

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, August 28, 1990 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

| | |
|---------------|---------------------|
| Mayor | Eleanor Kinnaird |
| Aldermen | Randy Marshall |
| | Tom Gurganus |
| | Hilliard Caldwell |
| | Frances Shetley |
| | Jacquelyn Gist |
| | Jay Bryan |
| Town Manager | Robert Morgan |
| Town Clerk | Sarah C. Williamson |
| Town Attorney | Michael Brough |

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE MINUTES OF AUGUST 21, 1990 BE APPROVED. VOTE: AFFIRMATIVE ALL

PROCLAMATION

Mayor Kinnaird read a proclamation proclaiming August 26, 1990 as Women's Equality Day in the Town of Carrboro.

CHARGE ISSUED

The Town Clerk issued a "charge" to Monica Nees, a recent appointee to the Downtown Development Commission.

REQUEST FROM CITIZEN

John Peterson, a resident of A-2 Fenway Park, stated his concern over the lack of a barrier between the Fenway Park neighborhood and the proposed improvements to 54 Bypass. In addition, Mr. Peterson requested a 12-foot median strip along 54 Bypass.

PUBLIC HEARINGS SET

- (1) Land Use Ordinance Text Amendment Allowing Slight Deviations from Minimum Street Right-of-Way Width Requirements Under Some Circumstances

The administration requested that a public hearing be set for September 11, 1990 to receive public comments on a proposed amendment to the Land Use Ordinance which would allow slight deviations from the street right-of-way minimums set forth in subsections 15-216(a) and (b) under some circumstances. The administration also requested that the Board refer this proposed amendment to the Planning Board for its review and recommendations.

- (2) Land Use Ordinance Map Amendment/Rezoning of a Portion of the Fair Oaks Subdivision

The administration requested that a public hearing be set for September 11, 1990 to consider a rezoning request submitted by Westminster Company to rezoning 38 lots in the Fair Oaks Subdivision from R-15 to R-10. The area to be rezoned is approximately 15.899 acres described on Tax Map 108L, Block A, Lots 1-18; Tax Map 108L, Block B, Lots 1-3 (partial); and Tax Map 108L, Block C, Lots 1-14 and Lots 15-17 (partial). The administration also requested that the Board refer this matter to the Planning Board for its review and recommendation.

- (3) Conditional Use Permit Modification Request/Fair Oaks Subdivision, Phases 5 and 6

John R. McAdams Company has requested a conditional use permit major modification which would allow 47 single-family lots and deletion of 157

apartment units in the Fair Oaks Subdivision. The parcel is identified as Tax Map 108L, Block C, Lot 13 and is zoned R-15 and R-SIR.

The administration requested that a public hearing be set for September 11, 1990.

(4) Conditional Use Permit Request/Camden Subdivision

Layton Wheeler for Camden Subdivision has requested a conditional use permit which would allow 15.45 acres to be subdivided into 23 single-family lots. The parcel is located in the northern transition area, west of Homestead Road and is identified as Tax Map 109, Lot 10 and is zoned R-20.

The administration requested that a public hearing be set for September 11, 1990.

(5) Land Use Ordinance Text Amendment Requiring an Oath of Office be Administered to Members of the Board of Adjustment and Appearance Commission

The administration requested that a public hearing be scheduled for September 25, 1990 to consider a proposed amendment to the Land Use Ordinance that would require an oath of office to be administered to members of the two town boards that have authority to act on behalf of the town--the Board of Adjustment and Appearance Commission. The administration also requested that this proposed amendment be referred to the Planning Board for its review and recommendation.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE REQUESTED PUBLIC HEARINGS BE SET. VOTE: AFFIRMATIVE ALL

