



Minutes of
City of Creedmoor
BOARD OF COMMISSIONERS
Work Session
March 14, 2011
5:30 p.m.

PRESENT

Mayor Darryl D. Moss, Mayor Pro-Tem Herman Wilkerson, Commissioner Jimmy Minor, Commissioner Otha Piper, Jr., Commissioner John Stallings, and Commissioner Ralph Seagroves. Also present were Mr. Tom Mercer, City Manager, Korena Weichel, Deputy City Clerk, and Attorney Lori Dutra.

INVOCATION and PLEDGE OF ALLEGIANCE

Mayor Moss called the meeting to order and offered the invocation. Commissioner Piper led the Pledge of Allegiance.

ADOPTION of AGENDA

Mayor Moss noted that the Board would need to go into Executive Session [per G.S. 143-318.11 (3)] for attorney/client privilege. Moved by Commissioner Stallings to adopt the meeting agenda with the revision of the closed session; Seconded by Commissioner Minor. The motion received a unanimous vote.

Paddington Update (5:36:48 PM)

Administrator Flowe relayed to the board that he and Manager Mercer met with the representatives of the HOA to discuss specific issues related to trees that were to be cut or preserved on the property. The HOA representatives were not present at the initial meeting because of miscommunication and e-mail errors; as a result, they felt entitled to post "No Trespassing" signs on the property; this action, in turn, stalled the installation of the playground with the contractor. Staff subsequently assured the HOA members that they had not intentionally been left out of the discussions and the members later acknowledged that their email account had been at fault. After encouraging the collaboration between the HOA members and the contractors, the HOA members conveyed that they would like to be involved in choosing different equipment. Administrator Flowe informed the Board that an additional permit had recently been issued for Paddington; reflecting positively on the sale of houses within the development.

Commissioner Minor raised a question about the Pine Valley subdivision playground equipment. Administrator Flowe reported that a permit application had been submitted, however it has not been issued due to playground requirements that have not been met. Administrator Flowe noted that the city has to meet with the developer to discuss what needs to be done on the playground improvements. The previous interpretation of the Ordinance was that they could proceed as long as they had a bond on certain improvements, but Administrator Flowe's literal interpretation is that the bonding provision is a subparagraph of something stated above and the limitation on C.O.'s is a specific requirement. Administrator Flowe explained that the City can issue the permit but not the C.O. because of the standpoint being taken on the literal language used in the current Ordinance.

Mayor Pro-Tem Wilkerson asked about paving in these subdivisions. Administrator Flowe replied that he will ascertain where the City stands on financial guarantees and which have bonds in place and provide an update on at the next opportunity. Administrator Flowe stated that he is currently aware of bonds for two developments and are in the process of finding valid financial guarantees on all active subdivision communities.

Alamo, 4-Way Quick Stop, & Burned Building on Hwy-56 Updates (5:43:29 PM)

• *Alamo*

Code Enforcement Officer Ganus reported that the property owners had gone before the BOA for appeal. The Board affirmed the decision on the repair or demolish order but extended the deadline, broken into two

separate extensions: (1) 90 days to bring the engineer report forward followed by a decision as to whether or not the building was structurally sound. If not, there would be additional 90 days granted to demolish it; and (2) If the report finds that the structure is salvageable, the board agreed to give an additional 90 days to get architectural diagrams together and submit to the Planning Department for approval. Staff estimating a 90-day to six-month period for this project depending upon the results of the engineers report. In addition, the property owner was directed to finish cleaning up the interior because of potential fire hazards.

- *4-Way Quick Stop*

Property owner failed to show at the hearing on February 21, 2011. Code Officer Ganus verified that the owner was properly served and has now issued the *Final Fact & Order* with a deadline of June 14, 2011 to repair or demolish the structure.

- *Burned Building on Highway-56*

The building has been demolished by the owners although the city has discovered that debris was buried and put along the water line. Staff notified the property owners that the debris must be removed. To date, some of the debris has been removed but not all. Code Officer Ganus stated that a letter was sent today to reinforce that requirement.

Commissioner Minor asked about the billboards on Hwy-56 across from the Mobile Village. Code Officer Ganus stated that the signs are approximately 10 years old and are required to be kept up-to-date. He reported that he is looking at this issue will provide an update in the near future.

