in this area because it is in the town's interest to control growth in those areas that will eventually become part of the town or otherwise vitally affect the town's interests (i.e., the watershed). But regulation of the manner in which developed property is used – as opposed to regulation of the development of property – is not something that the town sought to become involved in when the joint planning process was conceived. Therefore, to the extent that Subsection 150(d)(1) puts the town in the position of having to deal with a complicated and potentially time consuming

enforcement problem of a type never previously contemplated, you might wish to recommend to the Board of Aldermen that this provision be repealed. If the County wishes to deal with the problem of junk cars within its jurisdiction, it has essentially the same authority to do so under its police power (the power to adopt ordinances) as does the Town of Carrboro.

Please let me know if there is anything further you need from me on this matter.



TOWN OF CARRBORO

PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

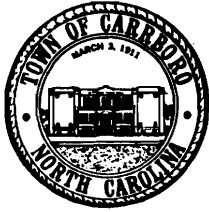
November 19, 1998

Land Use Ordinance Text Amendment: Prohibition of Junked Cars

MOTION WAS MADE BY MILES PRESLER AND SECONDED BY ADAM SEARING THAT THE PLANNING BOARD RECOMMENDS THAT THE BOARD OF ALDERMEN ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO REMOVE THE PROHIBITION AGAINST THE STORAGE OUTSIDE OF A SUBSTANTIALLY ENCLOSED STRUCTURE OF ANY MOTOR VEHICLE THAT IS NEITHER LICENSED NOR OPERATIONAL". VOTE: AYES 7 (Poulton, Babiss, Rodemeir, Cohen, Searing, Presler, Cheek); ABSTAIN 1 (Marshall); NOES 0; ABSENT/EXCUSED 2 (Bateson, Russell).

Andrew B. Cohen / ps 11/20/98
ANDREW B. COHEN, Chairman (date)





TOWN OF CARRBORO

NORTH CAROLINA

TRANSPORTATION ADVISORY BOARD

RECOMMENDATION

November 19, 1998

Motion: As Orange County enforces junk car situations through their land use ordinance, that the repeal (from Carrboro) should be delayed until sometime in the future when Carrboro has annexed this area and can therefore enforce through its town code.

Moved: **Ms. Shirley Marshall**

Second: **Ms. Ellen Perry**

VOTE: Ayes (Elliott, Lane, Marshall, Mochel, Perry, Robinson), Noes (None)

TAB Chair

_____/_____/98
DATE

cc: Board

ORANGE COUNTY

HILLSBOROUGH
NORTH CAROLINA

Manager's Office

Established 1752

November 24, 1998

Mr. Robert Morgan, Manager
Town of Carrboro
301 W. Main St.
Carrboro, N.C. 27510

Dear Bob:

SUBJECT: Reduced Review Period for Proposed Amendments to Carrboro's Land Use Ordinance as per Section 2.6-C of the Joint Planning Agreement

On November 19, 1998, Interim Planning Director, Gene Bell received a FAX transmission from the Carrboro Planning Department concerning proposed amendments to the Town's Land Use Ordinance. Of particular concern is the proposed amendment scheduled for public hearing on December 1, 1998 entitled: "Removal of a Provision that Prohibits the Outside Storage of Unlicensed/Non-Operational Vehicles."

The FAX transmission included a request that Orange County reduce the thirty (30) day review period to ten (10) days as per the provisions of section 2.6, subsection C of the Joint Planning Agreement. In this case, we need the full thirty (30) days for review and I am not able to grant the reduced period of ten (10) days.

Orange County recognizes that situations may arise where a reduced review period is warranted; however, to the maximum extent practicable, we request that future review periods on proposed amendments to the Land Use Ordinance adhere to thirty (30) days as specified in the Joint Planning Agreement.

Please call if you have questions of if I can provide additional clarification.

Sincerely,



John M. Link, Jr.
County Manager

Ms. Moon suggested the commission review page 7 line 41, page 24 line 28, and page 16 section m. Ms. Crisler asked if there was a reference for a increased design review component in the amendment. Ms. Moon said not specifically, the new commission proposed in the ordinance is to be made up of residents from the Transitional area, but not necessarily people with professional backgrounds in urban design, planning, environmental issues, etc. Mr. Taylor asked if the new plan prohibited shared freestanding signs—signs that identify more than one business page 16 line 93, and based on a commission consensus agreed to work on that area.

Ms. Moon asked for comments regarding Ms. Bevin's remarks. The commission shared her concerns and felt that her comments needed to be addressed.

- II. Amendment to remove the provisions in Town of Carrboro's Land Use Ordinance to require the Town to address unlicensed, nonoperational cars issues and instead revert that duty to Orange County.** Ms. Moon reviewed Ms. McGuire's initial remarks that this proposal is for the county to deal with abandoned cars in the transitional area. The Town's Fire Department will continue to address junk cars within the town boundaries, and once tracts within the transition area are annexed to the town they will be included within Carrboro Fire Department's jurisdiction. The Appearance Commission was unanimous in their concern regarding the issue of abandoned cars; someone, be it the county or the Town must take responsibility for identifying junk cars in the transitional area and removing them when appropriate. While the Appearance Commission chose to hold their final comments until the Dec. 3, 1998 meeting, however, the commission would like to know the Board of County Commissioners' position on this issue--if Orange County will agree to enforce the junk car policy in transitional area. Mr. Taylor recommended that the Board of Aldermen postpone their decision until learning the County's position on this issue.
- III. Sign Permit for Spotted Dog Restaurant & Bar, at 111 East Main Street.** This is a proposal to paint a new message on the existing 89" x 34" signboard above the entrance for the former Spring Garden Restaurant. Ms. Moon presented the color version of the sign submitted by the Spotted Dog. Mr. Taylor recommended that they add a lighter color around the one eye and nose stand out more. Ms. Piesse felt that the additional color around the eye might detract from the intended design. She also felt that it was one of the more inventive signs that they have reviewed. Ms. Piesse made a motion to approve the sign as proposed; Ms. Wenck seconded the motion. The sign was approved as proposed. The restaurant is also proposing to construct a partitioned fence area for their trash and recycling materials along the edge of the building on Weaver Street. Ms. Piesse asked staff to express their appreciation for their thinking about recycling and trying to enhance the streetscape. Both the sign and recycling bin design were unanimously approved as proposed.

BOARD OF ALDERMEN

ITEM NO. E(1)

AGENDA ITEM ABSTRACT

MEETING DATE: December 1, 1998

SUBJECT: Year 2000 Compliance Report

DEPARTMENT: n/a	PUBLIC HEARING: YES ____ NO <u>x</u>
ATTACHMENTS: Quotes about the Year 2000, Solutions for the Year 2000, Memo from Town Manager ref. Year 2000 Compliance	FOR INFORMATION CONTACT: Robert Roskind, Y2k Solutions Group, Inc.

PURPOSE

The purpose of this agenda item is for the Board of Aldermen to receive a report from Robert Roskind, with the Y2k Solutions Group, Inc., on Year 2000 compliance.

SUMMARY

At the request of Mayor Nelson, the town staff has scheduled a presentation by Robert Roskind, with the Y2k Solutions Group, Inc., on Year 2000 compliance.

ACTION REQUESTED

To receive the report.



QUOTES ABOUT THE YEAR 2000

"I have no question that we're going to have some very unusual things occurring."

Alan Greenspan
USA Today, Sept. 30, 1998

"You wouldn't want to be in an airplane, you wouldn't want to be in an elevator, and you wouldn't want to be in a hospital...(government and business leaders) are not thinking about the contingency plans that they ought to be thinking about today, not waiting a year from now...(these) need to be put into place to minimize the harm from widespread failures."

Sen. Chris Dodd, Year 2000 Tech Committee
Senate Hearings into Y2K, June 12, 1998

"I cannot be optimistic and I'm genuinely concerned about the consequences of the millennial date change."

Sen. Robert Bennet, Year 2000 Tech Chairman
Senate Hearings into Y2K, June 12, 1998

"We believe that the Year 2000 problem is a lot bigger than the President and the Administration have admitted. We think it will cost more than 4 billion dollars (approved by Congress) to solve it. There are estimates as high as 30 to 40 billion".

Rep. Newt Gingrich, CNN- June 21, 1998

The eight countries (G8) said on Sunday they had agreed to take urgent action to combat the possible fallout from the millennium computer bug. We agreed to take further urgent action and to share information among ourselves and with others, that will assist in preventing disruption in the near and longer term.

Communique from G8 Meeting, May 17, 1998

"The magnitude of the potential Year 2000 problem in the regulated energy industries (electrical, gas, etc.) is not yet known....Compilation of this information is inadequate...Without testing, the potential impact of Year 2000

errors could cause...a ripple effect across a portion of the grid.

Kathleen Hirning, Chief Information Officer
Federal Energy Regulatory Commission (FERC)

“...there are ‘catastrophic problems’ in every GM plant.”

Ralph I. Szcenda, Chief Information Officer
General Motors, Fortune, April 27, 1998

“There is very little realization that there will be a disruption. As you start getting out into the population, I think most people are again assuming that things are going to operate the way they always have. That is not going to be the case.

Sherry Burns, director of Year 2000 Office
Central Intelligence Agency (CIA)

“Let’s stop pretending that the Y2K isn’t a major threat to our way of life. There is too much at stake for such uninformed wishful thinking. Perhaps, the time has come as though we are preparing for a war. This may seem extreme and unnecessary. However, if we prepare for plausible worst-case Y2K scenarios, then perhaps we can avoid at least some of them.”

Ed Yardeni’s keynote address to
Bank for International Settlements, April 1998

“The millennium bug is one of the most serious problems facing not only British business but the global economy today. The impact cannot be underestimated.”

British Prime Minister Tony Blair, USA TODAY, April 13, 1998

“If we don’t fix (the computers), there will be 90 million people 21 months from now who won’t get refunds. The whole financial system of the United States will come to a halt. It’s very serious. It not only could happen, it will happen if we don’t fix it right... We have a very thin margin of tolerance to make this whole thing work. There’s no plan B.”

Charles Rossotti, Internal Revenue Commissioner
USA TODAY, April 2, 1998

Federal Reserve Chairman Alan Greenspan said Wednesday that the Year 2000 computer bug is already hurting the economy and has warned of bigger damage ahead.

“Inevitable difficulties are going to emerge,” he said. “You could end up with...a very large problem.”

The Y2K problem is a very serious threat to the US economy,” says Edward Yardeni, chief economist of Wall Street broker Deutsche Morgan Grenfell.

USA TODAY, Feb. 26, 1998

"Some people with technological expertise think the whole 'millennium bug' issue is overblown. Don't you believe it", said Kelley. "Comments that doubt the seriousness of the problem are dead wrong," he said.

Edward Kelly

Federal Reserve Board, member

The Miami Herald, March 1, 1998

The Federal Aviation Administration is so far behind in its efforts to fix the Year 2000 computer glitch that half the nation's air fleet may have to be grounded during the earliest days, weeks or months of the new millennium, congressional officials say. With 695 days left until Jan. 1, 2000, top FAA officials go to Capital Hill today, where they will be asked about their failure to act more aggressively and the need for contingency plans to assure public safety.

USA TODAY, February 4, 1998

Some of the nation's largest banks, already racing to upgrade their own computer systems to meet the Year 2000 deadline, are acknowledging another worry: Problem loans may well rise if some borrowers fail to upgrade their computers in time.

Wall Street Journal, March 18, 1998

Regulators must not create panic as they push banks, securities firms and others to prepare their computers for the next century, a Clinton Administration aide told lawmakers on Tuesday.

"While it is important to increase world-wide attention to the urgent necessity of solving the problem, we need to avoid creating panic and precipitous, counterproductive activity," John Koskinen, chairman of the President's Council on the Year 2000 Conversion told members of the House Banking Committee.

"No problem facing us is more pressing, especially since, unlike other Washington problems, neither the President nor Congress can push the deadline back," he said.

Reuters, March 24, 1998

In the most dramatic warning yet of impending computer crisis in the government, a congressional panel said Wednesday that 37 percent of the most critical computers used by the federal agencies will not be updated in time to handle dates in 2000 and will be subject to widespread failure. The new estimate calls into question assurances by the Clinton administration that it is moving quickly enough to avert serious outages.

The Wilmington (Delaware) News Journal, March 5, 1998

"Any company that neglects this looming problem is simply asking for trouble. If a firm is eventually hit by a Year 2000 breakdown, it will probably be put out of business- not by the authority of any regulator, but by the power of the market itself.

And its not just the institutions I'm concerned about. Its the investors who do business with them. A Year 2000 breakdown could do incalculable damage to investors' finances, and could undermine their confidence in our entire financial structure."

Arthur Levitt Jr.- Chairman, Securities and Exchange Commission

"I would like to tell you that our hard work-and the efforts of hundreds of Y2K-focused consulting firms around the world-has pretty much worked, and that long before we hit the Y2K wall less than two years from now, the problems will be pretty much solved.

I would like to tell you that-but it would be a lie."

Jim Seymour, PC Magazine, February 10, 1998

David Atkinson, a conservative member of Britain's House of Commons (Member of Parliament), hopes to build support in Washington for international cooperation "on a wartime scale" to ensure the problems arising from the Year 2000 computer flaw are kept to a minimum. Last week he discussed the issue White House officials and members of Congress, including Rep. Connie Morella, R-Md., Sen. Robert Bennett, R-Utah and Sally Katzen, deputy assistant to the president for economic policy.

Off the Internet (<docdon@pobox.com>)

March 16, 1998

"I think the world is headed for recession."

Maurice Newman, Chairman, Australian Stock Exchange
on the Year 2000 crisis, Business Review Weekly, 3/23/98

"Owing to past neglect, in the face of the plainest warnings, we have now entered upon a period of danger. The era of procrastination, of halfmeasures,...of delays, is coming to its close. In its place we are entering a period of consequences...We cannot avoid this period, we are in it now...Unless...,this House resolves to find out the truth for itself, it will have committed an act of abdication of duty without parallel"

Winston Churchill, 12 November 1936,

Testimony to the House Of Commons;

Debate on National Defense Posture

Videos From The Experts!

