

MINUTES OF
CITY OF CREEDMOOR – BOARD OF COMMISSIONERS
REGULAR MEETING AND PUBLIC HEARING
SEPTEMBER 25, 2007
7:00 P.M.

PRESENT:

Mayor Darryl D. Moss, Mayor Pro-tem Tim Karan, Commissioner Angela Mangum, Commissioner Kent Ray and Commissioner Larry Robinson. Also present was Robert A. Schaumleffel, Jr., City Manager, Sandra Harper, City Clerk and Attorney Tom Currin. Absent was Commissioner Otha Piper, Jr.

QUORUM:

Mayor Moss welcomed everyone and called the meeting to order at 7:00 p.m. in the Commissioner's Room at City Hall. He announced that Commissioner Piper was sick this evening.

INVOCATION:

Mayor Moss

PLEDGE OF ALLEGIANCE:

Commissioner Mangum

REQUESTS TO ADDRESS THE BOARD:

Ms. Scottie Wilkins – Comprehensive Transportation Plan:

Ms. Scottie Wilkins, Granville County Planner addressed the Board and gave a presentation of the Granville County Comprehensive Transportation Plan final draft for endorsement/adoption. She advised that in 2005, Granville County and all of the municipalities therein began working with NCDOT Transportation Planning Branch, the Kerr-Tar RPO (Rural Planning Organization), and the Capital Area MPO (Metropolitan Planning Organization) to update the old Thoroughfare Plans throughout the county into a more current Comprehensive Transportation Plan (CTP). Through a grass roots effort and much citizen and local involvement, they will be presenting the finished draft of the new Granville County CTP. There will be a Power Point Presentation and maps that show the recommendations for improvements. The CTP includes recommendations for Highway, Bike and Transit. Ms. Wilkins asked that the Creedmoor City Council consider adopting the Granville County CTP by the Kerr-Tar RPO, the Capital Area MPO and NCDOT.

Ms. Wilkins recognized Mayor Moss, Commissioner Karan, Dave Roesler and County Commissioner Herbert Gooch as members of the Comprehensive Transportation Planning Committee and expressed that they have been diligent in meeting and giving input representing the City of Creedmoor. She noted that the process began by having a public survey to be able to obtain information from the grass roots level of average citizens that travel these roads daily. Ms. Wilkins said that they also began with the previous Thoroughfare Plans so that they could be honored as well as build upon the needs that are listed in those Thoroughfare plans. She said that there have been numerous meetings month after month along with one-on-one work sessions with the individual municipalities. Ms. Wilkins said that recently there were two Public Information Sessions; which were located in the southern end of the county and one in the northern end of the county. These sessions were a wrap up of the input process to take all the gathered information and place it on the maps and to hear additional public recommendations. All during the process and after identifying what the needs are there was a lot of data analysis looking at roadway and traffic conditions to justify the needs that were seen. Ms. Wilkins expressed that the Comprehensive Transportation Plan is a set of long range recommendations. She said that this is what she calls a wish list because they do not expect to have funding for everything that will be shown in this presentation this evening. This is a wish list to document and show the needs for now and what is anticipated for future growth. Ms. Wilkins noted that this plan not only covers the roadways, it also covers the bike and public transportation element. She said that this plan will replace the previous Thoroughfare plan. She noted that this plan is truly a comprehensive plan, a regional plan and not just for Granville County. Ms. Wilkins said that it is also for the neighboring communities. She expressed that one of the recommendations was for the CTP Committee to stay in existence to initiate change as needed. Ms. Wilkins announced that this Comprehensive Transportation Plan has won a national award from NATO. She added that Ms. Shelby Powell of the Kerr Tar Council of Government called this award an Excellence Award for Innovation.

Mr. Scott Walston, NCDOT gave a power point presentation of the following:

Granville County Transportation Plans:

Mr. Walston explained that he worked with the City of Creedmoor on the previous Thoroughfare Plan which is no longer valid after adoption of the Granville County Comprehensive Transportation Plan. Mr. Walston explained that the previous plan was roads only.