REPORT ON COMMUNITY CENTER

Richard Kinney, Recreation Director, stated that, at the request of the Board of Aldermen, the Recreation and Parks Commission had considered a down-scaled version of a community center which would amount to a six cent tax rate increase. Mr. Kinney stated that the Commission's recommendation includes the elimination of the following facilities: one set of restrooms, older adults designated space, arts and crafts area, much of the storage space, reading room (library), kitchen, and meeting room. Some of the needs are met by the inclusion of a warming kitchen in the proposed multi-purpose room and programming all areas to meet a combination of needs. Older adults would utilize the activity rooms during the day and leisure classes would be held in the same area at night. The racquet courts were left in the proposal based upon the revenue projected. Mr. Kinney stated that the Commission recommended a facility that would be generated by a 6 1/2 cent tax increase in Fiscal year 1992-93. The Commission felt that the facility should include the minimum facilities to meet the needs of the community. Therefore, the determination that the additional one-half cent increase needed is based on a close examination of the individual facilities that would result in a service-oriented center that would facilitate a variety of activities and serve many different age groups. At this level of funding, two minimum size playing courts can be accommodated to provide for youth play 12 years and younger.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE AGENDA PLANNING COMMITTEE SCHEDULE A DATE TO SET A PUBLIC HEARING TO CONSIDER THE RECREATION AND PARKS COMMISSION'S RECOMMENDATION. VOTE: AFFIRMATIVE ALL

AMENDMENT TO MISCELLANEOUS FEES AND CHARGES SCHEDULE

The Recreation and Parks Department recommended that several fees pertaining to tournament rentals be amended to better serve park users. The administration recommended that the Board approve the following amendments to the Miscellaneous Fees and Charges Schedule under Recreation Fees, Section C. Field Rentals, Tournament Rates:

(4) Delete the wording "(needed for use of lights)" and change the hourly rate from \$5.00 to \$6.00/hour.

(7) Add a new item (7) to read: "Weekend tournament use will require a charge of \$40.00 for each day to reimburse the town for costs incurred in specific maintenance duties related to impact from the tournament rental. Tournament renters will still be required to perform all maintenance duties

such as cleaning their fields and adjoining areas, parking lot(s), etc. in order to receive a return on the maintenance and damage deposit."

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY RANDY MARSHALL THAT THE AMENDMENTS BE ADOPTED AS PROPOSED. VOTE: AFFIRMATIVE ALL

ORANGE-CHATHAM COMPREHENSIVE HEALTH SERVICES REVENUE BOND AUTHORIZATION AND SALE REQUEST

Moses Carey, Executive Director of Orange-Chatham Comprehensive Health Services, requested the town to consider the possibility of selling revenue bonds for the purpose of financing a new building for the health center in Carrboro. Mr. Carey stated that this request was being made due to the high overhead costs of the current building located on Roberson Street in Carrboro. The facility's federal funding agency (HHS) has recommended purchasing the facility and amortizing the debt with the money used for rent to stem the tide of rent increases and lower overhead costs. After thorough review, the Board of Directors and staff of OCCHS decided that the most feasible option would be relocating into a new facility which would be smaller and more efficient to operate. The Board would prefer to own rather than rent to help stabilize facility costs. Because of the higher market interest rate, pursuing a private loan option for construction would cost at least \$10,000 per year more than the revenue bond option. Pursuing the revenue bond option would cost approximately \$126,500 pr year for amortization in 15 years.

The following resolution was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Hilliard Caldwell.

A RESOLUTION AUTHORIZING THE TOWN STAFF TO INVESTIGATE
THE FEASIBILITY OF SELLING REVENUE BONDS TO FINANCE
A NEW OCCHS HEALTH CENTER IN CARRBORO
Resolution No. 5/90-91

WHEREAS, the Orange-Chatham Comprehensive Health Center, Inc. (OCCHS), a not-for-profit health center, has operated in the Town of Carrboro for 20 years; and

WHEREAS, OCCHS is seeking funds to build a new health care facility; and

WHEREAS, OCCHS employs 115 persons of which 45 are housed at the Carrboro site; and

WHEREAS, OCCHS provides services to all segments of our population with its mission of providing a means of access to those who are medically indigent and who have difficulty accessing health services elsewhere due to economic or social barriers; and

WHEREAS, OCCHS has requested that the Carrboro Board of Aldermen to investigate ways that the Town of Carrboro can participate in retaining OCCHS in Carrboro and continue the provision of health services to Carrboro citizens and retain the 45 jobs in Carrboro.

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

Section 1. The Board recognizes the value of the services provided to Carrboro citizens through the provision of services and the economic impact due to its downtown location.

Section 2. The Board hereby authorizes the town staff to investigate the feasibility of the Town of Carrboro selling revenue bonds for the purpose of financing a new OCCHS Health Center in Carrboro.