Y2K Solutions Group, Inc. is dedicated to providing education and information from the world's top experts on the YEAR 2000 problem. Our videos cover every main aspect of the problem including:

- "Y2K Awareness"
- "Y2K Management"
- "Safe Y2K Use of Desktop Software"
- "Solutions to Infrastructure and Embedded Systems"
- "Disclosure Obligations and Contingent Legal Exposures"
- "AS/400: Getting Through The YEAR 2000"
- "Testing AS/400 Environments"
- "The Paths of Risk Management"
- "Data Issues in a Y2K Project"
- "YEAR 2000 Insurance Issues"
- "An Enterprise Risk/Contingency Planning Checklist"
- "Managing External Vendors"
- "Safe Harbor Testing"
- "Business Triage"
- "Y2K Cost Recovery"
- "Methodology & Tools for Client/Server Y2K Conversion"
- "Distributed Systems for Y2K"
- "YEAR 2000 Litigation: Defenses"
- And Much More!

Ask About Our New - Customer/Supplier Awareness Program!!

Be sure your supply chain is ready!
We can send your valued customers
and suppliers our special all new -
"Y2K AWARENESS VIDEO"
(special volume pricing available)

Y2k
Solutions
Group, Inc.

© 1998 Y2K Solutions Group Inc.

Solutions for the Year 2000



Videos From the Experts!

Y2K

Education is the 1st Step to Y2K Solutions...

Y2K Business and Professional Video Series

#102: Preparing a Desktop for the YEAR 2000, Featuring Leon Kappelman, Karl Feilder and Tom Becker. This video is designed for the desktop end user. It explains the Y2K problems that may exist on five levels: hardware, operating system, software and applications, data, and data transfer. (for desktop network remediation see #201). 45 min. \$49.00

#201: Desktop Network Remediation Series, Featuring Dr. Leon Kappelman, Karl Feilder and Tom Becker. This series is designed to train business owners, managers, computer field engineers and help desk personnel to prepare a network of desktops for the year 2000. 3 videos (30 min. ea.) \$149.99/set

#301: YEAR 2000 Management Series, Featuring Dr. Leon Kappelman. This series is designed for managers, executives, supervisors and business owners who are responsible for preparing their enterprise for the Year 2000 rollover. 2 videos (75 min.) \$199.00/set (includes Leon Kappelman's book and CD)

#502: Y2K AWARENESS "The YEAR 2000 Problem: Challenge of our Lifetime" Featuring Dr. Leon Kappelman. This video explains the size and scope of the YEAR 2000 problem and the risks to both society in general and enterprises and businesses in particular. Perfect for offering a quick overview & awareness to managers, executives, employees and business owners. (32 min.) \$49.00

SPG's YEAR 2000 Conference Series

Videos below were filmed live at seminars presented at the SPG's YEAR 2000 Conference and Expo in Chicago on June 29-July 1, 1998

#701: Safe YEAR 2000 Use of Desktop Software, Featuring Patrick O'Bierne. Explains how to identify risks in your inventory of applications, assess their importance, address them efficiently, and prevent future problems. See what you need to focus on, how to interpret results of scans and what to avoid. (4 Hrs.) \$249.00

#702: Solutions to YEAR 2000 Problems with Infrastructure and Embedded Systems, Featuring Dave Hall. How to evaluate the best practices for successfully dealing with embedded systems projects. Explains overview of potential problems, the development of a checklist of areas to investigate & an exploration of alternative solution strategies. (4 Hrs.) \$249.00

#703: Management Strategies for Dealing with Y2K Disclosure Obligations and Contingent Legal Exposures, Featuring Richard Williams & Dennis Grabow. Find out where and how to place responsibility for fact finding and disclosure duties, and who should be part of the team, what to report, and how to report it. (4 hrs.) \$249.00

#704: AS/400: Getting Through The YEAR 2000, Featuring Glenn Ericson. Explains how to determine the scope of the problem, what options exist and which method(s) are best, where to start, tool selection, pitfalls to avoid and alternative steps. (4 hrs.) \$249.00

#705: Testing in the AS/400 Midrange Environments, Featuring Glenn Ericson, Brian Bennett, Arnette Deschene, Gary Peskin, & Brendan O'Connell. In this video, a panel of AS/400 testing experts focus on practical techniques & experiences to help you streamline this complex problem. Outlines the pros and cons of test tool methodologies & solution aids. (2 hrs.) \$199.00

#710: The Seven Parallel Paths of Risk Management, Featuring Andrew Pegalis. In this series teaches the importance of simultaneous analysis of internal I/S systems, embedded chips, EDI exposures, legal/auditing issues, vendor compliance, external business dependencies, insurance considerations, and disaster recovery. (1 hr.) \$99.00

#711: Data Issues in a YEAR 2000 Project, Featuring Miro Medek. Explains how to assess your databases, the differences between client/server database applications and typical legacy application projects, and data issues and solutions that are important in database management systems. (1 Hour) \$99.00

#712: YEAR 2000 Insurance Issues, Featuring Richard Williams and Mary Craig Calkins. Find out how, when, and why you need to prepare and submit insurance claims. This series covers the availability of coverage under liability policies, director and officer policies, errors and omissions policies, and defending your YEAR 2000 claims. (1 hr.) \$99.00

#714: An Enterprise Risk/Contingency Planning Checklist, Featuring Edward Yourdon. Discusses the need for Y2K initiatives in 1998 & 1999 to stress risk management, contingency planning, disaster planning & recovery. Provides easy to follow contingency planning guidelines and a checklist that can be adapted to your own organization. (1 hr.) \$99.00

#715: Managing External Vendors, Featuring Jennifer McNeill. Find out how to overcome and avoid problems with external vendors. Practical advice on how to make your external vendors accountable, and what to do when your vendors are not delivering. (1 hr.) \$99.00

#716: Safe Harbor Testing, Featuring Don Estes. Understand how to achieve a safe level of risk at a price you can afford. Learn about testing resource allocation, risk management, minimum risk strategies, optimizing risk and cost, and prioritizing. (1 hr.) \$99.00

#717: The Transition From System to Business Triage, Featuring Howard Rubin. Explains assessment methods, contingency planning, & triage strategies for dealing with your business networks. Information to help you assess the risk inherent in your organization's business transition network, & with business partners. (1 hr.) \$99.00

#718: Y2K COST RECOVERY, Featuring Laurence Eisenstein. This video explains how to review and assess opportunities to recover costs from third-parties. Reviews contractual claims, breach of warranties, negligence & misrepresentation claims, statutory remedies, & insurance claims. (1 hr.) \$99.00

#719: Methodology & Tools for Client/Server Y2K Conversion, Featuring Stuart Greenberg. Using Fidelity Investment's remediation as a model, this video explains the methodology, tools, planning, inventory, analysis, & testing needed. (1 hr.) \$99.00

#720: Distributed Systems For the Year 2000, Featuring Christopher Jesse. This video outlines the issues, common sense considerations, & practical methodology. Focuses on examples & critical factors. Suited for CIOs, CFOs, IT executives, Y2k executives and team leaders. (1 hr.) \$99.00

#721: YEAR 2000 Litigation: The Defenses, Featuring Vito Perrino. This video discusses three primary legal issues: directors and officers litigation, litigation based on tort (both negligence & strict products liability), and litigation based on contract. (1 hr.) \$99.00

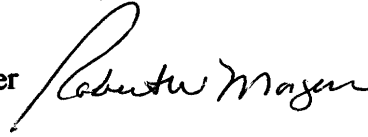
Y2k Solutions Group, Inc.

214 West Cameron Ave., Suite B
Chapel Hill, North Carolina 27514
Phone: (919) 933-1243
E-mail: order@y2kvideos.com
Website: <http://www.y2kvideos.com>
Orders: 888-Y2K-4YOU (925-4968)

MEMORANDUM

MEMO TO: Mayor and Board of Aldermen

FROM: Robert W. Morgan, Town Manager



SUBJECT: Year 2000 Compliance

DATE: November 25, 1998

The purpose of this memorandum is to provide the Mayor and Board of Aldermen with information on how the Town is addressing Year 2000 issues. One of the few advantages of the Town not having a heavy investment in technology is that it limits the Town's exposure to the number of Year 2000 issues that it must address.

The following steps are being taken to address potential Year 2000 problems:

- Micromedic, the Town's contractor for computer maintenance, is inventorying all personal computers and software to determine if they are Year 2000 compliant. They will identify computer hardware and software that must be replaced, those that can be modified and those that already comply. This inventory shall be conducted on Tuesday, December 8.
- Financial system software and police information software will be replaced with Year 2000 compliant software. The Management Services Department has pulled together a committee of departmental representatives that are identifying their needs on the financial system. To date, the committee has seen two vendor demonstrations and plans to develop a request for proposals by the end of January 1999. Ideally, the new financial system will be implemented by August 1999.
- Specifications for the Town center have been written to require a HVAC system that is Year 2000 compliant.
- Departments are currently conducting an inventory of equipment to determine if they contain computer chips that could possibly need to be replaced. This inventory will be completed by December 15th. The inventory also includes services provided to the Town. Departments received a checklist of the types of equipment or services that could include chips or have potential Year 2000 problems. Once the inventory is completed someone will be designated to determine if the item is compliant.
- The Town has budgeted for the replacement of the telephone system. Any new system will be Year 2000 compliant.

BOARD OF ALDERMEN

ITEM NO. E(2)

AGENDA ITEM ABSTRACT

MEETING DATE: December 1, 1998

SUBJECT: Hillsborough Road Widening

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES ____ NO ____ X ____
ATTACHMENTS: Durham-Chapel Hill-Carrboro MPO Allocation of STP Attributable Funds Letter to Becky Heron, TAC Chair	FOR INFORMATION CONTACT: Kenneth Withrow, 968-7714
THE FOLLOWING INFORMATION IS PROVIDED: (x) Purpose () Action Requested () Analysis (x) Summary (x) Recommendation	

PURPOSE

The purpose of this item is for the Board of Aldermen to: (1) receive the summary report on the November 20 meeting with NCDOT, (2) schedule a public meeting with NCDOT officials for either January 6 or January 11, 1999, and (3) request that the Durham-Chapel Hill-Carrboro TAC obligate \$2.4 million in STP-DA Funds for Hillsborough Road.

SUMMARY

Representatives from the Town of Carrboro and the Chapel Hill-Carrboro City School System met with Secretary Norris Tolson of NCDOT and his staff on Friday, November 20, 1998. The representatives from Carrboro included Senator Eleanor Kinnaird, Alderman Alex Zaffron, Ms. Ellen Perry, and staff members Robert Morgan and Kenneth Withrow. Chapel Hill-Carrboro City School representatives included Superintendant Neil Peterson, and Mr. Harvey Goldstein, Vice-Chair of the Chapel Hill-Carrboro Board of Education. The NCDOT staff included Mr. Witmel Webb, and Mr. Don Morton.

Secretary Tolson and his staff explained to the Carrboro's elected officials and the Chapel Hill-Carrboro City School officials why the Hillsborough Road project within the Draft State TIP has been delayed for two years. The reasons included these: (1) The number of programmed projects statewide was greater than the amount of funding available for the projects, (2) More state money is being allocated to the maintenance of existing transportation infrastructure, and (3) the Hillsborough Road project is currently under design revisions; which have delayed right-of-way acquisition and ultimately, bid letting for roadway construction.

NCDOT staff informed both the elected and appointed officials that there is a process available that will accelerate the project's construction to the fiscal year 2000. The steps in the process are: (1) that NCDOT officials hold the public meeting with the town's citizens in early January, 1999, (2) that right-of-way acquisition by NCDOT officials be completed by October, 1999, and (3) that the Town of Carrboro secure STP-Direct Allocation Funds from the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization in the amount of \$2.4 million. The \$2.4 million allocation will be applied during Federal Fiscal Year 2000. The attached letter to Ms. Becky Heron, Transportation Advisory Committee Chair, addresses the town's

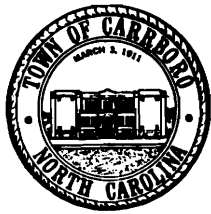
request for \$2.4 million in STP-Direct Allocation Funds. Furthermore, NCDOT is willing to conduct a "Citizens Information Meeting" on the weeks of January 4 or January 11, 1999.

RECOMMENDATION

The administration request that the Board of Aldermen: (1) schedule a public meeting date for either Wednesday, January 6 or Monday, January 11, 1999 with NCDOT officials, and (2) request that the Durham-Chapel Hill-Carrboro Transportation Advisory Committee program \$2.4 million in unobligated STP-Direct Allocation Funds to expedite construction along Hillsborough Road.

DURHAM - ALLOCATION OF STP ATTRIBUTABLE FUNDS
1998 - 2003

<u>TIP</u>	<u>PROJECT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
N/A	8.2352302	DCHC Unified Planning Project	\$ 165,000.00
		Total Obligations	\$ 165,000.00
		1998 Balance (TEA-21)	\$ 2,165,851.00
		1999 Balance (TEA-21)	<u>\$ 2,799,427.00</u>
		Total Unobligated Balance 10/98	\$ 4,965,278.00



TOWN OF CARRBORO

NORTH CAROLINA

November 23, 1998

Ms. Becky Heron
Chair, DCHC Transportation Advisory Committee
Durham Department of Transportation
Durham, NC 27701

Dear Ms. Heron:

Senator Eleanor Kinnaird, elected officials from the Town of Carrboro, and elected officials from the Chapel Hill-Carrboro City School System met with Secretary Norris Tolson, Mr. Witmel Webb, and Mr. Don Morton of NCDOT on Friday, November 20, 1998. The subject of the meeting was the delay in construction for Hillsborough Road (Project U-3100A) until Federal Fiscal Year (FFY) 2001 as noted within the Draft State Transportation Improvement Program.

The NCDOT officials explained the reasoning behind the delay, and suggested that the Town of Carrboro acquire \$2.4 million in STP-Direct Allocation Funds from the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization. This money can be used during FFY 2000 in order to accelerate construction of Project U-3100A. Attached is a letter from NCDOT that addresses the suggestion utilizing STP-Direct Allocation Funds.

The Town of Carrboro therefore request that the Durham-Chapel Hill-Carrboro Transportation Advisory Committee approve the \$2.4 million allocation in STP-Direct Allocation Funds for Hillsborough Road (Project U-3100A). The \$2.4 million allocation will apply only to FFY 2000 (which begins on October 1, 1999). The Hillsborough Road project has historically received unanimous support from local governments in Orange County and the regional transportation body. We hope that the \$2.4 million allocation will expedite construction of this badly needed project.