USDA Water/Sewer Infrastructure Project Update (5:48:56 PM)

Manager Mercer reported on bid results from the recent bid selection process. The City received four bids under \$6 million which was very positive. Detailed information will be provided for review and Manager Mercer requested that bid approval be decided at the next Work Session. Currently, the process of contacting references for the lowest bidders is underway. A tentative timeline includes (1) submission to USDA in April; (2) to the Local Government Commission in May; and (3) start the project in June.

Planning Board and Board of Adjustment Appointments (5:51:55 PM)

The Mayor announced that the Board needed to appointment Planning Board and Board of Adjustment members at tonight's meeting based on the applications received.

- Two Planning Board positions, currently held by David Forsythe and Kent Ray, will become available March 21, 2011 along with one Planning Board ETJ position currently held by Mike Allen that will expire on March 25, 2011. He noted that the appointment for Mike Allen will need to go to the County for approval.
- Two Board of Adjustment vacancies that have already expired and were held by Jay Rich and Charlene Minor.
- Also needed are two ETJ representatives for the Board of Adjustment as Reverend Holiday has resigned subsequent to his recent appointment.

Moved by Commissioner Stallings to reappoint those members whose terms are expiring, David Forsythe and Kent Ray, along with Mike Allen as an ETJ representative to the Planning Board, and Jay Rich and Charlene Minor to the Board of Adjustment; Seconded by Commissioner Seagroves. The motion received a unanimous vote.

CITY MANAGER'S COMMENTS (5:57:42 PM)

- *Contract for FY11 Audit*

Manager Mercer reported that the City had received the FY11 audit contract from Winston, Williams, Creech, & Evans with a contract price of \$30,000. Manager Mercer explained that a "single audit" would be required this year as a result of the water/sewer infrastructure project and those type of audits involve additional time.

Commissioner Piper moved to approve the FY11 Audit Contract with the firm of Winston, Williams, Creech, & Evans; seconded by Commissioner Minor. The motion received a unanimous vote.

- *Hester Road*
Manager Mercer reported that the County had originally received eight hook-ups and since the City has taken over the system, eight additional hook-ups have been acquired, for a total of 16; also there are two with a verbal “yes” (waiting on their deposit to get in) which will make 18. He noted that there were 11 additional addresses listed on the grant that were ineligible because they were vacant lots. The City will meet with the grant administrator to compare totals. There is a list of nine more potentials in the area to approach with a goal to acquire a total of 25, the amount originally stated in the grant.
- *Paddington*
Two Building permits have been issued to Hunter’s Ridge, one to Pine Valley, and one to Paddington.
- *Town Hall Day*
Town Hall Day is May 4, 2011. The program will consist of items such as annexation budgeting, local authority, and personnel records. Everyone is encouraged to attend.
- *Commendation of Lieutenant Ricky Cates and Chief Timothy Benware (6:03:10 PM)*
Manager Mercer read a letter received from the Commissioner of the NC Department of Insurance in commendation for Chief Benware and Lieutenant Cates for their investigative efforts, professionalism, and cooperation in the criminal investigation of the fraud perpetrated against one of the city’s elderly residents, Ms. Effie Satterwhite. The letter commended Chief Benware and Lt. Cates for their diligent work to provide arrest and search warrants after finding that Ms. Satterwhite’s bank account had been drained of more than \$122,000. The investigation led to several indictments of two accused parties and resulted in convictions of both parties on all charges. The parties were also ordered to make restitution to Ms. Satterwhite in the amount of \$122,000.

Mayor Moss thanked staff for their assistance with the recent visit by Creedmoor Elementary students on March 2nd & 4th. He commended Officer Morris & Sergeant Harris for their presentation on behalf of the Police Department.

Commissioner Stallings asked a question regarding the survey for duck hunting at Lake Rogers. Attorney Dutra responded by noting that she has spoken to the attorney of the involved parties and they expect the survey to be completed “fairly shortly”.

COMMITTEE REPORTS

1. **Finance, Administration, & Intergovernmental Relations**

Commissioner Piper had no report at this time.