Relationship Between Plans:

- Comprehensive Transportation Plan (25-50 Year Plan)

Comprehensive Transportation Plan:

- Multimodal
- Highway

- Public Transportation and Rail
- Bicycle
- Pedestrian (future)
- Recommendations
 - Existing, Needs Improvement, Recommended

The CTP's Final Products:

- Adoption Sheet
- 3 Maps
- Highway Map
- Bicycle Map
- Rail and Public Transportation Map
- Technical Report

Benefits of CTP:

- Common long range vision for facilities between NCDOT, MPOs and Local Government
- More reliable project delivery
- Better Transportation Planning Process
- Improved Planning Process Partnership
- Customer-friendly Documentation
- Better Integration of Land Use With Transportation Planning

Ms. Diane Wilson, NC Capital Area MPO presented the following:

Granville County CTP – Highway:

- Identify future cross sections for roadways
- Identify Right-Of-Way Needs
 - To Be Exacted During Development Approval

Bicycle Element:

- Greenways and Bicycle Facilities As Represented In The Granville County Greenway Master Plan
- Additional On Road Bicycle Facility Improvements To Rural Roads With Recreational Use
- Wide Outside Lanes/Wide Shoulders To Be Included In All Roadway Improvements And New Location Projects

Highway Maps:

- Service Stovall To Oxford
- Service Oxford To Creedmoor
- Neighborhood Loop Around Oxford
- Service Butner To Durham
- Service Creedmoor To Raleigh

Granville County CTP Update Process:

- Locals Initiate Plan Change
- Granville County Transportation Committee Reviews Change
- MPO or RPO Review/Adopt Plan
- Locals Re-Adopt Plan
- DOT

Bicycle Map

CTP Policy Recommendations:

- ROW Needs To Be Reserved For Future Transportation Improvements
- Traffic Impact Analysis Should Be Required To Determine If A Road Is To Be Widened Or Constructed Incidentally With Development
- On-Road Bicycle Facilities Should Be Included When Widening Roadways And On New Location Thoroughfares And Collectors
- Connectivity Should Be Required As Part Of Development Review And Approval
- The Granville County Transportation Committee Should Continue To Meet To Provide Guidance On Implementation Of The CTP

Ms. Diane Wilson urges this Board to endorse this plan this evening to the CAMPO and the RPO to let them know you are adopting this as your plan.

Ms. Scottie Wilkins said that it has been a pleasure working with the Comprehensive Transportation Plan Committee. She said that the most wonderful aspect was that even though everyone has their own interest we all worked together as a region in order to help our specific area.

Mayor Moss asked if the map can be linked to the City's website.

Ms. Scottie Wilkins said that she believes this can be done; however, there is a small edit that needs to be done to the Oxford area that is not clear on the map. Ms. Wilkins said that once the plan has been adopted by the City Commissioners, the next step will be to present the plan to the Granville County Commissioners Monday night, October 1, 2007. She said that once everyone adopts and endorses the plan the small edit will be made and the maps will be available. She added that the maps are currently available on CAMPO's website.

Mayor Moss said that he attended the CAMPO meeting last Wednesday and presented #c and Creedmoor did very well. He said that the projects are NC 50, I-540 to NC 98; I-85 to the CAMPO boundary; NC 98 to Creedmoor; NC 96; Brassfield Road to NC 50; Gate #2 to Brogden Road. Mayor Moss said that NCDOT is taking a close look at the advanced planning, which are the NC 56 Corridor Study from 33rd Street in Butner to the Granville County/Franklin County line, exit 191 to exit 202; the NC 50 Corridor Study from exit I-540 to the Creedmoor Planning area; the Creedmoor Connector Study from Brassfield Road to NC 50; the NC 56; NC 15; NC 50 intersection realignment and Brogden Road/Hester Road Access Corridor from NC 56 to Brogden Road/I-85.

Mayor Moss referenced the pedestrian bicycle improvements. He said that other projects are NC 56 wide shoulders from the Franklin County line to Oxford, add sidewalks and bicycle lanes to NC 56 Wilton Avenue; and NC 50 add wide shoulders to Creedmoor to the Wake County line. He noted that additional pedestrian bicycle improvement priorities NC 15; Hillsborough Street and NC 56; Hawley School Road; Lyon Station Road wide shoulders or striped lanes and the Creedmoor Connector wide shoulders or bicycle lanes. Mayor Moss said that this is the second year in CAMPO and there has been a lot of progress. He added that there is also a regional bus expansion plan and Butner and Creedmoor are included. Mayor Moss thanked everyone for their efforts.

Mayor Moss advised that the Creedmoor Planning Board met and by a 7-0 vote recommends adoption of the Comprehensive Transportation Plan.