Sincerely,

Mike Nelson
Mayor

MN/kww

attachment

cc: Mr. Witmel Webb

BOARD OF ALDERMEN

ITEM NO. E(3)

AGENDA ITEM ABSTRACT

MEETING DATE: December 1, 1998

SUBJECT: Presentation of Audit Report for Fiscal Year 1997-98

DEPARTMENT: Management Services	PUBLIC HEARING: YES ____ NO __X_
ATTACHMENTS: FY 1997-98 Audit Report	FOR INFORMATION CONTACT: Sheila Lee, 968-7732

PURPOSE

The purpose of this agenda item is to receive the audit report for the 1997-98 Fiscal Year. The town's audit firm, Dixon, Odom and Company, will present the report.

SUMMARY

In accordance with principles of accountability and state statutes, the town undergoes an annual financial audit by independent auditors. The town contracted with Dixon, Odom and Company to perform the audit for the fiscal year ending June 30, 1998.

ACTION REQUESTED

To receive the audit report prepared by Dixon, Odom and Company.

BOARD OF ALDERMEN

ITEM NO. E(4)

AGENDA ITEM ABSTRACT MEETING DATE: December 1, 1998

SUBJECT: Presentation -FY1998-99 First Quarter Financial Report

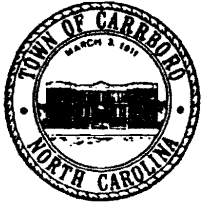
DEPARTMENT: Management Services	PUBLIC HEARING: YES ____ NO <u>X</u> __
ATTACHMENTS: FY1998-99 Quarterly Report	FOR INFORMATION CONTACT: L. Bing Roenigk, 968-7701

PURPOSE: At the request of the Board of Aldermen, the Town Manager directed the Management Services Department to develop and prepare a quarterly financial report. Bing Roenigk, of the Management Services Department, will present the report to the Board explaining the purpose of this report and discuss findings on financial activity during the first quarter of the current FY98-99 fiscal year.

SUMMARY: The financial report that has been developed for Board review on a quarterly basis is designed to monitor changes in the Town's financial situation and to inform the Board of these trends. The analysis within the report primarily focuses on the differences between estimated projections (FY98-99 amended budget) and year-to-date financial activity to monitor against any shortfalls. As a tool for assessing current year fiscal trends, this report compares current year actual revenues and expenditures to budget with financial activity of the same time period of the previous fiscal year (FY97-98). Incorporated in the analysis are the three funds that are supported by property tax, General, Debt, and Transportation Funds. The revenues and expenditures within each fund are analyzed at the levels appropriated within the budget ordinance.

The comparison of current first quarter revenue and expenditure financial activity with prior year data suggests that the Town has budgeted adequately for ongoing operations. In terms of revenue flow, the Town will better be able to assess revenue trends in the upcoming quarter, particularly for property taxes. Sales taxes and utility franchise taxes, the next largest sources of revenue will be more difficult to easily assess until the third and fourth quarters. Expenditures, on the other hand, mirror historical trends.

ACTION REQUESTED: No formal action is requested. However, the Board is requested to provide input on improvements to the report as desired.



TOWN OF CARRBORO

NORTH CAROLINA

MEMORANDUM

TO: Mayor Nelson and Board of Aldermen

FROM: Robert W. Morgan, Town Manager *Robert W. Morgan*

DATE: November 5, 1998

RE: FY1998-99 First Quarter Financial Report

I am pleased to submit the Town's first quarterly report for FY1998-99. This report offers a way for the Town to monitor changes in its financial situation and to anticipate future problems and to keep the Board informed of these trends.

When analyzing revenues and expenditures, we are attempting to examine the differences between estimated projections and year-to-date financial activity to monitor against any major shortfalls. Major discrepancies between estimated and actual revenue can indicate inefficient collection procedures, inaccurate estimating techniques, or significant changes in the economy. Shortfalls in expenditures, on the other hand, are not possible as the maximum allowable expenditures allowed by law are written in the budget ordinance and approved by the Board of Aldermen.

Historically, the Town has been conservative in both revenue and expenditure projections within the General Fund with the intent of preserving and increasing fund balance to levels maintained by cities and towns comparable to Carrboro. According to the latest audit data available (FY96-97), the reserved fund balance is at 21%; the town's goal is to increase fund balance to 25%. Audit data from the past three years shows actual revenues have exceeded estimated revenue projections by an average of 3.5%. In terms of expenditures, departments have underspent their budgets by an average of 5%. Typically, unexpended funds within departmental budgets are a result of lapsed salaries generated by vacancies in existing positions.

Another benefit of this report for the Board is the understanding that develops about the impact of revenues and expenditures on the Town's cash flow throughout the fiscal year. Typically one may expect, assuming that financial activity follows an annualized pattern (one-twelfth of total per month), that revenues and expenditures in the first quarter of the fiscal year would equal 25% of the total budget. Overall expenditures within the General Fund more closely mirror annualized patterns, with variations in some departments. However, this is not the case with revenues, as the Town receives revenues at different times of the year, with the largest source of revenue, property tax, arriving in December.

To assess current year fiscal trends, this report compares current year actual revenues and expenditures to budget with financial activity of the same time period of the previous fiscal year (FY97-98). Incorporated in the analysis are the three funds that are supported by property tax,

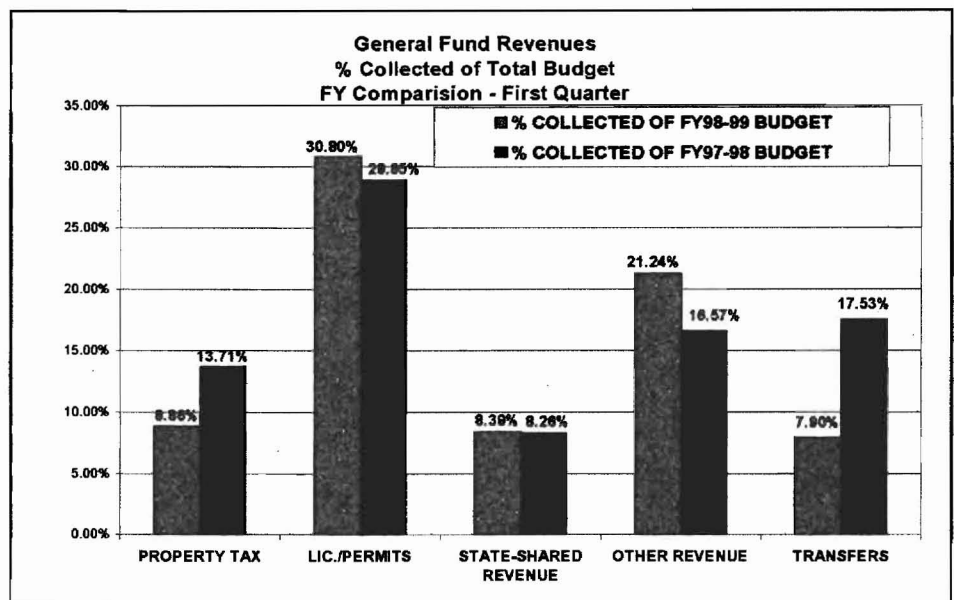
General, Debt, and Transportation funds. The revenues and expenditures within each fund are analyzed at the levels appropriated within the budget ordinance.

General Fund

Revenues

Revenues within the General Fund are appropriated by major categories – Property Tax, Licenses and Permits, Revenues From Other Agencies, Fund Balance Appropriated, and Transfers. Expenditures are appropriated at departmental levels.

Property tax revenues and state-shared revenues finance 81% of the general fund. Property taxes, the largest source of income at 47%, is not received in substantial amounts until December, prior to the January deadline prescribed by law for property tax payments without penalty. Thus the first quarter of the fiscal year shows very little property taxes collected and the amount collected to date is not sufficient to gauge actual taxes against projections.



State-shared revenues continue to be the second largest category of revenues for the General Fund, comprising approximately 34% of total revenues. State-shared revenues include several taxes enacted by the North Carolina General Assembly, collected by the State, and shared with local governments based on a variety of distribution formulas and timetables. Included within this category of revenue is: sales taxes, utility franchise taxes, Powell Bill, and intangibles taxes. The largest share of state-shared revenue, sales tax and Powell Bill, will not be reflected in financial records until the second quarter. State-shared revenues are slightly higher for this quarter as a percentage of the total budget than in the previous year primarily a result of a higher than estimated intangibles tax allocation and higher first quarter franchise tax collections.

The higher percentage collected in FY98-99 for the Other Revenue category is primarily a result of the rental fees generated from the telecommunications tower used by various town departments for communications purposes. The Town has negotiated yearly rental agreements totaling

\$62,000 with three phone companies for the privilege of using the tower. To date, \$26,000 has been paid by Sprint.

Governmental revenue budgets also provide for transfers between funds or departments. Within the General Fund, the Town appropriates intradepartmental transfers for fleet maintenance costs. The Public Works Department provides fleet maintenance services on Town vehicles and charges departments using the transfer accounts. Expenditures for the current year reflect two months of charges versus three months of charges in the prior year.

The remaining category of revenue, Licenses and Permits, is a result of higher than average activity for development review, recreation, and refuse collection fees.

Expenditures

Over the entire General Fund, expenditures remain below 25% for the first quarter. The variation between the two fiscal years is largely a matter of timing of ongoing payments. Variations by departments are highlighted below. Only three departments significantly exceed the expected 25% annualized expenditure pattern: Governance Support, Management Services, and Human Services. The majority of the increase in Governance Support expenditures is a matter of tim-

ing; annual payments for TJ Cog, NC League of Municipalities occurred in the first quarter of this year as opposed to the second quarter of the previous year. In addition, the Town has expended \$6,250 for a storm water management study. The increase in the

	% SPENT OF FY98-99 BUDGET	% SPENT OF FY97-98 BUDGET
Mayor and Board of Aldermen	20.87%	15.10
Advisory Boards and Commissions	9.39%	22.97
Governance Support	29.86%	14.02
Town Manager	18.37%	22.89
Economic and Community Development	26.12%	0.00
Town Clerk	21.97%	19.01
Management Services	42.47%	36.87
Personnel	19.39%	0.00
Police	23.34%	19.19
Fire	23.88%	18.21
Planning	24.29%	18.96
Public Works	23.79%	19.00
Parks and Recreation	19.84%	18.81
Non Departmental	2.89%	2.00
Human Services	99.89%	99.94
TOTAL GENERAL FUND EXPENDITURES	23.84%	20.32

Management Services budget is due to changes in the FY98-99 budget. Insurance costs represent a larger percentage of the budget as a result of reclassifying Personnel costs to a separate budget. In addition, the insurance payment for Public Official Liability was paid earlier in this fiscal year than in the last fiscal year. Nonprofit agencies within the Human Services budget are

normally paid their annual allotment at the first of the year. Thus, this cost center will always be close to 100% expended within the first quarter.

Other variations of interest are those where departmental expenditure rates for FY98-99 differ significantly from prior year expenditure rates. As mentioned earlier, the majority of departments show higher expenditure rates due to timing of ongoing payments. All departments show slightly higher expenditure rates for payroll costs within their budgets. In FY98-99, there were three paydays in September whereas the three paydays in the prior year occurred in the second quarter. Payroll costs are directly attributable to the higher FY98-99 expenditure rates shown on the chart above for the Police, Planning, Fire, and Town Clerk departments. Public Works, in addition to payroll costs, has incurred street maintenance costs for which the budget will not be recorded on the general ledger until the FY97-98 audit is completed (likely within the second quarter). The costs recorded by the Advisory Boards and Committees Department are also lower for FY98-99 because of timing; funds have not been expended for the NC Coalition for Public Transportation as in prior year. The expenditures within the Mayor and Board of Aldermen cost center for the first quarter reflect two monthly payments versus one payment in prior year for legal assistance. Economic and Community Development and Personnel do not show expenditures in previous year because these functions recently became separate departmental cost centers as the result of the reorganization approved for FY98-99.

Debt Service Fund

Revenues

The Debt Service Fund is primarily funded with property taxes (87%). Other sources of revenue include revenues received from OWASA to pay debt service associated with water bonds and intangibles taxes. As mentioned earlier, the majority of property taxes are not received until December. Like the general fund, the annual allocation for intangibles taxes came in slightly higher than budgeted.

Expenditures

No expenditure activity has occurred in the Debt Service Fund because debt payments are made semiannually, once in December, and again in May. The debt payment paid by OWASA for water and sewer bonds is in reality a pass-through payment that has no fiscal impact on the Town. The Town, by law, is required to record OWASA's debt on its books.

Transportation Fund

Revenues

As in the debt service fund, property taxes and intangibles taxes comprise the largest share of revenue within the Transportation Fund (84%). Fund Balance comprises the remainder of revenues and was appropriated to pay for the contractual obligations for Transportation.

Transportation Fund, con't

Expenditures

Carrboro provides transportation services through an annual contract with the Town of Chapel Hill Transit Department. Carrboro provides three types of services: Fixed Route Transit, Shared Ride, and EZ Rider paratransit services.

Summary

The comparison of current year first quarter revenue and expenditure financial activity with prior year data suggests that the Town has budgeted adequately for ongoing operations. In terms of revenue flow, the Town will better be able to assess revenue trends in the upcoming quarter, particularly for property taxes. Sales taxes and utility franchise taxes, the next largest sources of revenue, will be more difficult to easily assess until the third and fourth quarters. Expenditures, on the other hand, mirror historical trends.

I hope this report has been helpful in better understanding the Town's financial operations. Additional information is available to assist you as needed.