2. **Energy, Environment, & Natural Resources (6:11:29 PM)**

Commissioner Minor provided updates on the UNRBA budget increasing by 92% (doubling) from \$1100 to \$2249 to fill in gaps where the State is not going to continue to sample Falls Lake upper watershed. There was also a subcommittee meeting with Person & Granville Counties, Creedmoor, Butner, SGWASA, & others regarding forming a utilities commission to share in some of the costs.

Administrator Flowe addressed some of the rules that affect our particular portion of the watershed. A subcommittee has been formed for the smaller jurisdictions. Path Forward is a transition for UNRBA; which went from a generalized body to now taking on a more formal role. The Clean Water Act is behind this and provides a process for evaluating potential outcomes including evaluations of not only water quality and aquatic life, but also the social and economic impacts. Called the “Use Attainability Analysis”, this is a comprehensive process which will take several years to complete. This means that the City will be understudied at various high and low levels for the next 25 years. Overall, step one is to determine what we need to monitor, what techniques and analysis will need to apply, and what will be needed to examine nutrient management strategy. Step two is to execute the field monitoring effort and perform needed technical analysis. At this stage, we expect to see our dues in UNRBA double once again. Following this, step three will be to evaluate the current potential and future regulatory programs. Right now, our Main Street is the dividing line between the upper and lower Falls Rules. Administrator Flowe also reported that

staff are presently working on the stormwater management plan and ordinance in an attempt to stay ahead; since DWQ staff is administering both sets of rules that affect us.

Mayor Moss recognized that we were on a path to do our own thing; while Commissioner Minor added that there may be certain things we can do better as a utility commission; we can pick and choose what pieces we want to do while having the County collect stormwater fees as a tax. Mayor Moss expressed concerns over the City having to answer to DENR, UNRBA, and the Utility Commission as it may reduce our capacity to approve developments, and in a worst case scenario, we may lose our ability to approve what we want to happen in our community. Commissioner Minor assured everyone that this is not what utility commission is about.

3. Public Safety

Commissioner Seagroves had no report at this time.

4. Transportation Infrastructure (6:23:17 PM)

Commissioner Wilkerson asked about the parking signs on Main Street and Inspector Colenda replied that the signs have been ordered but not received as of yet. Commissioner Wilkerson thanked Public Works Director Wilson for coordinating the cleaning of ditches on Fleming Street and commended him for the results.

5. Community & Economic Development

Commissioner Stallings inquired as to the status of the proposed purchasing policy referred to the Finance Committee. Commissioner Minor responded by saying that it had been given to Tom and now are awaiting for it to be put into the city policy format. Commissioner Stallings also asked about the court-assigned community workers (4-H Best Program) and if they would be doing any community service this year. Business Development Manager Wilkins responded that they have been working on Apple, Mill, and Watson Streets. Manager Mercer and Wilkins agreed that it is sometimes difficult to utilize volunteer workers because there is a high level of supervision that needs to be enforced.

MAYOR'S COMMENTS (6:29:17 PM)

Mayor Moss stated that he was in Washington recently for the Congress of Cities and the theme was putting together an agenda for economic growth. There were three phases addressed: Immigration/Integration-Finding a strategy to find ways to assimilate immigrants to our environment; Small Business Development; and Education Development. Mayor Moss feels the board should take the opportunity to engage themselves with the surrounding schools.

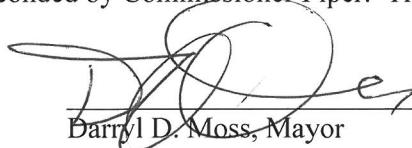
Moved by Commissioner Wilkerson to go into closed session (per G.S. 143-318.11) on Attorney-Client Privilege; seconded by Commissioner Stallings. The motion received a unanimous vote.

The Board returned to regular session at approximately 6:49 p.m. Mr. Dan Boone of The Wooten Company addressed the Board and provided a detailed written review of the lowest four bidders on the USDA project. Mr. Boone provided an informational session on the bid opening, the results, the review work the Wooten Company performed and what the Board's responsibility is before awarding the contract.

ADJOURNMENT

After the presentation, there being no further business before the Board, Commissioner Stallings moved to adjourn the meeting at approximately 7:04 p.m.; seconded by Commissioner Piper. The motion received a unanimous vote.


Korena L. Weichel, Deputy City Clerk


Darryl D. Moss, Mayor

