

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 5, 2009 in the Board Room of the Carrboro Town Hall.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Joal Hall Broun
	Dan Coleman
	Jacquelyn Gist
	Randee Haven-O'Donnell
	Lydia Lavelle
Town Manager	Steven E. Stewart
Deputy Town Clerk	Sharmin Mirman
Town Attorney	Michael B. Brough

Absent:

Alderman	John Herrera
----------	--------------

**PRESENTATION OF RESOLUTION COMMENDING THE CARRBORO PARKS PROJECT ON THE ANDERSON PARK DISC GOLD COURSE FUND RAISING PROJECT**

Mayor Chilton presented this resolution to the Carrboro Parks Project.

\*\*\*\*\*

**PROCLAMATION ISSUED**

Mayor Chilton read a proclamation proclaiming May as Bike to Work Month.

\*\*\*\*\*

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOAL HALL BROUN TO APPROVE THE APRIL 21, 2009 MINUTES. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

\*\*\*\*\*

**CONSIDERATION OF A RESOLUTION IN SUPPORT OF FINANCING FOR FIRE SUBSTATION PROJECT**

The Board has previously authorized the construction and development of a fire substation and authorized the Town's use of installment financing to construct the fire substation. As the time approaches to begin construction on the fire substation Town staff is also working to make arrangements for the financing. The North Carolina Local Government Commission requires that the Town Board adopt a resolution in support of the Town's application to the LGC for the LGC's required approval of the proposed financing arrangements. State law (NC Statutes 160A-20(g)) also requires that the Town conduct a public hearing before giving final approval to the financing arrangements. The accompanying resolution satisfies the LGC's requirements for preliminary Board action, and also calls for the required public hearing.

The following resolution was introduced by Alderman Dan Coleman and duly seconded by Alderman Joal Hall Broun.

**A RESOLUTION SUPPORTING AN APPLICATION TO THE**

**LOCAL GOVERNMENT COMMISSION FOR ITS APPROVAL OF A FINANCING  
AGREEMENT FOR THE NEW FIRE SUBSTATION,  
AND TAKING RELATED ACTION  
Resolution No. 109/2008-09**

**WHEREAS,**

The Town of Carrboro has previously determined to undertake the construction and development of a new fire substation in the northern part of Town.

The Board of Aldermen has previously determined to finance costs for this project by the use of an installment financing contract, as authorized under Section 160A-20 of the North Carolina General Statutes.

Under the guidelines of the North Carolina Local Government Commission, this governing body must make certain findings of fact to support the Town's application for the LGC's approval of the Town's proposed financing arrangements. In this resolution, the Town Board makes the appropriate findings, and takes other appropriate action.

***THEREFORE, BE IT RESOLVED* by the Board of Aldermen of the Town of Carrboro, North Carolina, as follows:**

(a) The Town makes a preliminary determination to finance up to \$3,500,000 for costs of the fire substation project. The Board will determine the final amount to be financed by a later resolution. The total amount financed may reflect adjustments to the amounts listed above and may include amounts for financing costs.

(b) The Finance Officer is authorized and directed to take all appropriate steps toward the completion of the financing, including (i) completing an application to the LGC for its approval of the proposed financing, and (ii) soliciting one or more proposals from financial institutions to provide the financing.

***BE IT FURTHER RESOLVED* that the Board of Aldermen makes the following findings of fact:**

(a) The proposed project is necessary and appropriate for the Town under all the circumstances. The new substation will enhance the Town's ability to provide firefighting services in the northern area of Town.

(b) The proposed installment financing is preferable to a bond issue for the same purposes. This project is for a discrete facility, and therefore lends itself well to an installment financing. Voter-approved bond financing would not be cost-effective for a project of this size. The Town is using voter-approved financing for sidewalk and greenway projects, and it is appropriate for the Town to balance its capital funding needs with the use of all the tools available to it.

(c) The estimated sums to fall due under the proposed financing contract are adequate and not excessive for the proposed purpose. The Town will obtain competitive lending proposals, and will closely review proposed lending rates against market rates with guidance from the LGC. All project costs to be financed will be based on approved bids.

(d) As confirmed to the Board at this meeting by the Town's Finance Officer, (i) the Town's debt management procedures and policies are sound and in compliance with law, and (ii) the Town is not in default under any of its debt service obligations.

(e) The Town expects no tax increase will be necessary in the Town's 2009-10 fiscal year to meet debt obligations under the proposed financing arrangements. The Town expects that the maximum annual debt service payment related to this financing will be the equivalent of approximately 1.93 cents on the Town's tax rate. Any actual tax rate increase attributable to the current proposed financing will be determined by budget factors present in future budget years. The Board concludes that any actual tax rate increase that may be attributable to this financing will in any event be reasonable under all the circumstances. The Board bases its conclusions on the expected interest rates and term for the current proposed financing, the Town's current plans for phasing-in debt service to match the completion of the project, and current estimated total project costs of approximately \$3,000,000.