Section 3. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28th day of August, 1990:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

REPORT FROM OWASA ON THE SALE OF WATER TO HILLSBOROUGH

Bill Aderholt, one of the town's OWASA representatives, presented a report on OWASA's sale of water to the Town of Hillsborough. Mr. Aderholt stated that OWASA has an existing agreement with Hillsborough to provide for the sale of up to 2 million gallons of water a day by either party, if available, for 75% of the regular commodity price. This agreement is in effect for two and one-half years, until February, 1993 unless otherwise extended or terminated. Hillsborough has requested that OWASA extend the agreement for an additional seven to ten years. Negotiations are underway. OWASA's position is that it will continue providing water under the terms of the current agreement and is willing to provide additional water beyond February, 1993 while Hillsborough expands its own water supply. Any such agreement must include assurances to OWASA that Hillsborough will not become permanently dependent on OWASA water and that OWASA's Cane Creek supply will be fully available to Carrboro and Chapel Hill when needed in the coming years. An extended agreement must assure equity for regular OWASA customers who also pay availability fees to support the Authority's capital improvements program.

TOWN CODE AMENDMENT/NO PARKING ON A PORTION OF PLEASANT DRIVE

Sarah Burdick, the town's Transportation Planner, stated that as a result of a citizen's request, the administration was recommending adoption of an ordinance amending the Town Code to prohibit parking on the north side of Pleasant Drive from the intersection of Crest Street to the end of the pavement.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL TO REQUEST THAT THE AGENDA PLANNING COMMITTEE SCHEDULE A DATE TO SET A PUBLIC HEARING ON THIS MATTER AND THAT THE TRANSPORTATION ADVISORY BOARD REVIEW THIS MATTER. VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (CALDWELL, KINNAIRD, SHETLEY)

It was the consensus of the Board to request that the area in question be posted in lieu of the normal advertisement in the newspaper.

NOISE BARRIERS ON NC 54

Jane Bare, a resident of Weatherhill, stated that noise measurements were taken at 200 feet, while Weatherhill townhouses are only 85 feet away from the pavement; therefore, the noise measurements do not reflect the impact of Weatherhill. If the measurements were taken at 85 feet from the pavement, the noise levels would be high enough to warrant construction of a noise barrier.

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Frances Shetley.

**A RESOLUTION ENDORSING THE BUILDING OF A NOISE BARRIER
ON HIGHWAY 54 BETWEEN JONES FERRY ROAD AND WESTBROOK DRIVE
Resolution No. 9/90-91**

WHEREAS, the Board of Aldermen has received a request from representatives of the Weatherhill and Tennis Club Estates concerning the building of a noise barrier for that community beginning at the Jones Ferry Road entrance ramp to Highway 54 Bypass to the Westbrook Drive access driveway; and

WHEREAS, many homeowners in this community are new, were not present at the original public meetings that were held to discuss the expansion of Highway 54 Bypass as it passes around Carrboro, and were not told of the proposed expansion when they bought their homes; and

WHEREAS, the original Environmental Assessment Report for the 54 Bypass was prepared in 1987, and predicted that noise levels would be 65 dBa (decibels) after completion of the Bypass expansion for buildings approximately 129 feet from the highway; and

WHEREAS, this community is also subject to the short, intense noises, such as those produced by accelerating and shifting motorcycles and trucks along the Jones Ferry Road ramp, which are not accounted for in the Assessment Report or model used for such report; and

WHEREAS, the N.C. Department of Transportation Abatement Guidelines state that noise abatement must be considered when the predicted design year noise

levels approach or exceed those values shown for the appropriate activity category; and

WHEREAS, the level os noise decibels at this location of 54 Bypass that would require action by the N.C. Department of Transportation would be 66 dBa; and

WHEREAS, given the degree of uncertainty admitted by the N.C. Department of Transportation to exist in the model used in the Environmental Assessment Report, which can be as much as 3 dBa, the predicted noise decibels and levels at this section of Highway 54, after its expansion, could be 66 dBa or greater, could equal or exceed the action level and would thus require the placement of a noise barrier along the south side of the highway; and

WHEREAS, there are no access driveways in the approximately 1600 feet between the Jones Ferry Road entrance and the Westbrook Drive access driveway, which is a longer uninterrupted space than exists at the site of the noise barrier being erected to protect the Botanical Gardens; and

WHEREAS, as it will do in the case of the noise barrier for the Botanical Gardens, the N.C. Department of Transportation can construct a noise barrier between the edge of the roadway and the existing treeline of 54 Bypass.