RWM/lbr

FY98-99 QUARTERLY FINANCIAL REPORT
FIRST QUARTER
JULY - SEPTEMBER, 1998

FUND	AMENDED FY98-99 BUDGET	YTD ACTIVITY	% YTD ACTIVITY	AMENDED FY97-98 BUDGET	YTD ACTIVITY	% YTD ACTIVITY
------	------------------------------	-----------------	-------------------	------------------------------	--------------	-------------------

GENERAL FUND

% COLLECTED

% COLLECTED

REVENUES

GENERAL PROPERTY TAXES	\$3,922,445	\$347,594.35	8.86%	\$3,491,896	\$478,715.98	13.71%
LICENSES AND PERMITS	\$860,100	\$264,910.25	30.80%	\$803,500	\$231,776.68	28.85%
REVENUES FROM OTHER AGENCIES	\$2,798,573	\$234,920.20	8.39%	\$2,612,062	\$215,809.85	8.26%
OTHER REVENUE	\$304,342	\$64,628.42	21.24%	\$236,806	\$39,232.94	16.57%
FUND BALANCE APPROPRIATED	\$353,629	\$0.00	0.00%	\$310,938	\$0.00	0.00%
INTERFUND/INTRAFUND TRANSFERS	\$44,400	\$3,506.25	7.90%	\$42,817	\$7,504.75	17.53%
TOTAL GENERAL FUND REVENUES	\$8,283,489	\$915,559.47	11.05%	\$7,498,019	\$973,040.20	12.98%

% SPENT

% SPENT

EXPENDITURES

Mayor and Board of Aldermen	\$125,024	\$26,097.78	20.87%	\$128,700	\$19,436.30	15.10%
Advisory Boards and Commissions	\$15,045	\$1,413.14	9.39%	\$13,972	\$3,208.69	22.97%
Governance Support	\$111,800	\$33,383.00	29.86%	\$103,800	\$14,551.00	14.02%
Town Manager	\$155,383	\$28,544.98	18.37%	\$205,276	\$46,977.48	22.89%
Economic and Community Development	\$56,322	\$14,712.69	26.12%	\$0	\$0.00	0.00%
Town Clerk	\$76,188	\$16,737.99	21.97%	\$71,762	\$13,642.66	19.01%
Management Services	\$504,360	\$214,188.79	42.47%	\$589,384	\$217,321.02	36.87%
Personnel	\$121,748	\$23,612.46	19.39%	\$0	\$0.00	0.00%
Police	\$1,729,900	\$403,698.32	23.34%	\$1,632,362	\$313,322.30	19.19%
Fire	\$948,289	\$226,480.72	23.88%	\$913,925	\$166,440.81	18.21%
Planning	\$724,142	\$175,916.16	24.29%	\$647,633	\$122,793.23	18.96%
Public Works	\$2,477,959	\$589,449.42	23.79%	\$2,216,590	\$421,046.26	19.00%
Parks and Recreation	\$695,813	\$138,059.63	19.84%	\$609,089	\$114,588.41	18.81%
Non Departmental	\$457,740	\$13,220.42	2.89%	\$286,140	\$5,722.55	2.00%
Human Services	\$68,776	\$68,700.00	99.89%	\$64,386	\$64,350.00	99.94%
Contingency	\$13,051	\$0.00	0.00%	\$15,000	\$0.00	0.00%
TOTAL GENERAL FUND EXPENDITURES	\$8,281,540	\$1,974,215.50	23.84%	\$7,498,019	\$1,523,400.71	20.32%

**FY98-99 QUARTERLY FINANCIAL REPORT
FIRST QUARTER
JULY - SEPTEMBER, 1998**

FUND	AMENDED FY98-99 BUDGET	YTD ACTIVITY	% YTD ACTIVITY	AMENDED FY97-98 BUDGET	YTD ACTIVITY	% YTD ACTIVITY
------	------------------------------	-----------------	-------------------	------------------------------	--------------	-------------------

DEBT SERVICE FUND

% COLLECTED

% COLLECTED

REVENUES

GENERAL PROPERTY TAXES	\$474,759	\$25,872.67	5.45%	\$279,729	\$36,978.13	13.22%
INTANGIBLES TAX	\$17,141	\$17,821.86	103.97%	\$19,360	\$11,911.53	61.53%
TRANSFER FROM OWASA	\$53,300	\$0.00	0.00%	\$59,900	\$0.00	0.00%
FUND BALANCE APPROPRIATED	\$1,638	\$0.00	0.00%	\$67,000	\$0.00	0.00%
TOTAL DEBT SERVICE REVENUES	\$546,838	\$43,694.53	7.99%	\$425,989	\$48,889.66	11.48%

% SPENT

% SPENT

EXPENDITURES

WATER AND SEWER BONDS	\$53,300	\$0.00	0.00%	\$56,600	-\$1.80	0.00%
FIRE/RECREATION BONDS	\$103,222	\$0.00	0.00%	\$103,934	\$250.00	0.24%
STREET IMPROVEMENT BONDS	\$87,940	\$0.00	0.00%	\$91,990	\$0.00	0.00%
CONTRACTUAL SVCS	\$750	\$0.00	0.00%	\$715	\$1,020.00	142.66%
STREET BONDS	\$46,000	\$0.00	0.00%	\$47,750	\$0.00	0.00%
POLICE FACILITY	\$255,626	\$0.00	0.00%	\$145,212	\$0.00	0.00%
TOTAL DEBT SERVICE EXPENDITURES	\$546,838	\$0.00	0.00%	\$446,201	\$1,268.20	0.28%

TRANSPORTATION FUND

% COLLECTED

% COLLECTED

REVENUES

GENERAL PROPERTY TAXES	\$350,196	\$39,685.66	11.33%	\$394,587	\$3,984.87	1.01%
INTANGIBLES TAX	\$12,603	\$14,899.08	118.22%	\$13,902	\$0.00	0.00%
FUND BALANCE APPROPRIATED	\$71,273	\$0.00	0.00%	\$0	\$0.00	0.00%
TOTAL TRANSPORTATION REVENUES	\$434,072	\$54,584.74	12.58%	\$408,489	\$3,984.87	0.98%

% SPENT

% SPENT

EXPENDITURES

CONTRACTUAL SERVICES	\$433,072	\$0.00	0.00%	\$524,903	\$0.00	0.00%
WAIVER FOR EZ RIDER	\$1,000	\$181.00	18.10%	\$1,000	\$609.00	60.90%
TOTAL TRANSPORTATION EXPENDITURES	\$434,072	\$181.00	0.04%	\$525,903	\$609.00	0.12%

BOARD OF ALDERMEN

ITEM NO. E(5)

AGENDA ITEM ABSTRACT

MEETING DATE: December 1, 1998

SUBJECT: Inter-Local Agreement with Orange County for Digital Geographic Information System Products

DEPARTMENT: PLANNING	PUBLIC HEARING: YES ___ NO ___
ATTACHMENTS: Inter-Local Agreement (11/5/98 draft)	FOR INFORMATION CONTACT: Roy M. Williford, 968-7713
THE FOLLOWING INFORMATION IS PROVIDED:	
<input checked="" type="checkbox"/> Purpose	<input checked="" type="checkbox"/> Action Requested
<input type="checkbox"/> Summary	<input type="checkbox"/> Recommendation
	<input type="checkbox"/> Analysis

PURPOSE:

The purpose of this item is to present for approval by the Board of Aldermen, a draft inter-local agreement with Orange County for digital geographic information system products and services. As explained in the agreement the products consist of 84 digital maps or tiles that provide the following types of information:

1. Digital Orthophoto Base Maps produced at a scale of 1" to 100';
2. Topography with 2 foot contour intervals;
3. Planametrics showing features such as: a) edge of pavement, b) edge of unpaved travel ways, c) railroads, bridges, d) runways, e) retaining walls, f) vehicular trails, g) paved & unpaved drives, h) sidewalks, h) paths, i) paved and unpaved parking lots, j) buildings, ruins, k) dams, l) cemetery, m) tanks, n) silos, o) ornamental walls, p) slab, q) pools, q) antenna, r) athletic fields, s) quarry, t) pipelines, u) rip rap, v) rivers, lakes, ponds, swamps, creeks, w) tree masses greater than 1 acre, x) headwalls, culverts, catch basins, y) power poles, transmission towers, substations;
4. Land Records.

The total estimated cost to Carrboro for this information is \$61, 803. Carrboro budgeted funds this year under the installment purchase program for the cost of these products. The County anticipates that the products will be delivered in April of 1999.

ACTION REQUESTED:

The administration request that the Board of Aldermen approve the Inter-Local Agreement and authorize the Mayor to execute the agreement.

Draft (revised 11/5/98)
INTER-LOCAL AGREEMENT

THIS AGREEMENT, made this ---day of December, 1998, by and between Orange County, hereinafter referred to as "the County," and the Town of Carrboro, North Carolina, hereinafter referred to as "the Town,"

WHEREAS, the Town participated with the County when the County issued requests for proposals (hereinafter "the RFP"), on November 6, 1997 (amended on November 18, 1997) to obtain digital Geographic Information System (GIS) services and products; and

WHEREAS, on January 20, 1998, the County awarded a contract to Atlantic Technologies Ltd. Of Huntsville, Alabama (hereafter "the Company"), to provide services and products for GIS development as described in the RFP and the Company response (hereinafter "the GIS Contract"); and

WHEREAS, the GIS Contract allows the Town to Purchase the services and products from the County that the Company completes; and

WHEREAS, the County and the Town have decided that an agreement is necessary for the purchase and delivery of the services and products to the Town and that a *fair-share* is the basis for the Town's cost for any item not priced on a per sheet basis (aerial photos; control, analytical, etc.) and

WHEREAS, the Town's *fair-share* is \$9,030 since the number of tiles needed to depict the geographic boundaries of the Town's planning area (including the Carrboro Joint Planning Transition Area) represents 10 percent of County's contract cost for Aerial Photos, Control, and Analytical products, and

WHEREAS, it has been determined that the services and products desired by the parties to this agreement can be shared in an equitable manner as provided in this agreement.

IT IS THEREFORE agreed and understood that:

CONDITIONS

1. All products created by the Company for the County are the property of the County.
2. The Town may purchase from the County, for the areas designated below any service or product obtained from the company pursuant to the GIS contract;
3. The Town may purchase from the County the following 64 tiles at \$718 per tile for a total cost of \$45,952:

9860-06	9860-20	9769-16	9779-14	9778-05	9778-19
9860-07	9870-05	9769-17	9779-15	9778-06	9777-05
9860-08	9870-09	9769-18	9779-17	9778-07	9777-06
9860-10	9870-13	9769-19	9779-18	9778-09	9777-09
9860-11	9870-17	9769-20	9779-19	9778-10	9777-10
9860-12	9870-18	9779-05	9768-07	9778-11	9777-13
9860-14	9769-06	9779-06	9768-08	9778-13	9777-14
9860-15	9769-07	9779-09	9768-11	9778-14	9777-18
9860-16	9769-08	9779-10	9768-12	9778-15	9776-06

9860-18	9769-12	9779-11	9768-16	9778-17	
9860-19	9769-15	9779-13	9768-20	9778-18	

NOTE: TILES IN **BOLD** ARE WITHIN CARRBORO'S CITY LIMITS

4. The Town of Carrboro may purchase the following 19 tiles produced for the Town of Chapel Hill by Atlantic Technologies Ltd. through a contract with Orange County at \$359 per tile for a total cost of \$6,821:

9870-10	9779-7	9779-20	9778-16	9788-13	9777-15
9870-14	9779-12	9778-8	9778-20	9777-7	9777-19
9870-15	9779-16	9778-12	9788-9	9777-11	9776-7
9870-19					

5. The Total Costs to Carrboro for all 83 tiles as itemized below equals \$61,803
- ◆ Town's *fair-share* at \$9,030
 - ◆ 64 tiles at \$45,952
 - ◆ 19 tiles at \$6,821
6. A "tile" for the purpose of this agreement includes at least the following digital information that can be processed using a Pentium desk top computer with ESRI *ARC/INFO* GIS Software:
- ◆ Digital Orthophoto Base Maps produced at a scale of 1 inch to 100 feet and based on NAD 83 that shows NAD 83 and NAD 87 grid ticks at four corners of each map sheet;
 - ◆ Digital Topography with contour intervals representing elevation changes every 2 feet and produced at the same scale as the Digital Orthophotos;
 - ◆ Digital Planometrics produced at the same scale as the Digital Orthophotos with details and/or features included as selected by the GIS or Land Records staffs of Orange County, Chapel Hill, and Carrboro.
 - ◆ Corresponding databases provided by Orange County Land Records including tax map and parcel information.
7. The County will provide quality control review of products delivered by the Company too the County, including an expert consultant when necessary;
8. When provided by the Company, the County will deliver requested products to the Town in the format and on the media within the capability of the County's ARC/INFO software and hardware which at this time is CDROM, 4mm and 8mm Tape Cartridge;
9. The Town may refer all clients, citizens, and customers to the County's Land Records/GIS Office for the purchase of digital map coverages, images and files. The Town will not sell or give the digital products purchased from the County without requiring the purchaser/receiver to sign an agreement in substantially the form of the enclosed. The County will provide the Town with current copies and subsequent updates of all policies and price listings associated with the provision of the County' digital and GIS products as previously described.

SPECIAL CONDITIONS

1. The Town may purchase from the Company, for its own purposes, digital services and products through the County, in the area designated on the revised contract map, before the County has purchased the said services and products from the Company.
2. If the Town wishes to purchase said services and products before the County, it will execute a purchase order (PO) to the County which will issue a PO to the Company and supervise the delivery of requested services and products to the Town. Upon receipt of invoices from the Company for services and/or products for the Town, the County will invoice the Town per the Company invoice and the Town will reimburse the County, as soon as possible, whereby the County will issue payment to the Company.
3. If the Town purchases said services and products before the County, the County's consultant may evaluate the quality of the services and products that are performed or delivered by the Company.
4. If the Town purchases said services and products before the County, it will be responsible for the full cost of the services and products including, but not limited to, Analytical, Orthophotos, Topography, and Planimetrics.
5. If the Town purchase said services and products before the County, it will have the right to sell or give the products purchased by the Town directly to other persons, agencies, firms, or clients without the permission of the County or the sharing of fees.

The Town will not sell or give the digital products so purchased without requiring the purchaser/receiver to sign an agreement that the purchaser/receiver releases the County, Town, and Company from liability for the accuracy and completeness of the digital product.

6. If the Town purchases said services and products before the County, the County will have the right to purchase the products from the Town, including Analytical, Orthophotos, Topography, and Planimetrics for 25% of the cost of products, on a per-tile basis. The County will not sell or give the digital products purchased from the Town without requiring the purchaser/receiver to sign an agreement *in substantially the form of the enclosed*.
 7. If the Town purchases said services and products before the County, and the products are delivered by the Company, the Town will deliver products purchased by the County in the format and on the media within the capability of the Town's ARC/INFO software and GIS hardware, which at this time includes (?).
-

8. If the Town orders products or services after November 1, 2000, it will be subject to the cost adjustment that is a part of the County's GIS Contract.

IN WITNESS WHEREOF, the parties hereto have executed this Inter-Local Agreement the day and year first above written.