A motion was made by Commissioner Mangum and seconded by Commissioner Robinson for the adoption of the following Resolution:

RESOLUTION ADOPTING A
COMPREHENSIVE TRANSPORTATION PLAN
FOR GRANVILLE COUNTY, NORTH CAROLINA

WHEREAS, the City of Creedmoor, City of Oxford, Town of Stovall, Town of Butner, Town of Stem, Granville County, the Capital Area Metropolitan Planning Organization, the Kerr-Tar Rural Planning Organization, and the Transportation Planning Branch, North Carolina Department of Transportation, have actively worked to develop a Comprehensive Transportation Plan for the Granville County; and

WHEREAS, the City of Creedmoor and the Department of Transportation are directed by North Carolina General Statutes 136-66.2 to reach agreement for a transportation system that will serve present and anticipated volumes of traffic in and around the City of Creedmoor; and

WHEREAS, it is recognized that the proper movement of traffic within and through the City of Creedmoor is a highly desirable element of the comprehensive plan for the orderly growth and development of the City; and

WHEREAS, the City of Creedmoor is directed by North Carolina General Statutes 136-66.2 to have a qualifying land development plan that can be a policy statement that expresses a jurisdiction's vision for the development of land within that jurisdiction;

WHEREAS, it is recognized that the vision described in the 2007 City of Oxford Land Use / Zoning Plan is still valid for the areas within the City of Creedmoor's planning jurisdiction, and will serve as a qualifying land development plan;

WHEREAS, it is recognized that the Granville County Comprehensive Transportation Plan will replace the existing City of Creedmoor Thoroughfare Plan;

WHEREAS, after full study of the Comprehensive Transportation Plan and the supporting documents presented, the City of Creedmoor Board of Commissioners feel it to be in the best interests of the City of Creedmoor to adopt a plan pursuant to General Statutes 136-66.2;

NOW THEREFORE, BE IT RESOLVED: That the City of Creedmoor Board of Commissioners hereby adopt this plan dated September 6, 2007 to replace the previous Creedmoor Thoroughfare Plan for future transportation/land use planning purposes, endorse the plan within the Creedmoor jurisdiction to CAMPO and NCDOT for mutual adoption, and endorse the balance of the plan to Granville County and NCDOT for mutual adoption. This plan should be approved and adopted as a guide in the development of the transportation system in Granville County and the same is hereby recommended to the North Carolina Department of Transportation, the Capital Area Metropolitan Planning Organization and the Kerr-Tar Rural Planning Organization for subsequent adoption:

I, Darryl D. Moss, Mayor of the City of Creedmoor Board of Commissioners, City of Creedmoor, North Carolina, hereby certify that the above is a true and correct copy of the excerpts from the minutes of the City of Creedmoor Board of Commissioners meeting of said City, WITNESS my hand and the official seal of the City of Creedmoor this the 25th day of September, 2007.

The motion received a unanimous vote.

PUBLIC HEARINGS:

Petition for Voluntary Annexation – Averett Property – 48.55 Acres – South Side of Hwy. 56/Hayes Road:

Mr. Dave Roesler, Planning Director addressed the Board and expressed that at the August 28, 2007 meeting a Petition for Voluntary Annexation was certified for sufficiency by the City Clerk. The voluntary contiguous annexation petition is for 48.55 acres of land located on the south side of NC 56 and Hayes Road, SR 1702. The applicant and property owners are Mr. James Edward Averett and Mr. John Paul Averett.

He noted that the Public Hearing was scheduled for this evening for anyone who wishes to speak on the accuracy of this petition.

Mayor Moss opened the Public Hearing.

Attorney Currin advised Mr. Averett that the City needs to be given an 11 x 14½ recordable map with the proper certification.

No one else wished to speak so Mayor Moss closed the Public Hearing.

Intent to Annex – City owned Conservation Tracts:

Attorney Currin said that as the Board is aware the City has some non-contiguous tracts that do not touch any part of the existing City Limits. He explained that as a result of this and because these tracts are closer to another municipality it will require an agreement between the City and Butner in order to act on this annexation. Attorney Currin said that as discussed briefly at the last meeting, at the point and time when the Legislature was acting on Butner's request for incorporation, this Board pointed out that it desires to have these parcels brought into the City. As a result, they moved their line back and do not anticipate a problem. He said that these tracts are owned by the City, which was acquired from the conservancy, which was previously owned by John Braddy and his development partners and also by the Wellons Foundation. Attorney Currin said that the hearing will take place this evening and the Board will adopt the agreement to be signed by Butner. After we receive the signed agreement from Butner the Ordinance can be signed as early as the Board's next meeting. These properties are environmentally sensitive. He noted that the City plans to use a portion of each of the properties as a location for fill that will be removed from the lake during the dredging process. Attorney Currin said that it is anticipated that these properties will be reclaimed and after being re-conformed they will be reseeded and small trees planted to be returned to a natural state. The City has agreed to restrict the tracts to non development type of uses such as recreational and governmental uses. It is anticipated that the annexation of these particular tracts will give the City the opportunity to control environmentally the gateway to the drinking water supply at Lake Rogers. At the close of tonight's hearing the Board will not be in a position to annex; however he presented a Resolution to consider that states that whereas, the General Statutes provides for certain non contiguous annexations to require approval of neighboring municipalities and those provisions require the two tracts subject to annexation this evening and whereas, this Board of Commissioners are requesting the Town of Butner to agree and approve the annexation through the adoption of an annexation agreement. Therefore, this evening this Board is 1) calling for an actual public hearing on the annexation agreement, which is required in addition to the actual public hearing that you are having this evening and 2) requesting the Town of Butner to hold the hearing required by law and to enter into agreement to facilitate the annexation. When there is a non contiguous annexation closer to another municipality the agreement must have five things; 1) when it starts 2) how long it goes, 3) one agrees not to annex a portion so that the other one does 4) clearly identify the area that is being referred to and 5) must state that each of the municipalities will have a public hearing with an

advertisement in the newspaper to consider the agreement before it is adopted. In the event that there is not a waiver of a 60 day notice provision, the City would have to give Butner 60 days notice of intent before the ordinance becomes effective. He added that Butner has the right to waive that notice. He expressed that since the City is identifying these two specific pieces of property and this agreement only refers to these two particular pieces of property the City is asking the Town of Butner to waive the 60 days notice.

Mayor Moss opened the Public hearing. No one wished to speak so Mayor Moss closed the Public Hearing.

Commissioner Karan inquired about the effect this annexation will have on future proposed voluntary non contiguous annexations.

Attorney Currin replied that it will make it easier to do contiguous annexations. He said that this will make it easier and more efficient to move northward toward Brogden Road.

Commissioner Karan inquired about the 10% of the City's land mass in a date specific.

Attorney Currin said that all of the satellites have been brought into the City and this is not affecting the ability for satellite annexation.

MINUTES:

Moved by Commissioner Karan and seconded by Commissioner Ray approval of the August 28, 2007 minutes. The motion received a unanimous vote.

APPROVALS/ADDITIONS TO AGENDA:

Moved by Commissioner Karan and seconded by Commissioner Robinson to add to the agenda under New Business item 11-d as Petition for Voluntary Annexation – The Averett Property and item 11-e as Intent to Annex – City owned Conservation Tracts. The motion received a unanimous vote.

Moved by Commissioner Ray and seconded by Commissioner Karan to adopt the agenda. The motion received a unanimous vote.

PUBLIC COMMENTS:

Ms. Georgiana Kicinski of Whitehall Subdivision addressed the Board and said that she received an e-mail today about missing garbage pails in the neighborhood. She said that she attended the July 24, 2007 meeting and the public was told that this was going to happen on September 1, 2007. She expressed that there was no follow up to the fact that it did not happen on September 1st and there was no news noted anywhere. Ms. Kicinski said that the Butner Creedmoor News is not a way to dictate policy from the City to its citizens. She said that there should have been a notice and her understanding is that City

Hall was bombarded with phone calls yesterday and today about people asking questions, which is a waste of time for employees. Ms. Kicinski said that she understands that it was Waste Industry that delayed; however, she has attended all recent meetings and there was no notification. Ms. Kicinski asked if there is a City Ordinance that states that it is mandatory to recycle and if one exists she has not been able to find it. She asked, if it is not a mandatory ordinance will it be enforced. If it is enforced there will be fines and penalties and she feels everyone should be notified. Ms. Kicinski expressed that her point is that there should be communication to the citizens before things happen and not after the fact.

Mr. John Wilkerson of S. Main Street said that he would like for the Board to review providing a place for yard waste. He said that he took his yard waste to Wilton and they said they do not take the yard waste and suggested that he take it to Old Hwy. 75. Mr. Wilkerson said that he drove the yard waste to Old Hwy. 75 and drove around to get on the scale and they told him that they do not take cardboard boxes. Mr. Wilkerson said that he was trying to be a good citizen and he would like for Creedmoor to have a supervised gated area for citizens to take the yard waste.