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

Section 1. For the above-stated reasons, the Board of Aldermen supports the efforts of the community of Weatherhill and Tennis Club Estates to have the N.C. Department of Transportation construct a wooden sound barrier located between the edge of the roadway and the existing treeline from the beginning of the Jones Ferry Road entrance ramp to the Westbrook Drive access driveway.

Section 2. The Board of Aldermen asks the N.C. Department of Transportation to reconsider and change its decision not to construct such a noise barrier at this location as soon as possible so that the barrier could be included in the design and construction plans for the expansion of 54 Bypass between the beginning of the Jones Ferry Road entrance ramp and the Westbrook Drive access driveway.

Section 3. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28th day of August, 1990:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

PARKING COMMITTEE REPORT

David Summers, Chair of the Downtown Parking Committee, requested that Robin Lackey and Charles Riggsbee (two members of the Planning Board) be appointed to the Parking Committee and that a review of the parking ordinance be included in the charge for the Committee.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY JAY BRYAN THAT A REVIEW OF THE PARKING ORDINANCE BE ADDED TO THE CHARGE FOR THE DOWNTOWN PARKING COMMITTEE WITH THE REQUEST THAT THE COMMITTEE COMPLETE ITS CHARGE BY DECEMBER, 1990, AND THAT TWO MEMBERS OF THE PLANNING BOARD BE ADDED TO THE COMMITTEE. VOTE: AFFIRMATIVE ALL

ANIMAL CONTROL ISSUES

Mr. Morgan presented a report on the possibility of Orange County taking over animal control for the Town of Carrboro. Mr. Morgan stated that the continuing increase in the number of stray animals within the town limits are related directly to the administration's request for the Board to consider a proposal that Orange County take over animal control duties within Carrboro. Orange County has an excellent animal control division and a well written ordinance. Since the town's animal control officer resigned in November, 1989, the town has contracted with Orange County to handle some of the animal

control calls within the town. Calls are still received by the Police Department and then referred to Orange County Animal Control. County animal control officers do not attempt to enforce the town's ordinance nor do they answer every animal call. They are involved for the most part with pickup of animals, cruelty investigations, and other calls which cannot be handled by uniformed police officers.

Based on discussions with Orange County concerning the county's willingness to take over animal control duties for the Town of Carrboro, Orange County would take over animal control enforcement duties, incorporating Carrboro into its general animal control services operation based upon the following stipulations:

1. Carrboro would have to adopt Orange County's animal control ordinance;
2. Carrboro would pay Orange County the sum of \$17,357 prorated over 12 months for the remainder of FY'90-91 and \$8,679 during FY'91-92;
3. Carrboro would continue its contractual arrangement with the Orange County Animal Protection Society for use of the Animal Shelter during fiscal years 1990-91 and 1991-92; and
4. Carrboro would turn over all current animal control equipment, including the animal control vehicle and radios, to Orange County.

Mr. Morgan stated that the administration recommends acceptance of this proposal for the following reasons:

1. Better protects citizens from unwanted animal problems;
2. Better protects animals;
3. Provides higher service level to citizens due to depth of county staff; and
4. Potentially saves the town \$48,000 by 1992-93 and tax savings of 1.25 cents.

Elma Rae Johnson, the Orange County Animal Control Officer, stated that Orange County responds on a complaint basis, the current Orange County animal control ordinance does not provide for a lease-free area, and that Orange County does patrol problem areas.

Capt. Ben Callahan stated that Orange County has provided very good response times since the town has been without an animal control officer.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY RANDY MARSHALL THAT THE AGENDA PLANNING COMMITTEE BE REQUESTED TO SCHEDULE A DATE TO SET A PUBLIC HEARING TO CONSIDER WHETHER ORANGE COUNTY WOULD BE REQUESTED TO ASSUME ANIMAL CONTROL FOR THE TOWN. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (CALDWELL, GURGANUS)

STATE WATERSHED REGULATIONS

Julia Trevarthen, Senior Planner, presented a resolution commenting on proposed state-wide regulations for protecting water supply watersheds, showing both the original language recommended by the town staff on August 21, 1990 and the proposed changes and additions recommended by Alderman Bryan.