COUNTY:
ORANGE COUNTY, NORTH CAROLINA

TOWN:
TOWN OF CARRBORO

BY: _____
Margaret W. Brown, Chair
Orange County Board of commissioners

BY: _____
(AUTHORIZED SIGNER)

ATTEST:

ATTEST:

Beverly Blythe, Clerk to the Board

(NAME), Town Clerk

County Finance Director

(NAME), Town Finance Director

**AGENDA
CARRBORO BOARD OF ALDERMEN
TUESDAY, DECEMBER 1, 1998
7:30 P.M., TOWN HALL BOARD ROOM**

- A. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR**
- B. CONSENT AGENDA**
 - 1. Approval of Minutes of Previous Meeting**
 - 2. Request to Cancel December 22nd Board Meeting**
 - 3. Resolution Designating the Installment Purchase Contracts for the Purchase of Vehicles and Equipment as Tax-Exempt Obligations of the Town Of Carrboro**
 - 4. Budget Amendment**
- C. RESOLUTIONS, PROCLAMATIONS AND CHARGES**
- D. PUBLIC HEARINGS**
 - 1. Voluntary Annexation Request/Rock Haven Centre/600 Smith Level Road**
 - 2. Land Use Ordinance Text Amendment/Junked Cars**
- E. OTHER MATTERS**
 - 1. Year 2000 Compliance Report**
 - 2. Status Report/Hillsborough Road Widening Project**
 - 3. Presentation of 1997-98 Audit**
 - 4. Presentation of FY1998-99 First Quarter Financial Report**
 - 5. Inter-Local Agreement with Orange County for Digital Geographic Information System Products**
- F. MATTERS BY TOWN CLERK**
- G. MATTERS BY TOWN MANAGER**
- H. MATTERS BY TOWN ATTORNEY**
- I. MATTERS BY BOARD MEMBERS**

MEMORANDUM

TO: Agenda Planning Committee

FROM: Robert W. Morgan, Town Manager

SUBJECT: Meeting of Committee

DATE: November 30, 1998

I would like to request that the Agenda Planning Committee meet tomorrow evening at 7:00 p.m. prior to the Board meeting. I have attached a draft of the Quarterly Calendar for your review prior to the meeting.

Thank you.

Attachment

CARRBORO BOARD OF ALDERMEN'S QUARTERLY CALENDAR DECEMBER, 1998 – FEBRUARY, 1999

ITEMS TO BE SCHEDULED

	Housing Diversity Ordinance	Town Attorney
--	-----------------------------	---------------

DECEMBER 1ST [Agenda items due November 18]

	Consent Agenda	
5 min	Request to Cancel December 22 nd Board Meeting and Schedule Meeting for December 15th	Clerk
	Resolution Designating Installment Purchase Contracts as Tax-exempt Obligations of the Town	Management Services
	Budget Amendment	Management Services
15 min P/5	Public Hearing/LUO Amendment/Junked Cars	Planning
5 min NP	Public Hearing/Voluntary Annexation Request/Rock Haven Centre	Planning
10 min P/5	Report from Year 2000 Compliance Expert	
20 min P/10	Presentation of 1997-98 Audit	Management Services
15 min P/5	Presentation of FY'1998-99 First Quarter Financial Report	Management Services
10 min P/5	Inter-Local Agreement with Orange County for Digital Geographic Information System Products	Planning

DECEMBER 8TH [Agenda items due November 23rd (due to Thanksgiving holiday)]

20 min P/10	Public Hearing/LUO Amendment/Increase in Sidewalk Widths	Planning
10 min P/5	Open Space Tour	Planning
10 min P/5	Use of Town Commons	Manager

15 min P/5	Discussion of Community Center Fees	Recreation
10 min P/5	Report on Payment-in-Lieu Funds	Planning
15 min P/5	Incubator Study	Com. & Econ. Development
5 min NP	Selection of Name for Town Center	Manager

DECEMBER 15TH [Agenda items due December 21]

5 min NP	Request to Set a Public Hearing for a Cup Modification/Bell South Tower (Old Fayetteville Rd.)	Planning
60 min P/15	Public Hearing/SAP Ordinance Amendments	Planning
5 min NP	Report on B-2 Zoning District Review Committee	Planning

DECEMBER 22ND

[Cancel]

JANURARY 5TH [Agenda items due December 23]

5 min Np	Bid Award/Refuse Truck	Management Services
30 min P/5	Public Hearing-Cup Modification Bell South Tower (Old Fayetteville Rd.)	Planning
15 min P/5	Public Hearing/1999-2000 Community Needs Assessment	Management Serv.
10 min P/5	Status Report/Shaping O.C.'s Future	Planning
10 min P/5	Buy Town Parking Lots	Com & Econ Dev

15 min P/5	Effective Advisory Boards	Manager
15 min P/5	OWASA Assessment Policy	Manager

THURSDAY, JANUARY 7TH – BOARD/STAFF BUDGET WORKSESSION

MONDAY, JANUARY 11TH – SPECIAL WORKSESSION/INTERVIEWS OF BOARD OF ALDERMEN CANDIDATES

JANUARY 12TH [Agenda items due December 30]

	Board Identifies Policy Goals for 1999-2000 Budget	Management Serv.
15 min P5	Discussion of Establishing an Historical Commission	Planning/ Attorney
15 min P/5	Policy on Use of Toxic Materials	Public Works
20 min P/5	Board Discussion: Staffing Environmental Advisory Board	Planning

JANUARY 24TH AND 25TH – PLANNING RETREAT – AQUEDUCT CONFERENCE CENTER

JANUARY 26TH [Agenda items due January 13]

[Cancel]

FEBRUARY 2nd (Agenda items due January 20th)

FEBRUARY 9th (Agenda items due January 27th)

20 min P/5	B-2 Zoning District Report	Planning
10 min P/5	Technology Report	Management Services

FEBRUARY 23rd (Agenda items due February 10th)

15 min P/5	Tree Replanting Strategy/ Review of Tree Protection	Planning
20 min P/5	Joint Neighborhood Preservation District Commission and Board of Aldermen Meeting for Old Pittsboro Road & Lloyd/Broad Street Neighborhood Preservation Districts	Planning

November 25, 1998

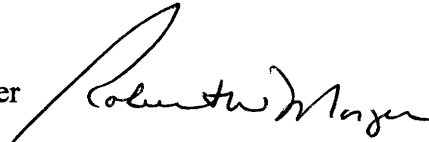
ATTACHED YOU WILL FIND:

- 1) PAYCHECKS
- 2) Agenda for December 1st Board Meeting
- 3) Implementation memos for 11/10 and 11/17 Board Meetings
- 4) Minutes of 11/17 Board Meeting
- 5) Memo from Town Manager ref. Installment Purchase Contract with Centura Bank
- 6) Notice from NCDOT ref. Public Meetings for the Draft 2000-2006 TIP
- 7) Notice from Orange County Planning ref. Change in Road Name
- 8) Letter from Margaret Brown ref. appointment of Susan Poulton to the Planning Board
- 9) Letter from Becky Riggsbee ref. cats
- 10) Letter from Erwin Danziger ref. towers in the watershed
- 11) Miscellaneous Mail

MEMORANDUM

MEMO TO: Mayor and Board of Aldermen

FROM: Robert W. Morgan, Town Manager

A handwritten signature in black ink, appearing to read "Robert W. Morgan", is written over the "FROM:" line.

SUBJECT: Installment Purchase Contract with Centura Bank

DATE: November 25, 1998

Item 3 under the consent agenda, recommends awarding this years installment purchase contract to Centura Bank. I wanted the Board to be aware that my wife is the Lease Credit Manager for Centura Leasing. The person who responded to the Town request for bids is her supervisor two levels up. My wife was unaware that Centura had submitted a proposal to the Town of Carrboro, so she has had no involvement with it. She will not directly benefit financially by this contract being awarded to Centura Bank. I reviewed this issue with Mike Brough and he does not see any problems with it.

If you have any other questions about this matter please call me.



cc: Board members
Bob Morgan
Kenneth Withrow

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JAMES B. HUNT JR.
GOVERNOR

P.O. BOX 25201, RALEIGH, N.C. 27611-5201

E. NORRIS TOLSON
SECRETARY

November 23, 1998

MEMORANDUM TO: Citizens of North Carolina
FROM: E. Norris Tolson *E. Norris Tolson*
SUBJECT: Public Meetings for the Draft 2000-2006 TIP

When I became Secretary of the N.C. Department of Transportation, one of my goals was to create avenues for citizens to be more involved in our processes. With our Transportation Improvement Program now on a two-year cycle, citizens have months instead of days to comment on transportation projects in their area.

We are now ready to take this plan to North Carolina's citizens, MPOs, local governments and organizations during the next several months and hear their comments before final approval by the Board of Transportation in July 1999.

This year's draft TIP includes the largest safety initiative ever, sets aside funds to preserve the environment and is balanced to accurately reflect inflation and cost overruns. This plan gives taxpayers the best return on their money. But mostly, it lets citizens know what we are doing, and that they are part of the process.

We have put the highest value of credibility into this plan. Previous documents did not allow for inflation, cost overruns and projected cost estimates that were too low. Identified future need projects were included without funding, but gave the perception that these projects would be completed on schedule. We have created a balanced plan.

A series of 29 meetings (see attached schedule) will be held across the state to seek public input. Citizens can speak formally or one-on-one with department staff about the TIP or highway construction projects; secondary roads and maintenance; multi-modal divisions including public transportation, rail, bicycles, aviation and ferries; Division of Motor Vehicles; enhancement projects and traffic operations. To better accommodate citizens' needs, meetings will be held between 4 p.m. and 8 p.m.

Your participation in the TIP process is essential if the department is to produce an accurate and reliable document that represents your priorities.

If you are unable to attend a meeting, you can comment on the TIP by calling the department's Customer Service Office toll free at 1-877-DOT-4YOU (1-877-368-4968) or visit our website at www.dot.state.nc.us



ORANGE COUNTY PLANNING DEPARTMENT

POB 8181 - 306-F REVERE ROAD • HILLSBOROUGH, NC • 27278

PHONE: (919) 732-8181, EXT. 2595 • FAX: 644-3002



November 24, 1998

To Whom It May Concern:

The Orange County Board of Commissioners at the November 23, 1998 Quarterly Public Hearing took official action and changed the name of SR 1009 from *Old Chapel Hill - Hillsborough Road* to OLD NC 86 [from just north of Oakdale Drive (SR 1133) in Hillsborough to New Hope Church Road (SR 1723)]. This letter is intended to serve as the official notification from the Orange County Government to your office to change this road name, in its entirety, on all your official documents, maps, and signs to OLD NC 86.

If you have any questions about this notification or the official action taken by the Board of County Commissioners, please call me at extension 2595.

Sincerely,

A handwritten signature in cursive script, reading "Slade S. McCalip".

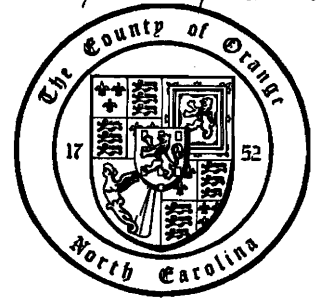
Slade S. McCalip, AICP
Transportation Planner

RECEIVED NOV 25 1998

cc: Board members
Bob Morgan
Roy Williford
Chris Peterson
Rodney Murray
Carolyn Hutchins

cc: Board Members.
Trish McGuire
James Spivey
Andy Cohen

Orange County Commissioners
P. O. Box 8181
200 S Cameron Street
Hillsborough, NC 27278



Margaret W. Brown, Chair
Stephen H. Halkiotis, Vice Chair
Moses Carey, Jr.
William L. Crowther
Alice M. Gordon

November 23, 1998

Ms. Susan H. M. Poulton
8720 Union Grove Church Rd.
Chapel Hill NC 27516

Dear Ms. Poulton:

In official action at their 11/17/98 meeting, the Orange County Board of Commissioners appointed you to the Carrboro Planning Board as a Transition Area representative. You will be serving a partial term which will expire on 2/1/01. By copy of this letter I am notifying Sarah Williamson, Clerk with the Town of Carrboro of your appointment. Carrboro Planning Board meets on the 1st and 3rd Thursday of each month at 7:00. That meeting is held at the Carrboro Town Hall. You will be contacted by Sarah Williamson, Clerk shortly.

An orientation program for newly appointed volunteers will be held on Monday, February 8, 1999. This program will be held at the Southern Human Services Center on Homestead Road in Chapel Hill from 5:15 PM until 8:00 PM. The purpose of the program is to provide volunteers with an overview of county government and the services it provides. Attendance at the orientation is important for effective service on behalf of the county and is a requirement for service on this Board.

Congratulations on your appointment. The Board of County Commissioners appreciates your willingness to serve your community. Your efforts make a difference in Orange County.

Sincerely,

Margaret W. Brown, Chair

cc. Sarah Williamson, Clerk ✓

RECEIVED NOV 24 1998

cc: Chief Hutchinson

November 23, 1998

Board of Alderman
Town of Carrboro
301 W. Main Street
Carrboro, N.C. 27510

Dear Board Members;

I am a lifelong resident of Carrboro. I have lived at my present residence since September of 1978. In the early '80s my next door neighbor, Carrie Monette, moved in. I believe she owned one or two cats at that time.

Ms. Monette is a cat lover. Over the last fifteen years she has acquired a multitude of cats. I asked her two years ago how many she owned and she said "eight". I asked her recently and she responded with, "I'm too embarrassed to tell you". I have counted twelve cats eating from individual bowls in her front yard. I believe she actually owns more than that, as she has told me that her older cats stay inside.

As you might imagine, I am having a problem with cat feces in my yard. My guests have stepped in it, my dog has stepped in it, and I have stepped in it many times. Also, I have inadvertently gotten it on my hands while gardening. Over the past year, I have told Ms. Monette about this problem and have asked her to keep her cats out of my yard. She said that she would try, but the cats are free to roam day and night. Up until this point in time, Ms. Monette and I have been on friendly terms.

The cat feces have become more and more of a problem as Ms. Monette has acquired more cats. I called the Carrboro Animal Control Officer on Monday, November 16th, and Ms. Stipe informed me that there is no ordinance for cats to remain on their owner's property, nor is there an ordinance limiting the number of cats a person can own.

I own one dog that stays in my house/yard/pen unless he is walking with me, during which time he is on a leash. Something seems quite wrong in that, legally, my one dog cannot go into my neighbor's yard, yet her 12+ cats are free to defecate in my yard on a daily basis.