Commissioner Karan said that he feels that Ms. Kicinski is absolutely correct that there was miscommunication and should not happen. Commissioner Karan said that it is not a mandatory issue. If people choose not to use it and harm our earth it is their decision; however they still have to pay for the recycling. He said that the Board may want to address the issue of citizens removing their recycle bins at the curb. He said that there are municipalities that have a twenty-four hour time frame to remove the recycle bins from the curb. Commissioner Karan said that this may be something to place on the To Do List under EENR Recycling for review. Commissioner Karan asked for suggestions as far as recycling of miscellaneous items such as the phone books, which Waste Industries does not take. He said that Mr. Wilkerson's request was to have notification in print such as an informational flyer as to where white goods, etc. can be taken. He said that the new water billing system will be a good source for promoting information. Commissioner Karan reiterated what Commissioner Ray has said many times, education is key.

Mayor Moss said that this may be a good opportunity to talk with the County Commissioners to let them know that the City needs help letting citizens know the locations for waste disposal.

Commissioner Ray advised that the City purchased a chipper and citizens can call for yard debris pickup. The debris will be picked up the first and third Wednesday of each month.

Mr. Robert A. Schaumleffel, Jr., City Manager advised that the chipper is at the lake and mulch is available for citizen's use. This eliminates having to dump the materials.

Mayor Moss said that staff needs to be careful in creating a mulch pile. He noted that one of Creedmoor's neighbors let their permit expire and the pile caught on fire.

Mr. Robert A. Schaumleffel, Jr., City Manager said that if all of the material is placed in one area and it is not turned the methane gas underneath will build up and catch on fire. Mr. Schaumleffel said that the City has only had small piles.

Commissioner Ray said that with the draught this summer there is going to be a lot of shrubs to be picked up in the fall and next spring and the piles will grow. He expressed that the City may want to look at other options or ways to keep the pile spread to eliminate the gas buildup.

MANAGER'S REPORT:

Mr. Robert A. Schaumleffel, Jr., City Manager said that Mr. Dan Boone of the Wooten Company was present to talk about Lake Rogers and secondly, long range water/wastewater treatment needs.

Mr. Dan Boone of the Wooten Company addressed the Board and said there where changes with the schedule for the dredging of Lake Rogers, which he will address. He advised that issues were raised by the County Planning Department that has delayed completion of the plans. Specifically the issue of placement of excavated material within the watershed resulted in a determination from the State Solid Waste Division that the removed material does not constitute debris. Mr. Boone said that it took approximately three months to work things out with the County and we can now move forward with the project; however, they had to do some redesign and this should be finalized within the next week. Mr. Boone said that last April or May the City hired the services of Goldstein and Services to do an environmental assessment this is required as a result of the City obtaining a STAG grant. Goldstein and Associates since that time has been collecting samples of the biological life around the lake and making documentation. Mr. Dan Boone said that one of the requirements from EPA is that there be a public hearing held to discuss the project and allow the public to participate and make comments. Mr. Boone said that the public hearing is currently scheduled for October 23, 2007. He said that Goldstein and Associates will be in attendance the night of the public hearing to make a presentation on their findings. Mr. Boone said that concurrently, EPA will be reviewing the environmental document and the plans will be submitted to the various state agencies to review for permitting. He said that he is hopeful that this will be completed and after advertisement the bids will be taken in December. Mr. Boone said that they will award the contract, construction will begin in February and it will be completed in mid summer. Mr. Boone said that the determination was made to remove the sediment by hydraulic dredging because the lake would have to be out of service for a long time to sufficiently dry all of the sediments out for removal with earth moving equipment. He said that the conventional dredging would require a lot of easements for getting in and out of the lake. Mr. Boone said that unfortunately, hydraulic dredging requires the lake to be full; therefore, in order to proceed we will have to wait until the lake refills. He said that he has spoken to his design team and if the draught continues and there is sufficient drying of the sediment of the lake bottom it may be possible to get the heavy equipment in there and bid conventional as an alternative.

Mr. Robert A. Schaumleffel, Jr., City Manager said that the lake is 36" low, the lake is hot and there is evidence of fish kill.