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Randy Marshall.

A RESOLUTION COMMENTING ON PROPOSED STATE-WIDE REGULATIONS FOR PROTECTING WATER SUPPLY WATERSHEDS Resolution No. 7/90-91

WHEREAS, water supply watersheds are a source of public drinking water and should be protected to benefit the public health, safety, and welfare.

WHEREAS, surface water supplies can best be protected and water quality enhanced by establishing a state-wide cooperative program of water supply protection.

384 WHEREAS, in May 1990, Carrboro, working with Orange County and Chapel Hill, adopted a water supply watershed protection program for University Lake which was based upon a study commissioned by the Orange Water and Sewer Authority and produced by the consulting firm Camp, Dresser and McKee.

NOW, THEREFORE, BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN THAT:

Section 1. The Board supports the State government role set forth in House Bill 156.

Section 2. The Board recognizes the need in some individual watersheds for variation from the broad classifications and standards set forth in the proposed rules. Some watersheds, such as University Lake, are especially vulnerable to pollution because of shallow depth of the reservoir, small size of the watershed, stormwater travel time or other factors.

Section 3. The Board supports restrictions on extending public sewer service in water supply watersheds, except to remedy a public health emergency not otherwise correctable such as (but not limited to) a failing septic system or failing package treatment plant as determined by the appropriate county, state or federal agency.

Section 4. The Board strongly supports adding specific definitions encompassing a range of densities for the terms "low," "moderate," and "high" density development in the proposed rules.

Section 5. Clustering is an efficient development pattern and should be allowed in WS II watershed critical areas as long as 1) the overall density restrictions are not violated; 2) the land that is "saved" by clustering is set aside as permanent open space; and 3) public sewer is not provided.

Section 6. 2B.0104 (C) should be amended to read as follows:

All waters used for water supply purposes shall be classified to the highest and most protective water supply classification as determined by the Commission.

Each of the classifications established by the State should be assigned specific water quality protection goals based on present water quality and future degradation as predicted by alternative development scenarios and regulatory controls. These specific goals would provide a strong basis for enforcing local rules that are stricter than the state-wide minimum.

Section 7. The Board supports renaming the four water supply watershed classifications as follows:

| <u>From:</u> | <u>To:</u> |
|--------------|------------------------------|
| WS I | Pristine Quality |
| WS II | WS I -- Excellent Quality |
| WS III | WS II -- Good Quality |
| WS IV | WS III -- Acceptable Quality |

Section 8. The state-wide guidelines should require the N.C. Department of Transportation to complement local water supply protection efforts when planning for, siting and building new roads and bridges. With this requirement in mind, Section .0104(e), "Construction of Roads and Bridges", should be rewritten as follows:

1. Add to the section the following language: "NCDOT shall be required to complement local efforts to protect the quality of water supplies. NCDOT shall fully acknowledge, analyze, mitigate and avoid the secondary and cumulative impacts of its projects on water supplies."

2. Substitute the word "shall" for "should" in the sentences beginning "The construction of" and "To the extent practicable."

3. Clarify the terms "extent practicable" with additional language requiring DOT to bear the full burden of justifying the placement of new road projects anywhere in WS-I or II watersheds, or within the Critical Areas of WS-II, III or IV watersheds. Financial factors, especially right-of-way costs, should not be used by DOT as the sole basis for locating highways in those areas where local governments have deliberately attempted to minimize population density for water quality protection purposes.

4. Include a requirement for NCDOT to provide an Environmental Impact Statement for all highway and other construction projects, and to analyze at least the following three categories of potential water quality impact:

- a. direct effects of construction;
- b. Traffic flow impacts, including direct stormwater runoff as well as potential fuel and/or chemical spills;
- c. Secondary impacts resulting from new residential, commercial, or industrial development that will be stimulated by the DOT project.

5. Require the NCDOT to use BMP's, where their projects are approved.

Section 9. The Board supports adding the provision that in a case where a specific water supply watershed or portion of a watershed needs special water quality protection due to the nature and topography of the watershed area, the reservoir or other factors demonstrated in a publicly funded engineering study, the Commission may on a case-by-case basis require and approve specific standards based upon such an engineering study by a qualified agency or firm.