I am earnestly requesting that the board include cats in the ordinance requiring animal owners keep their animals confined to their property, unless they are leashed (Article V, Section 10-11a). I would also ask that you consider an ordinance limiting the number of pets a person can keep on their property within the city limits of Carrboro. Both these ordinances will make for better neighbors and better neighborhoods.

Please consider my request with thought and deliberation. I know many people in Carrboro have this same problem. Restrictions for cats should be the same as for dogs. I see a gross inequity in your current position regarding these two domestic animals.

Thank you for your time regarding this matter.

A handwritten signature in cursive script, appearing to read "Becky Riggsbee".


Becky Riggsbee
304 Lindsay Street
Carrboro, N.C. 27510

cc: Robert Morgan, Carrboro Town Manager
Amanda Stipe, Animal Control Officer

RECEIVED NOV 24 1998

213 Hillsborough Street
Chapel Hill, N.C. 27514
November 23, 1998

Memo To: Carrboro Board of Aldermen
Chapel Hill Town Council
Orange County Commissioners

From: Erwin Danziger 

Subject: Commercial uses in the University Lake Critical Watershed
(UNIV-PW) and (UNIV-CA)

Reference: My memorandum to you dated October 17, 1998

The Orange County Planning Department has found that telecommunications towers are NOT "commercial uses", as regards to section 6.23.1 of the Orange County Zoning Ordinance. (See attached analysis).

The County Planning Staff apparently agrees, under one of Webster's definitions of "commercial" ---"viewed with regard to profit" or "designed for a larger market"---that telecommunication towers could be considered "commercial".

The staff also cites "home occupations" as being permitted within the protected watershed overlay district, but gives no reference in the Zoning Ordinance to authorize this. In fact, page 22-11 defines "Home Occupation" as "an accessory business use, which is owned or operated by the resident of residentially-zoned property, which business is clearly incidental and subordinate to the principal residential use of the property." Is the word "business", as used here, the same as "commercial"?

Staff goes on to argue that "commercial" is initially defined in Webster's as the "buying and selling of commodities involving transportation from place to place." Therefore, it is reasoned that "commercial uses" must include "the exchange or buying and selling of services which require that customers travel to the place where the service is provided." It logically follows then, since telecommunication towers do not require customers to travel to the tower, that such towers are not commercial uses.

Although this limited definition of "commercial" may be perfectly acceptable, it does establish a precedent, for example, that mail order sales or internet sales, of almost anything, are not commercial, since customers are not required to go to the sales or purchase location.

My point, however, was not the question of what is, or is not, "commercial", but rather that such decisions regarding "uses" in the University Lake watershed, which is in the Joint Planning Area, should be reviewed by all three governmental units before becoming effective.

I understand that the County is also concerned about the Eno and Cane Creek watersheds, but those are not in the Chapel Hill and Carrboro Joint Planning Area. On the other hand, Chapel Hill and Carrboro may be very interested in what definitions are used for "uses" in the University Lake Critical Area Overlay District (UNIV-CA) and the University Lake Protected Watershed Overlay District (UNIV-PW).

Thank you!

RECEIVED NOV 24 1998

RECEIVED NOV 24 1998

ORANGE COUNTY

PLANNING STAFF ANALYSIS:

COMMERCIAL USES WITHIN CANE-CA, U-ENO-CA, UNIV-CA AND UNIV-PW

At the October 12, 1998, Board of Adjustment meeting, a citizen testifying in opposition to a Class B Special Use Permit application presented evidence that telecommunication towers should be considered "commercial uses" with regard to Section 6.23.1 of the *Orange County Zoning Ordinance*. Section 6.23.1 ("All uses and activities allowed in the underlying zoning district are permitted with the following exceptions: . . . No commercial or industrial uses are permitted.") prohibits any commercial uses within the critical area and balance of the watershed around University Lake and within the critical areas of the protected watersheds for Cane Creek and the Upper Eno River.

Planning staff does not find telecommunication towers to be commercial uses within the meaning of Section 6.23.1 of the *Orange County Zoning Ordinance*. The zoning ordinance does not define "commercial use". Planning staff reviewed *Webster's Ninth New Collegiate Dictionary* and other ordinance provisions to determine how to interpret "commercial use" within the affected protected watersheds.

Webster's Ninth New Collegiate Dictionary offers several definitions for "commercial". The first of those definitions is "1. a (1): occupied with or engaged in commerce or work intended for commerce . . . (2): of or relating to commerce . . . (3): characteristic of commerce . . . (4): suitable or prepared for commerce . . . b (1): being of average or inferior quality . . . (2): producing artistic works of low standard for quick market success" with "commerce" defined as "1: social intercourse: interchange of ideas, opinions, or sentiments 2: the exchange or buying and selling of commodities on a large scale involving transportation from place to place 3: sexual intercourse". The second definition of "commercial" has a different, although related, meaning: "2 a: viewed with regard to profit . . . b: designed for a large market".

The second definition for "commercial" - "viewed with regard to profit" or "designed for a large market" can be applied to telecommunication towers. However, uses permitted as a matter of right in all zoning districts (including protected watershed overlay districts) per Section 4.1 of the zoning ordinance include uses which are considered "commercial" using that definition. For example, "above ground and buried utility lines for local distribution of electricity, telephone, and cable television service, accessory and appurtenant apparatus such as poles, guy wires, transformers and switching boxes" and "electrical substations, switching and metering stations and associated transmission lines, where incoming voltage does not exceed 100 kilovolts" are permitted in all zoning districts as a matter of right. Also, home occupations are permitted within the subject protected watersheds and home occupations also must be included within the definition "viewed with regard to profit".

Planning staff interprets the meaning of "commercial" as used in Section 6.23.1 as more akin to the first definition provided by *Webster's* than the second definition. More specifically, staff interprets "commercial uses" to be those uses which are occupied

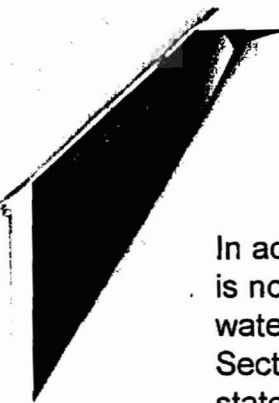
with or engaged in or relating to or characteristic of the exchange or buying and selling of commodities involving transportation from place to place. In addition, staff interprets "commercial uses" to include those uses involved in the exchange or buying and selling of services which require that customers travel to the place where the service is provided.

Section 4.3 of the zoning ordinance, the Permitted Use Table, is consistent with this interpretation in that uses permitted by right within commercially zoned districts that are excluded from other zoning districts include: rehabilitative care facilities; hotels and motels; parking as a principal use - surface or structure; vocational schools (also permitted in some industrially zoned districts); dance, art & music schools; garden centers with on premises sales; animal hospitals, veterinarians (also permitted in some industrially zoned districts); assembly facilities; banks & financial institutions; beauty & barber shops; drive in theatres; farm equipment & sales (also permitted in some industrially zoned districts); funeral homes; greenhouses with on premises sales (also permitted in agricultural residential and service districts); health services; hospitals; class I kennels; massage businesses; laundry & dry cleaning services; libraries; motor vehicle maintenance & repair and body shops; motor vehicle services stations; nightclubs, bars & pubs; offices & personal services (also permitted in industrially zoned districts); postal & parcel delivery services; printing & lithography (also permitted in industrially zoned districts); recreational facilities (for profit); electronic & appliance repair serviced; restaurants; retail trade; storage of warehousing inside building; art studio (also permitted in industrially zoned districts); wholesale sales (also permitted in industrially zoned districts); and special events involving (less than 150). All the above listed uses are consistent with the planning staff interpretation of "commercial use".

The Permitted Use Table lists the following uses as allowed as special uses (require a Class A or Class B Special Use Permit) in residentially zoned districts and commercially zoned districts: group care facilities; portable buildings; public utility stations & sub-stations, switching stations, telephone exchanges, water & sewage treatment plants; elevated water storage tanks; telecommunications towers; transmission lines; recreational facilities (non-profit); and golf courses. With the exception of golf courses, none of the above uses are prohibited within protected watersheds. Golf courses are specifically prohibited because of determination that chemicals used to maintain greens and impervious surface needed for parking and rental facilities are a threat to the water supply.

In the Permitted Use Table (Section 4.3), "telecommunication towers" are placed in the grouping of "public services". The Permitted Use Table lists uses according to the similarity of the uses. For example, uses related to dwellings (residential) or temporary dwellings (lodging) have an "H" prefix; uses related to manufacturing have an "M" prefix; uses that are related to public services have a "P" prefix. "Telecommunication towers" are placed in the group having a "P" prefix.

"Extraction of Earth Products" also has a "P" prefix and is clearly not a public service.



In addition, the construction of a telecommunication tower within a protected watershed is not inconsistent with the land use management practices adopted to protect drinking water supply watersheds in Orange County. *Orange County Zoning Ordinance*, Section 4.2.27 establishes the watershed protection overlay districts. That section states "the intent of the Protected Watershed Overlay Districts is to apply a set of regulations involving land use and, in some cases, structural best management practices which protect the watersheds by reducing the pollution from future development which enters drinking water supplies. Land use management practices involve minimum lot size and impervious surface restrictions, since impervious surfaces such as roads, roof tops and driveways are a major source of pollution." The special use permit limitations, landscaping requirements, fall zone protections and minimum lot size requirements required for placement of the towers result in such uses being less detrimental to water quality than other uses, for example, residential uses allowed within protected watersheds.

December 01, 1998

ATTACHED YOU WILL FIND:

- 1) Letter from the Auditors



DIXON ODOM PLLC

Certified Public Accountants

September 21, 1998

To the Honorable Mayor,
Board of Aldermen and the
Town Manager
Town of Carrboro, North Carolina

We have audited the financial statements of the Town of Carrboro, North Carolina, for the year ended June 30, 1998, and have issued our report thereon dated September 21, 1998. As a part of our audit, we made a study and evaluation of the Town's system of internal accounting control to the extent we considered necessary to evaluate the system as required by generally accepted auditing standards. Under these standards, the purposes of such evaluation are to establish a basis for reliance on the system of internal accounting control in determining the nature, timing, and extent of other auditing procedures that are necessary for expressing an opinion on the financial statements and to assist the auditors in planning and performing the audit of the financial statements.

Our audit of the financial statements, which was made in accordance with generally accepted auditing standards, including the study and evaluation of the Town's system of internal accounting control for the year ended June 30, 1998, would not necessarily disclose all weaknesses in the system because it was based on selective tests of accounting records and related data. However, during our audit we became aware of matters that are opportunities for strengthening internal control and operating efficiency which are summarized in the attached memorandum. This letter does not affect our report dated September 21, 1998 on the general purpose financial statements of the Town of Carrboro, North Carolina.

Should you have any questions concerning the matters presented herein, we shall be pleased to discuss them with you at your convenience.

Dixon Odom PLLC

Certified Public Accountants

A member of

**Moores
Rowland**
INTERNATIONAL

An association of independent
accounting firms throughout the world.

1829 Eastchester Drive

P.O. Box 2646

High Point, NC 27261-2646

336-889-5156, Fax 336-889-2812

TOWN OF CARRBORO

MANAGEMENT LETTER MEMORANDUM

September 21, 1998

Year 2000 Issue

There has been considerable attention recently concerning the Year 2000 Issue. The Year 2000 Issue results from a computer's inability to process year-data accurately beyond the year 1999. Except in recently introduced year 2000 compliant programs, computer programmers have abbreviated dates by eliminating the first two digits of the year, with the assumption that these two digits would always be 19. Unless corrected, this shortcut is expected to create widespread problems when the clock strikes 12:00:01 a.m. on January 1, 2000. On that date, some computers may recognize the date as January 1, 1900 and process data inaccurately or stop processing altogether. We recommend that you take the necessary actions to immediately begin to identify, modify and test all systems that may be negatively affected by the Year 2000 Issue.

Management has represented to us that the Town of Carrboro, in adopting the fiscal year 1998-99 budget, set aside resources to replace current computer technology critical to the Town's operations that are known to have potential year 2000 compliance issues. The fiscal year 1998-99 budget contains funding to purchase a new financial system, upgrade the police records systems, and upgrade the network server software, all of which shall be year 2000 compliant. The computer technology will be implemented within the 1998-99 fiscal year with the exception of the financial system that will be implemented no later than August 1999 to accommodate the fiscal year end closing. The Town also has funds available to hire a computer consultant to audit all computer software and hardware for year 2000 compliance. A total of \$87,800 has been budgeted to cover anticipated costs associated with the aforementioned technologies upgrades.

In addition to its mission-critical systems we recommend extra verification procedures be performed to test the accuracy of information received from vendors, service providers, customers, and other third party organizations with whom you exchange date dependent information, particularly where such problems could affect the Town's operations or cash flows. In addition, environmental systems should also be reviewed for the possibility of mechanics which may be susceptible to the Year 2000 issue.

Even though corrective actions may be taken, because of the unprecedented nature of the Year 2000 Issue, its effects and the success of related remediation efforts will not be fully determinable until the year 2000 and thereafter. Any of these items, if not reviewed and corrected as necessary, could have catastrophic consequences for the Town.



DIXON ODOM PLLC

Certified Public Accountants

September 21, 1998

To the Honorable Mayor,
Board of Aldermen and the
Town Manager
Town of Carrboro, North Carolina

We have audited the financial statements of the Town of Carrboro, North Carolina, for the year ended June 30, 1998, and have issued our report thereon dated September 21, 1998. As a part of our audit, we made a study and evaluation of the Town's system of internal accounting control to the extent we considered necessary to evaluate the system as required by generally accepted auditing standards. Under these standards, the purposes of such evaluation are to establish a basis for reliance on the system of internal accounting control in determining the nature, timing, and extent of other auditing procedures that are necessary for expressing an opinion on the financial statements and to assist the auditors in planning and performing the audit of the financial statements.

Our audit of the financial statements, which was made in accordance with generally accepted auditing standards, including the study and evaluation of the Town's system of internal accounting control for the year ended June 30, 1998, would not necessarily disclose all weaknesses in the system because it was based on selective tests of accounting records and related data. However, during our audit we became aware of matters that are opportunities for strengthening internal control and operating efficiency which are summarized in the attached memorandum. This letter does not affect our report dated September 21, 1998 on the general purpose financial statements of the Town of Carrboro, North Carolina.