(f) The Town Attorney is of the opinion that the proposed project is authorized by law and is a purpose for which public funds of the Town may be expended pursuant to the Constitution and laws of North Carolina.

***BE IT FURTHER RESOLVED as follows:***

(a) The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse project expenditures from financing proceeds. The Town intends that funds that have been advanced for project costs, or which may be so advanced, from the Town's general fund, or any other Town fund, may be reimbursed from the financing proceeds.

(b) The Board will hold a public hearing on this matter on May 26, 2009. The Town Clerk is authorized and directed to publish a notice of such public hearing in the manner provided for by law.

(c) This resolution takes effect immediately.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 5th day of May 2009:

Ayes: Dan Coleman, Lydia Lavelle, Mark Chilton, Joal Hall Broun, Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: John Herrera

\*\*\*\*\*

**A REQUEST TO MAKE AN APPOINTMENT TO THE ORANGE COUNTY SOLID WASTE ADVISORY BOARD**

The Mayor and Board of Aldermen were requested to consider recommending to the Orange County Board of Commissioners that Albert Vickers be re-appointed as one of the Town of Carrboro's representatives on the Orange County Solid Waste Advisory Board.

The following resolution was introduced by Alderman Dan Coleman and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION RECOMMENDING AN APPOINTMENT TO THE  
ORANGE COUNTY SOLID WASTE ADVISORY BOARD  
Resolution No. 111/2008-09

WHEREAS, the Town of Carrboro has two seats on the Orange County Solid Waste Advisory Board; and

WHEREAS, Albert Vickers and Linda Bowerman currently serve as Carrboro's representatives; and

WHEREAS, Mr. Vickers' term expires on June 30, 2009; and

WHEREAS, Mr. Vickers has expressed an interest in being re-appointed for an additional three-year term.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Board of Aldermen hereby recommends that Albert Vickers be re-appointed to serve as one of the Town of Carrboro's representatives on the Orange County Solid Waste Advisory Board.

Section 2. Mr. Vickers' new term will expire on June 30, 2012.

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 5th day of May 2009:

Ayes: Dan Coleman, Lydia Lavelle, Mark Chilton, Joal Hall Broun, Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: John Herrera

\*\*\*\*\*

**REQUEST FOR APPROVAL OF THE 2009-2010 HOME PLAN AND UPDATE OF THE CONSOLIDATED PLAN**

The purpose of this item was to present, for approval, the proposed plan developed by the HOME Program Review Committee for use of HOME Program funds for fiscal year 2009-2010 and the annual update of the Consolidated Plan

James Harris, the town's Community and Economic Development Director, made the presentation.

The following resolution was introduced by Alderman Dan Coleman and duly seconded by Alderman Joal Hall Broun.

**A RESOLUTION APPROVING THE  
ORANGE COUNTY FY 2009-2010 HOME PROGRAM DESIGN  
Resolution No. 114/2008-09**

**BE IT RESOLVED**, by the Carrboro Board of Aldermen as a member of the Orange County HOME Consortium approve the following activities for the 2009-2010 HOME Program.

**Homebuyer Assistance**

Funds would be allocated to the Orange Community Housing and Land Trust to assist first time homebuyers earning less than 80 percent of the area median income to purchase homes county-wide, Funds would be provided as a grant to the Land Trust.

*(Requested amount: \$100,000)* \$139,033

Funds would be allocated to Orange County Habitat for Humanity to provide deferred payment zero-interest second mortgages for six homes throughout Orange County. Homes would be sold to households earning between 30 percent and 80 percent of the area median income.

*(Requested amount: \$60,000)* \$ 60,000

**Housing Rehabilitation**

Funds would be allocated to the Orange Person Chatham Mental Agency on behalf of the Chrysalis Foundation and Community Alternatives for Supportive Abodes (CASA) for the repair of 23 properties owned by the Chrysalis Foundation. These units are currently leased to individuals that are disabled and/or chronically homeless.

*(Requested amount: 200,000)* \$162,000

**Operational Support**

Funds would be allocated to Orange Community Housing and Land Trust as a Community Housing Development Organization for administrative expenses.

*(Requested amount: \$30,000)* \$ 30,000

**New Construction**

Funds would be allocated to Inter-Faith Council for pre-development costs associated with the construction of Project Community House a new men’s residential facility for homeless men in the community.

*(Requested amount: \$400,000)* \$185,000

Funds would be allocated to Habitat for Humanity to provide funding for infrastructure development in the Phoenix Place project located on Purefoy Road in Chapel Hill. Habitat plans to build at least 50 dwelling units for sale to first-time homebuyers earning less than 60% of the area median income.

*(Requested amount: \$250,000)* \$250,000

**Rental Assistance**

Funds would be provided for rental assistance for approximately 25 low-income families leasing standard property in Orange County. The program will operate in a similar manner to the Section 8 Program and provide rental subsidies for a period of two years to families at or below 50% of the area median income. This is an extension of the Homeless Outreach work of Housing for New Hope.