Section 10. Any local governments whose constituents have a material interest in the use and development of the watershed or the quality of water therefrom shall have standing to apply to the Commission for consideration of special standards for a specific watershed or portion thereof. Preparation and consideration of such standards shall include public meetings or hearings with prior notice to interested parties, including property owners as listed in property tax records, and to the general public in the area served by the water supply.

Section 11. EMC should support and reinforce, through specific language in these guidelines, any stricter local controls that are already in place.

Section 12. Enlarge the proposed critical area substantially to emphasize performance-based standards and to provide incentives for establishing such areas more precisely based on travel time and other local factors on a case by case basis. Watershed and critical area boundaries should be based on natural features, not roads or political boundaries. At a very minimum, within a one mile radius of the water supply intake located in a reservoir, the Critical Area shall be a minimum of one mile beyond the normal pool elevation, or to the ridge line, whichever comes first. Beyond a one mile radius of the water supply intake located in a reservoir, the Critical Area shall be a minimum of one-half mile beyond the normal pool elevation, or to the ridge line, whichever comes first.

Section 13. Appropriate limits on recreational activities on water supply reservoirs should be developed.

Section 14. Alternative community sewage or wastewater systems should be prohibited in the WS-I and II watersheds. As the existence of these community systems in the other watersheds, no state permits should be issued for privately owned community alternative systems unless a local public agency within the jurisdiction in that watershed first assumes regulatory liability for the operation and maintenance of such wastewater systems. Also, local governments should be allowed to require the owners and operators of community alternative wastewater systems to provide performance bonds, letters of credit, or certificates of deposit sufficient to cover; (1) the initial design, installation and performance of the system to design standards; (2) system component replacement; and (3) system maintenance.

Section 15. Prohibit sanitary landfills, as well as sludge applications throughout WS-I, II and III watersheds, and no sanitary landfills should be allowed within flood basins.

Section 16. Reduce allowable density in the proposed WS-II watersheds from 1 unit per 2 acres to 1 unit per 5 acres; reduce allowable density in proposed WS-III to 1 to 5 in the critical area to 1 in 2 in the rest of the watershed; and provide incentives for development at the lowest density.

Section 17. Agricultural and forestry operations within watersheds must be subject to the same controls as other sources of potential water pollution. Stormwater controls, restrictions on the use of toxics, including pesticides, and animal waste controls should be required; there should be no new or expanded farming operations within watersheds.

Section 18. Eliminate the provision that allows 10% of WS-II watersheds outside their critical areas to be developed non-residential. Ten percent (10%) commercial development in WS-III should not be allowed without a requirement of stormwater controls when the low density option is chosen.

Section 19. The Board authorizes submittal of this resolution to the North Carolina Environmental Management Commission as comment upon the Commission's public hearing on August 15, 1990.

Section 20. This resolution shall become effective upon adoption.

The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted this 28th day of August, 1990:

AYES: Randy Marshall, Tom Gurganus, Eleanor Kinnaid, Frances Shetley, Jay Bryan, Jacquelyn Gist

NOES: Hilliard Caldwell

ABSENT/EXCUSED: None

REPORT ON POSSIBLE ESTABLISHMENT OF A REGIONAL SPORTS AUTHORITY

Mr. Morgan stated that Triangle J Council of Governments is considering its position on the establishment of a regional sports authority. Alderman Shetley is the town's delegate to Triangle J and requested that the Board consider this matter.

MOTION WAS MADE BY HILLIARD CALDWELL THAT THE RESOLUTION ENTITLED, "A RESOLUTION ENDORSING THE CONCEPT OF A REGIONAL SPORTS AUTHORITY," BE ADOPTED. (MOTION DIED FOR THE LACK OF A SECOND.)

It was the consensus of the Board to request a status report from the Triangle J Sports Task Force on the questions addressed by the Task Force.