Should you have any questions concerning the matters presented herein, we shall be pleased to discuss them with you at your convenience.

Dixon Odom PLLC

Certified Public Accountants

A member of

**Moores
Rowland**

INTERNATIONAL

An association of independent
accounting firms throughout the world.

1829 Eastchester Drive

P.O. Box 2646

High Point, NC 27261-2646

336-889-5156, Fax 336-889-2812

TOWN OF CARRBORO

MANAGEMENT LETTER MEMORANDUM

September 21, 1998

Year 2000 Issue

There has been considerable attention recently concerning the Year 2000 Issue. The Year 2000 Issue results from a computer's inability to process year-data accurately beyond the year 1999. Except in recently introduced year 2000 compliant programs, computer programmers have abbreviated dates by eliminating the first two digits of the year, with the assumption that these two digits would always be 19. Unless corrected, this shortcut is expected to create widespread problems when the clock strikes 12:00:01 a.m. on January 1, 2000. On that date, some computers may recognize the date as January 1, 1900 and process data inaccurately or stop processing altogether. We recommend that you take the necessary actions to immediately begin to identify, modify and test all systems that may be negatively affected by the Year 2000 Issue.

Management has represented to us that the Town of Carrboro, in adopting the fiscal year 1998-99 budget, set aside resources to replace current computer technology critical to the Town's operations that are known to have potential year 2000 compliance issues. The fiscal year 1998-99 budget contains funding to purchase a new financial system, upgrade the police records systems, and upgrade the network server software, all of which shall be year 2000 compliant. The computer technology will be implemented within the 1998-99 fiscal year with the exception of the financial system that will be implemented no later than August 1999 to accommodate the fiscal year end closing. The Town also has funds available to hire a computer consultant to audit all computer software and hardware for year 2000 compliance. A total of \$87,800 has been budgeted to cover anticipated costs associated with the aforementioned technologies upgrades.

In addition to its mission-critical systems we recommend extra verification procedures be performed to test the accuracy of information received from vendors, service providers, customers, and other third party organizations with whom you exchange date dependent information, particularly where such problems could affect the Town's operations or cash flows. In addition, environmental systems should also be reviewed for the possibility of mechanics which may be susceptible to the Year 2000 issue.

Even though corrective actions may be taken, because of the unprecedented nature of the Year 2000 Issue, its effects and the success of related remediation efforts will not be fully determinable until the year 2000 and thereafter. Any of these items, if not reviewed and corrected as necessary, could have catastrophic consequences for the Town.

From: mcduffee@email.unc.edu (Diana McDuffee)
Date: Mon, 30 Nov 1998 13:17:14 -0500 (Eastern Standard Time)
Subject: LOF Financing committee
To: jmgist@email.unc.edu (Jacquelyn Gist), aspalt@mindspring.com (Allen Spalt),
mayrnelson@aol.com (Mike Nelson),
Diana_McDuffee@unc.edu (Diana McDuffee)

Dear Mike, Jacquie, and Allen,

I am sending this to you because I have your e-mail addresses. Does anyone have an e-mail for Alex? Tuesday morning before Thanksgiving I attended the LOG financing committee meeting. I will summarize below what was discussed. The Landfill staff is preparing material to be sent to you directly for us to discuss at a Carrboro Board meeting in January. The material below should prepare you for that material. I hope all of you received the material that was prepared by Gayle and their financial consultant prior to the Tuesday meeting. It gives some of the specific numbers I refer to below. I am not referring to any analysis of the specific numbers that are given in that report but only to the principles. I don't trust the numbers because I don't trust the premises on which the numbers were based.

The basic question before this committee is how to pay for recycling services in the future. The anticipation is that we will build a MRF and take over collection of recyclables on a county-wide basis. We may be doing this on our own or in partnership with a private company. Currently we pay a company a contract to collect our recyclables and take them to market. This contract is paid for with the profit we realize on the tipping fee for MSW and C&D.

We have agreements with ourselves that the tipping fee cannot go up more than \$2 per year. About 50% of what is brought to the landfills comes from commercial or private haulers.

AVAILABILITY FEE PAYING FOR RECYCLING SERVICES

The proposed solution that the MSW staff has worked up is an availability fee to pay for recycling services. The consultant has given us figure for what this fee would be for several years into the future. I believe it starts out as about \$30 per household per year but goes up steadily.

We have no information on the availability fee that is proposed for commercial, multi-family or non-profits (e.g. UNC). We don't know how much it would be or how it would be levied. For example would individuals apartment dwellers pay or would the owner of the property pay.

TIPPING FEE PAYING FOR RECYCLING SERVICES

The MSW staff was asked to look at what would happen if we let the tipping fee continue to pay for recycling. We would have to remove the \$2 cap per year on the tip fee. Citizens with garbage service would continue to pay through property taxes, vis a vis the tipping fee.

Those using private haulers (e.g. UNC) would pay through private haulers, vis a vis a tipping fee.

Landfill staff believes that if our tipping fee goes up, private haulers will go elsewhere and we will lose the revenue from their tipping fee. Then our tip fee will go up even more and cost the towns more. Eventually a citizen could end up paying more in property taxes than the availability fee. LOG staff used \$140,000 as an average house value and provided some figures on cost in terms of tip fee/property tax if the tip fee paid for recycling and we did not lose business and if we did lose business.

Results show that if we don't lose business, the average (\$140,000) house, and everything below, will pay less in property taxes than they would in availability fees. At some point that changes with a rising tipping fee. I believe that the staff showed the higher impact when we lost half of the private haulers.

OTHER FACTORS TO CONSIDER

1. If we lose private haulers, our landfills will last longer. Private haulers are 50% of current MSW and C&D
2. When our landfill closes we will be operating a transfer station which will have a tip fee set by contract with a third party plus and overhead charge. No consideration has been given in the current financial analysis as to the impact of this change. There may not be a profit to attach to tip fees when we go to a transfer station.
3. OCC does not like the idea of Orange County implementing a county-wide availability fee. OCC would take all of the political heat in that scenario.

NEXT STEPS

Staff has been asked to prepare information on what the costs would be to each partner (Carrboro, Chapel Hill, Hillsborough and Orange County) if they each were given a bill for recycling services annually and they collected the money however they chose to do so.

OTHER QUESTIONS

1. How will non-profits and others pay for recycling services if the towns are paying for them?

2. If Orange County pays their share through county-wide property taxes, won't Carrboro residents be paying twice? Is there some way that OC could subsidize through a county-wide tax and charge Carrboro for the curbside collection?

3. Should Carrboro consider charging Commercial and multi-family differently than residential? Should we consider a dumpster fee?

4. How can we provide a contract that guarantees that whoever runs the solid waste get our business but would not be a blank check?

Consider the following example:

LOG decides to build a MRF and enters a contract with a private company. These typically have a 'put or pay' contract or some other guarantee for the private partner. Sometime later the financial picture changes, perhaps because a private company builds a MRF in Durham county and takes much of our business or the market falls out of recyclables. Now our MRF is costing us a fortune and would go bankrupt if it didn't have a guarantee that the four municipalities will pay for it. How can we avoid this situation? This is one reason that it is not a good idea for the LOG to decide on the MRF and then hand it to the county to run.

This is probably more than you want to know about this topic at this time but I think you need some lead time to think about these issues.
Diana

Diana McDuffee
NC AHEC LIS Network Coordinator
Health Sciences Library CB#7585
UNC-CH
Chapel Hill, NC 27599-7585
(919) 966-0963
(919) 966-5592 (fax)



DIXON ODOM PLLC

Certified Public Accountants

September 21, 1998

To the Honorable Mayor,
Board of Aldermen and the
Town Manager
Town of Carrboro, North Carolina

We have audited the financial statements of the Town of Carrboro, North Carolina, for the year ended June 30, 1998, and have issued our report thereon dated September 21, 1998. As a part of our audit, we made a study and evaluation of the Town's system of internal accounting control to the extent we considered necessary to evaluate the system as required by generally accepted auditing standards. Under these standards, the purposes of such evaluation are to establish a basis for reliance on the system of internal accounting control in determining the nature, timing, and extent of other auditing procedures that are necessary for expressing an opinion on the financial statements and to assist the auditors in planning and performing the audit of the financial statements.

Our audit of the financial statements, which was made in accordance with generally accepted auditing standards, including the study and evaluation of the Town's system of internal accounting control for the year ended June 30, 1998, would not necessarily disclose all weaknesses in the system because it was based on selective tests of accounting records and related data. However, during our audit we became aware of matters that are opportunities for strengthening internal control and operating efficiency which are summarized in the attached memorandum. This letter does not affect our report dated September 21, 1998 on the general purpose financial statements of the Town of Carrboro, North Carolina.

Should you have any questions concerning the matters presented herein, we shall be pleased to discuss them with you at your convenience.

Dixon Odom PLLC

Certified Public Accountants

A member of

**Moores
Rowland**

INTERNATIONAL

An association of independent
accounting firms throughout the world.

1829 Eastchester Drive

P.O. Box 2646

High Point, NC 27261-2646

336-889-5156, Fax 336-889-2812

TOWN OF CARRBORO

MANAGEMENT LETTER MEMORANDUM

September 21, 1998

Year 2000 Issue

There has been considerable attention recently concerning the Year 2000 Issue. The Year 2000 Issue results from a computer's inability to process year-data accurately beyond the year 1999. Except in recently introduced year 2000 compliant programs, computer programmers have abbreviated dates by eliminating the first two digits of the year, with the assumption that these two digits would always be 19. Unless corrected, this shortcut is expected to create widespread problems when the clock strikes 12:00:01 a.m. on January 1, 2000. On that date, some computers may recognize the date as January 1, 1900 and process data inaccurately or stop processing altogether. We recommend that you take the necessary actions to immediately begin to identify, modify and test all systems that may be negatively affected by the Year 2000 Issue.

Management has represented to us that the Town of Carrboro, in adopting the fiscal year 1998-99 budget, set aside resources to replace current computer technology critical to the Town's operations that are known to have potential year 2000 compliance issues. The fiscal year 1998-99 budget contains funding to purchase a new financial system, upgrade the police records systems, and upgrade the network server software, all of which shall be year 2000 compliant. The computer technology will be implemented within the 1998-99 fiscal year with the exception of the financial system that will be implemented no later than August 1999 to accommodate the fiscal year end closing. The Town also has funds available to hire a computer consultant to audit all computer software and hardware for year 2000 compliance. A total of \$87,800 has been budgeted to cover anticipated costs associated with the aforementioned technologies upgrades.

In addition to its mission-critical systems we recommend extra verification procedures be performed to test the accuracy of information received from vendors, service providers, customers, and other third party organizations with whom you exchange date dependent information, particularly where such problems could affect the Town's operations or cash flows. In addition, environmental systems should also be reviewed for the possibility of mechanics which may be susceptible to the Year 2000 issue.

Even though corrective actions may be taken, because of the unprecedented nature of the Year 2000 Issue, its effects and the success of related remediation efforts will not be fully determinable until the year 2000 and thereafter. Any of these items, if not reviewed and corrected as necessary, could have catastrophic consequences for the Town.

November 30, 1998

ATTACHED YOU WILL FIND:

- 1) Letter from Carrboro Farmers' Market ref. location of bandstand and play equipment
- 2) Notice of public information meetings ref. SAP
- 3) Letter from Triangle Transit ref. expansion of bus services
- 4) Letter ref. Incorporation of Town of Hebron
- 5) Miscellaneous Mail

cc: Board Members
Bob Morgan

CARRBORO FARMERS MARKET

Open Saturdays 7-noon (late March till December) also on Wednesdays 4-7 PM.

Richard E. Kinney,
Recreation And Parks Director
301 West Main Street
Carrboro, NC 27510

November 24, 1998

Dear Mr. Kinney,

Thank you for including the Farmers Market in your recent discussion concerning the location of the bandstand and play equipment.

In our November Board of Directors meeting we discussed the location that the group suggested. The only concerns raised is the size of the footprint for each structure. The feeling I got on the bandstand and the one I express to our Board was the design may be adjusted to fit the Town Commons. If this changes the footprint we would like to be consulted. In respect to the play equipment it was my understanding that you and I would meet when the final design and size of the structure was known so that placement would have a minimum impact on the Market.

In our opinion the addition of these structures can be an asset for the Town Commons and the Farmers' Market. I will look forward to hearing from you. May you and your family have a joyful holiday season.

Sincerely,

Patrick Mulkey

Patrick Mulkey, President
8702 Stanford Road
Chapel Hill, NC 27516

cc: Michael Nelson
Allen Spalt
Market Board of Directors

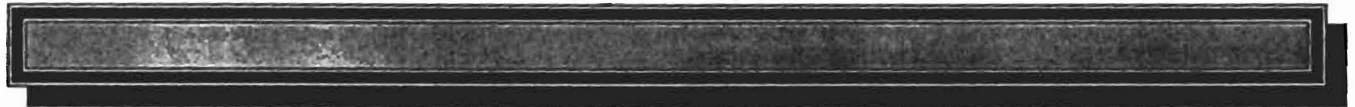
PUBLIC INFORMATION MEETING NOTICE

SMALL AREA PLAN FOR CARRBORO'S NORTHERN
STUDY AREA

The Planning Department of the Town of Carrboro will hold two (2) public informational meetings on December 02, 1998 and December 09, 1998 at the Homestead Community Center located at 600 Homestead Road. These informational meetings will be held to allow citizens an opportunity to review, with staff, the proposed ordinance that will implement the recommendations of the Facilitated Small Area Plan for Carrboro's Northern Study Area.

The informational meetings will begin at 6:00 PM on both dates. Copies of the proposed ordinance, the plan, maps and other materials illustrating the elements of the ordinance will be available for review and purchase.

If you have questions, please call the Carrboro Planning Department at 968-7714.



PUBLIC HEARING NOTICE

SMALL AREA PLAN LAND USE ORDINANCE
AMENDMENT

The Board of Aldermen of the Town of Carrboro will hold a public hearing on December 15, 1998 at 7:30 P.M., or as soon thereafter as it can be heard, in the Town Hall Board Room, to receive public comment and to consider whether or not to amend the Carrboro Land Use Ordinance. The proposed amendments to the Land Use Ordinance would implement the recommendations of the Facilitated Small Area Plan for Carrboro's Northern Study Area.