*(Requested amount: \$50,000)* \$50,000

**Program Administration** \$ 73,311

**TOTAL FY 2009-2010 HOME PROGRAM FUNDS** **\$949,344**

**BE IT FURTHER RESOLVED**, that the County Manager is hereby designated as the authorized representative of the County to act in connection with the submission of this plan and to provide such additional information as may be required by the U.S. Department of Housing and Urban Development.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 5th day of May 2009:

Ayes: Dan Coleman, Lydia Lavelle, Mark Chilton, Joal Hall Broun, Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: John Herrera

The following resolution was introduced by Alderman Dan Coleman and duly seconded by Alderman Joal Hall Broun.

A RESOLUTION AUTHORIZING THE SUBMISSION OF  
THE 2009-2010 ANNUAL UPDATE OF  
FY 2005-2010 CONSOLIDATED HOUSING PLAN FOR ORANGE COUNTY  
Resolution No. 110/2008-09

BE IT RESOLVED, by the Carrboro Board of Aldermen, that the Aldermen authorizes the County Manager, as Orange County is the lead entity for the HOME Program, to submit the Orange County Consolidated Plan for Housing and Community Development Programs Annual Update to the U.S. Department of Housing and Urban Development, including all understandings, assurances, and certifications required therein.

BE IT FURTHER RESOLVED, that the Town Manager, or his designee, is hereby designated as the authorized representative of the Town to act in connection with the submission of the Annual Update and to provide such additional information as may be required by the U.S. Department of Housing and Urban Development.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 5th day of May 2009:

Ayes: Dan Coleman, Lydia Lavelle, Mark Chilton, Joal Hall Broun, Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: John Herrera

\*\*\*\*\*

**PROGRESS REPORT ON MORGAN CREEK AND BOLIN CREEK GREENWAY PROJECTS**

This agenda item served to update the Board of Aldermen on the planning work that is underway for both the Morgan Creek Greenway and Bolin Creek Greenway projects.

Adena Messenger, the town's Transportation Planner, made the presentation.

The following resolution was introduced by Alderman Dan Coleman and duly seconded by Alderman Randee Haven-O'Donnell.

A RESOLUTION FOR RECEIVING AN UPDATE ON THE  
TOWN'S GREENWAY PLANNING ACTIVITIES  
Resolution No. 112/2008-09

WHEREAS, the Carrboro Board of Aldermen, in 2006, adopted the Recreation and Parks Master Plan update that includes greenways; and

WHEREAS, the Carrboro Board of Aldermen support a network of greenways throughout the Town; and

WHEREAS, the Town has been allocated funding for greenway planning from the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization; and

WHEREAS, the Town has allocated funds from the General Obligation Bond for the purpose of greenway planning.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen receive this update and support the Town's greenway planning activities.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 5th day of May 2009:

Ayes: Dan Coleman, Lydia Lavelle, Mark Chilton, Joal Hall Broun, Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: John Herrera

\*\*\*\*\*

**REQUEST TO MAKE APPOINTMENTS TO THE CHATHAM/ORANGE JOINT PLANNING TASK FORCE**

The purpose of this agenda item was for the Board of Aldermen to designate two of its members to serve on the Chatham/Orange Joint Planning Task Force.

The following resolution was introduced by Alderman Dan Coleman and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION MAKING APPOINTMENTS TO THE  
CHATHAM/ORANGE JOINT PLANNING TASK FORCE  
Resolution No. 113/2008-09

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Board of Aldermen hereby designates Mayor Mark Chilton to serve as its representatives on the Chatham/Orange Joint Planning Task Force.

Section 2. A copy of this resolution shall be forwarded to the Orange County Board of Commissioners.

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 5th day of May 2009:

Ayes: Dan Coleman, Lydia Lavelle, Mark Chilton, Joal Hall Broun, Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: John Herrera

\*\*\*\*\*

**DURHAM ANTI-SWEATSHOP LOCAL BILL**

Alderman Lavelle stated that Senator Kinnaird had asked if Carrboro would be interested in being added to Durham's anti-sweatshop requirements bill.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ASK THE TOWN STAFF TO PLACE THIS MATTER ON THE MAY 19<sup>TH</sup> BOARD AGENDA. VOTE: AFFIRMATIVE SIX, ABSENT ONE (HERRERA)

\*\*\*\*\*

**ROGERS ROAD SMALL AREA PLAN TASK FORCE REPORT**

Alderman Lavelle pointed out that Mayor Foy was requesting feedback from the Board on the Rogers Road Small Area Plan Task Force report.

Mayor Chilton asked that the Board discuss this matter at its June worksession.

\*\*\*\*\*

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO ADJOURN THE MEETING AT 8:11 P.M. VOTE: AFFIRMATIVE ALL

\*\*\*\*\*

---

Mayor

---

Town Clerk