REQUEST TO CANCEL SEPTEMBER 4TH BOARD MEETING AND SCHEDULE A SPECIAL WORKSESSION FOR SEPTEMBER 8TH

Due to the lack of agenda items, the administration recommended that the Board cancel its meeting scheduled for September 4, 1990. In addition, the administration recommended that the Board schedule a special worksession for Saturday, September 8, 1990 at 8:00 a.m. in order for the Board to attend the Board/Staff Mid-Year Planning Retreat.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE SEPTEMBER 4, 1990 MEETING BE CANCELLED THAT A SPECIAL WORKSESSION BE SCHEDULED FOR SATURDAY, SEPTEMBER 8, 1990 AT 8:00 A.M. TO BE HELD AT TET LLOYD'S CABIN. VOTE: AFFIRMATIVE ALL

ENGINEERING SERVICES FOR TOWN COMMONS PROJECT

Mr. Morgan stated that the Town Commons Task Force has \$21,000 in its project account. These funds will cover completion of the design phase of the project. However, before the design phase can begin, the architect needs basic survey information on the ball field completed and loaded into an AutoCad System to facilitate the design process. The estimated cost of this survey information is \$3,000. The administration requested authorization for the Town Manager to enter into an agreement with the LPA Group to perform this engineering work once the Town Commons Task Force raises the necessary funds.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE TOWN MANAGER BE AUTHORIZED TO ENTER INTO AN AGREEMENT WITH THE LPA GROUP TO PERFORM THIS ENGINEERING WORK ONCE THE TOWN COMMONS TASK FORCE RAISES THE NECESSARY FUNDS. VOTE: AFFIRMATIVE ALL

PLANNING BOARD REVIEW OF CONDITIONAL USE PERMITS FOR FAIROAKS AND CAMDEN

Mr. Morgan stated that the Planning Board did not have a quorum present at its meeting on August 16, 1990 when the conditional use permits for Fair Oaks

and Camden were considered. Mr. Morgan requested guidance from the Board on whether the Planning Board should reconsider these conditional use permits.

It was the consensus of the Board that the Planning Board not be requested to review these permits again.

RESOLUTION ENDORSING THE PASSAGE OF LEGISLATION TO ALLEVIATE PROBLEMS CREATED WHEN POSTAL ZIP CODE BOUNDARIES AND MUNICIPAL BOUNDARIES DO NOT COINCIDE

The following resolution was introduced by Alderman Tom Gurganus and duly seconded by Alderman Randy Marshall.

**A RESOLUTION ENDORSING THE PASSAGE OF LEGISLATION
TO ALLEVIATE PROBLEMS CREATED WHEN POSTAL ZIP CODE
BOUNDARIES AND MUNICIPAL BOUNDARIES DO NOT COINCIDE
Resolution No. 8/90-91**

WHEREAS, the Postal Operations and Services Subcommittee of the U.S. House of Representatives Committee on Post Office and Civil Service held a hearing on June 7th to obtain comment on HR 2380, a bill to require that zip code boundaries be redrawn upon the request of any unit of local government so that they coincide with municipal boundaries, and HR 2902, a bill to grant local governments the discretion to assign mailing addresses within their jurisdictions; and

WHEREAS, testimony presented at the hearing documented that municipalities across the country experience problems ranging from inconvenience and delay in the receipt of mail to life-threatening difficulties arising out of the confusion created by the lack of coincidence between municipal boundaries and zip code assignments; and

WHEREAS, the Town of Carrboro has experienced many of the difficulties documented by other cities arising out of the fact that certain areas within the limits of the Town of Carrboro have Chapel Hill mailing addresses; and

WHEREAS, the Board of Aldermen has on numerous occasions unsuccessfully requested the U.S. Postal Services to adjust zip code boundary lines to alleviate these problems.

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

Section 1. The Board urges its congressional representatives to endorse and support HR 2380 as a solution to the problems created by the lack of coincidence between municipal corporate boundaries and zip code assignments.

Section 2. A copy of this resolution shall be sent to each of the town's congressional representatives as well as to the chairman of the Postal Operations Services Subcommittee.

Section 3. This resolution shall become effective upon adoption.

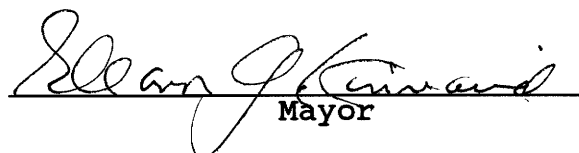
The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 28th day of August, 1990.

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE MEETING BE ADJOURNED. VOTE: AFFIRMATIVE ALL


Mayor

Town Clerk