Substantial changes in the proposed amendment and to the Carrboro Land Use Ordinance may be made following receipt of comments made at the public hearing. The full text of the proposed amendment is available for review in the Planning Department. For additional information regarding this matter, contact the Planning Department at 968-7714.

cc: Board Members
Bob Morgan
Kenneth Withers



Triangle Transit Authority

November 25, 1998

The Honorable Michael Nelson
Town of Carrboro
301 W. Main St.
Carrboro, NC 27510

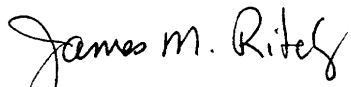
Dear Mayor Nelson,

The Triangle Transit Authority has plans to expand our regional bus services over the next 18 months. With the completion of the new bus maintenance facility in May 1999, TTA will be able to accommodate a significant expansion of its regional bus fleet to meet our growing demand for services throughout the region. Our staff has developed and recommended a service expansion plan to our Board of Trustees, who has authorized us to consult with our governmental partners.

We request that the Town of Apex review the enclosed TTA service expansion plan and respond with formal written comments. We also ask that you assist us in identifying and establishing Park & Ride lots along new routes of service. You will find a description of all the recommended routes that directly serve the Town of Apex in Attachment A. Descriptions of the entire recommended regional service expansion plan are in Attachment B.

We request that you respond with your comments by February 26, 1999 to enable us to implement the service expansion in a timely manner. Please contact John Tallmadge, Transportation Planner at 485-7430 if you would like more information about the service expansion plan.

Sincerely,


James M. Ritchey
General Manager

RECEIVED NOV 30 1998

cc: Robert Morgan, Town of Carrboro Manager



ATTACHMENT A

TTA recommends that our regional service expansion occur in two phases – the first, in Summer of 1999, will put 19 new mid-size (24-26 passenger seats) buses into service; the second, in Summer of 2000, will put 15 new full-size (37 passenger seats) buses into service. This decision is driven by the differing durations of the vehicle procurement processes and the need to phase the hiring of additional operations staff.

Phase One expansions that would serve the Town of Carrboro include:

Evening Service on Red and Green Lines, including the routes from Chapel Hill to Durham and to the TTA Bus Center in Research Triangle Park

The service extension along these routes would run on an off-peak schedule (hourly) from approximately 6:30 pm until 12:30 am.

Saturday Service on Red and Green Lines, including the routes from Chapel Hill to Durham and to the TTA Bus Center in Research Triangle Park

The service along these routes would run on an off-peak schedule (hourly) from approximately 6:30 am until 6:30 pm.

Additional Buses in the Peak Hours on Red and Green Lines

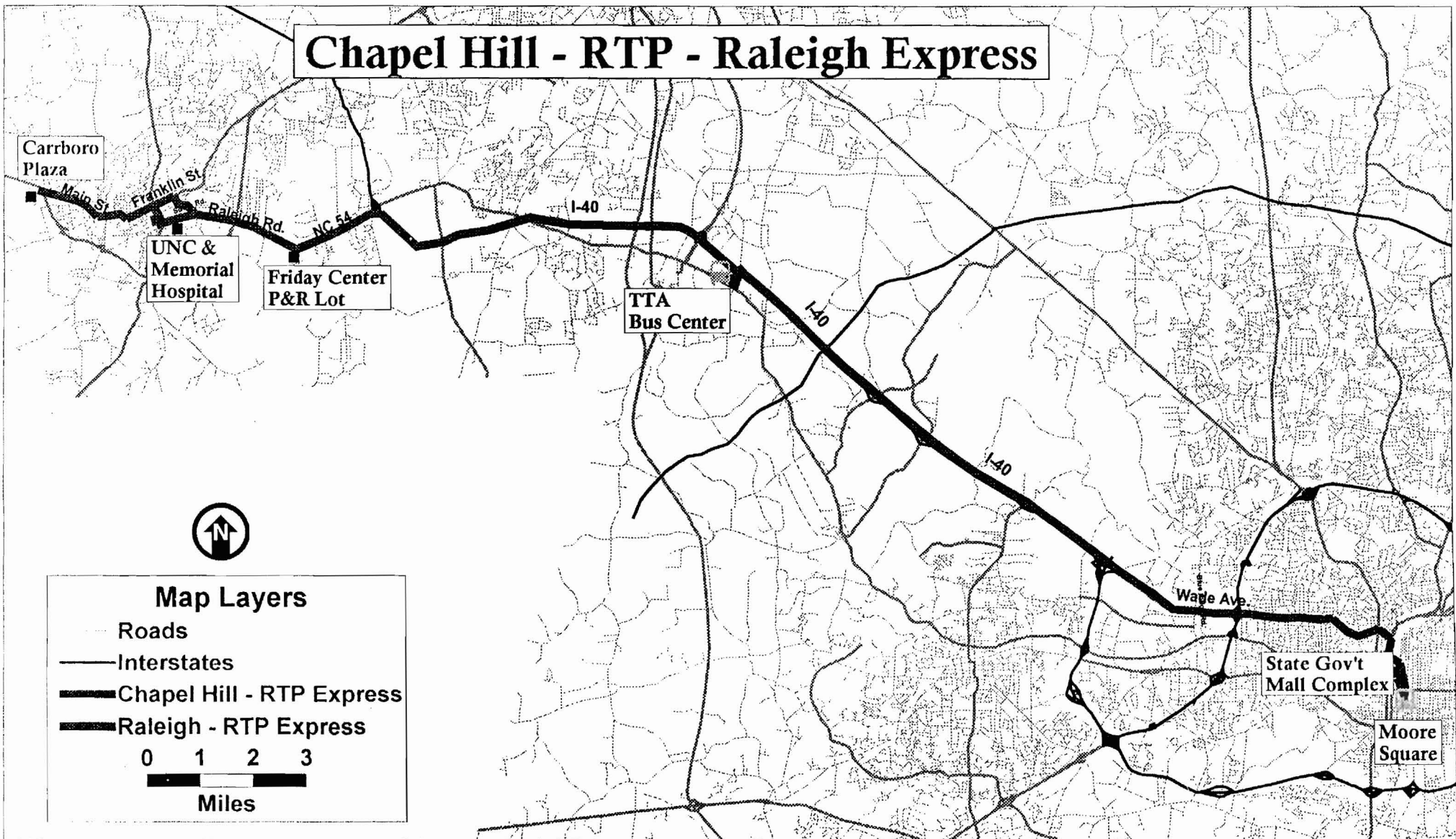
Two buses will be added to the Red and Green Lines to improve the reliability of peak afternoon hour schedules. Passengers will continue to experience 30 minute headways, but the service will be more reliable because each bus will have additional minutes to meet their schedule. Bus passengers will also experience longer scheduled ride times for some trips.

Phase Two expansions that would serve the Town of Carrboro include:

Chapel Hill to RTP to Raleigh Express

We would provide hourly service during the peak periods. During the morning service, this route would run from Carrboro Plaza through Carrboro to Downtown Chapel Hill. It would run to the Friday Center Park & Ride Lot via NC 54 and to the TTA Bus Center via I-40. Then it would continue down I-40 and Wade Avenue to the State Government Mall and Moore Square. On the return trip, it would service UNC and UNC Hospital before Downtown Chapel Hill and Carrboro. In the evening, the route would serve UNC on the outbound trip, and provide direct service to Downtown Chapel Hill on the inbound trip.

Chapel Hill - RTP - Raleigh Express



ATTACHMENT B

TTA recommends that our regional service expansion occur in two phases – the first, in Summer of 1999, will put 19 new mid-size (24-26 passenger seats) buses into service; the second, in Summer of 2000, will put 15 new full-size (37 passenger seats) buses into service. This decision is driven by the differing durations of the vehicle procurement processes and the need to phase the hiring of additional operations staff.

Phase One expansions in Summer 1999 would include:

Additional Buses in the Peak Hours on Red and Green Lines

Two buses will be added to the Red and Green Lines to improve the reliability of peak afternoon hour schedules. Passengers will continue to experience 30 minute headways, but the service will be more reliable because each bus will have additional minutes to meet their schedule. Bus passengers will also experience longer scheduled ride times for some trips.

Additional RTP Shuttle Service

Three buses will be used to replace vans currently serving the North, Airport, and Factory Shops Shuttle routes. This will enable us to retire the 15-passenger vans, which are difficult for passengers to board.

Evening Service on Red and Green Lines

New service along these routes will run on an off-peak schedule (hourly) from approximately 6:30 pm until 12:30 am.

Saturday Service on Red and Green Lines

New service along these routes will run on an off-peak schedule (hourly) from approximately 6:30 am until midnight.

Raleigh to South Cary to Apex to Morrisville to RTP

Service will be provided every 30 minutes in the peak hours (6:00 am – 9:30 am and 3:15 pm – 7:30 pm). The route will start at RTP and head south on Davis Drive through the new Development Drive and continue through South Cary to Waverly Place and Crossroads Plaza and then to NCSU and Downtown Raleigh along Western Boulevard.

Re-routed Gold Line through Cary

With a proposed new South Cary route, we have an opportunity to re-route the existing Gold Line to serve new locations while making the trip from downtown Cary to downtown Raleigh more direct. This newly aligned route would operate during the same peak hours as the existing Gold Line, but would serve Aviation and Weston Parkways, and from the Amtrak station, would use Kildaire Farm Rd. and Maynard and Walnut Sts. before serving South Hills Mall and continuing to downtown Raleigh.

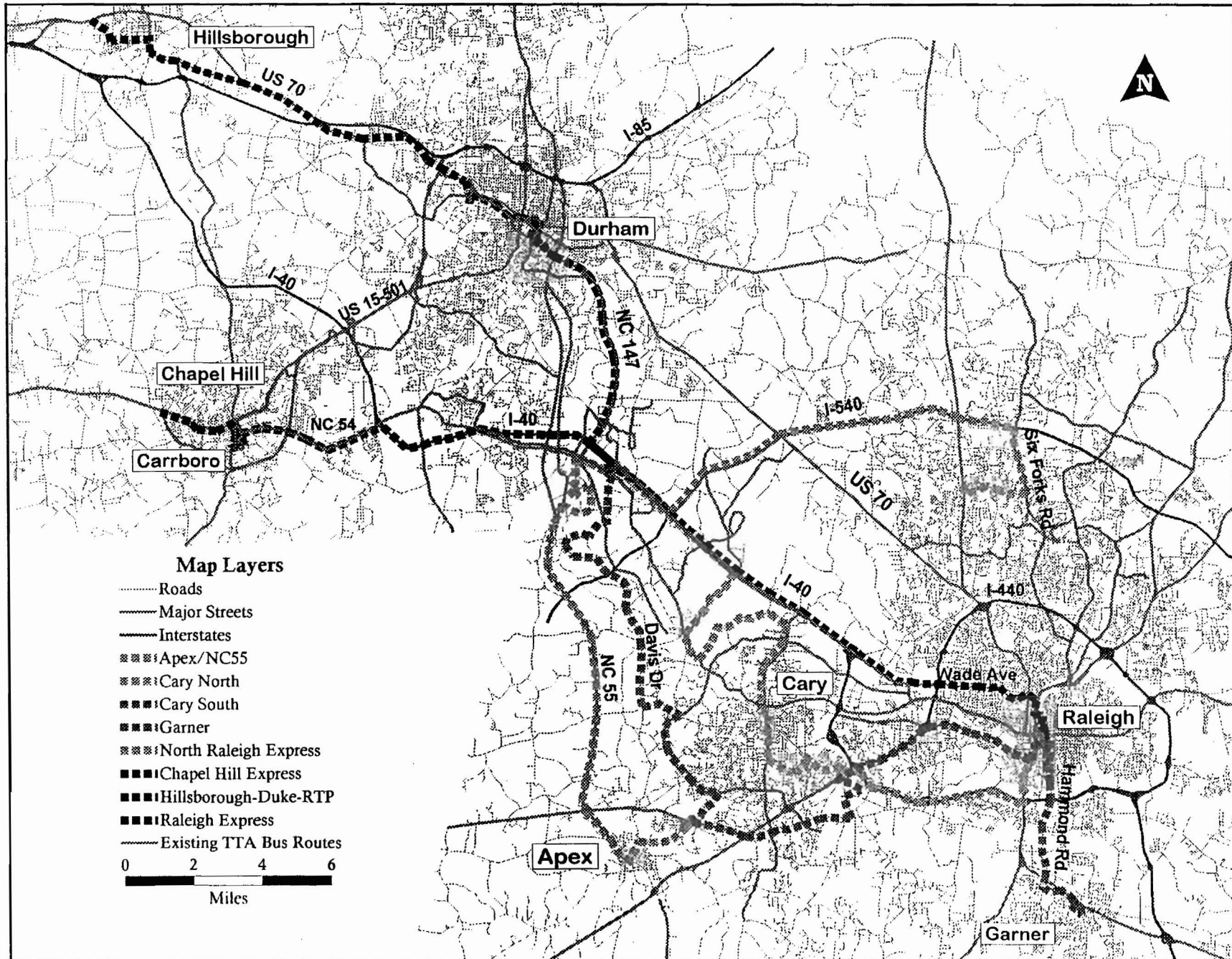
Apex to RTP via NC55

Service will be provided every 30 minutes in the peak hours (6:00 am – 9:30 am and 3:30 pm – 7:00 pm). The route will connect Apex and the growing residential developments along the NC55 corridor through the NIEHS campus and the new EPA facility to the RTP Bus Center.

Garner to Raleigh

Service will be provided every 30 minutes in the peak hours (5:30 am – 10:00 am and 3:00 pm – 6:30 pm) as an extension of the Red Line from Raleigh through to Garner.

TTA Recommended Expansion Routes



November 18, 1998
VIA FIRST CLASS MAIL

Carrboro Board of Aldermen
301 West Main Street
Carrboro, North Carolina 27510

Re: Application for the Incorporation of the Town of Hebron

Dear Board of Aldermen:

Pursuant to N.C.G.S. 120-164, the Interim Council for the Town of Hebron, provides this Notice of Intent to provide an Application by Petition for the Incorporation of the rural Town of Hebron, in Cheeks Township, Orange County, North Carolina to the Joint Committee for the Incorporation of Municipalities of the North Carolina Legislature.

We welcome your support for the proposed Town of Hebron. If you have any questions concerning this Notification, please contact William Wilkinson, Interim Council Secretary, 8700 Hebron Church Road, Mebane, North Carolina 27302.