Commissioner Ray inquired about the type of effects whether conventional or hydraulic will be on the permitting process. He noted that it is possible that the City could lose the funding in 2008 and inquired about the time frame.

Mr. Dan Boone said that it will depend upon where they place the material that is being removed. If they remove the material with conventional means they will build an island in the middle of the lake to reduce the distance and not have additional permitting. He noted that the sedimentation and erosion control will be addressed regardless of how it is done and also with the Division of Land Quality in the mining agency for removal of material.

Commissioner Ray said that the prediction is that there will be a dry fall and asked how much of a deterrent is this going to be in reference to funding.

Mr. Robert A. Schaumleffel, Jr., City Manager said that this is the third year that he has asked for an extension. Mr. Schaumleffel expressed concern that we are now going into the fourth year and time is running out.

Commissioner Ray asked the difference between the conventional and hydraulic as far as cost.

Mr. Dan Boone said that it may be that it is dry enough that the material can be moved onto the lake bed and not have to build the roads, which will be more economical. He said it is good to have this as an alternative bid.

Commissioner Ray said that it would be best to also offer the alternative at this point. He fears that the City will have to go with conventional.

Attorney Currin showed the traffic pattern and referenced the easement granted to the City voluntarily by means of purchase and it provides access by conventional or hydraulic method.

Commissioner Mangum said that it is discouraging as she looks at the schedule and expressed that anything that Mr. Boone can do to push forward would be appreciated. She said that it is disheartening that it can't be done until February. Commissioner Mangum said that citizens wanted this project done years ago and the time is continuing. She said that it does not make sense to take the money and wait this many years to begin construction.

Mayor Moss said that there have been several circumstances involved. He said that anything that has happened to postpone this project has been outside of the City's control. He made reference to the additional assessments, planning efforts with the Core of

Engineers and them being called away due to hurricane Katrina and lastly, the Granville County issue.

Mr. Dan Boone said that unfortunately this is uncharted waters for the Wooten Company in providing the EPA with these types of documents with this fairly new program. In the past they have been able to get an exclusion from the environmental documents.

Mayor Moss said that the US Senate has passed a Resource Development Act and the City can receive emergency help for upgrades at Lake Rogers. He said that he was going to give Dan Boone's number to the City's representatives to answer any questions that they may have.

Mr. Robert A. Schaumleffel, Jr., City Manager gave the Board a handout and referred to the Memorandum of Understanding for long range water supply needs and wastewater treatment needs he received from Mr. Dan Boone.

Mayor Moss said that there has been discussion of the request for the City of Oxford to provide the City of Creedmoor with its long-term water supply and wastewater treatment needs being postponed until after November 6, 2007.

Mr. Robert A. Schaumleffel, Jr., City Manager said that he has not had a chance to call the Oxford City Manager to talk about the status.

Mr. Dan Boone advised that Oxford's engineer said that the City needs to let them know how they would like to proceed.

Mayor Moss said that the Board needs to review this issue further.

Mr. Dan Boone said that the City has an agreement with SGWASA to treat 550,000 gallons of wastewater per day. In order to move the wastewater to Butner the City has to have pumps in conveyance capacity to handle the largest flow. That flow occurs when there is wet weather and there is infiltration inflow as well as a lot of usage from the customers. This is a ratio of 2½ times the average day. If the average day is 500,000 per day then the conveyance system has to be designed for 1.25 million gallons per day. He said that as we talk about moving the sewage over to Butner in the pumping station design and we tell you there is a pumping capacity of 400,000 gpd average, the pumps that you are sizing in the delivery to Butner must be large enough to accomplish that 1.4 million gpd. Mr. Boone said that there has to be 700 gallon unit pumps, which are one million gpd. The Butner system can fully treat that 700,000 gpd at that rate; however, over a year's period the City will only be delivering the average day flow. Mr. Boone said that the City has discussed this with Lindsay Mize and currently it is proposed to pump 700,000 gpd, which is one million gallons per day, which is equivalent to 400,000 gpd. of average wastewater. This leaves approximately 150,000 gpd remaining in the City's allocation after the booster pump station is on line. This is not exceeding the permit allowance from Butner. Mr. Boone said that Butner has to have sufficient capacity at the end of the line to receive and manage that 700,000 gpd without

overflowing the system. Mr. Boone advised that when they submitted the package to SGWASA for approval to submit for permitting at the state level they would not issue that for us. They said that they do not have the receiving capacity for the 700,000 gpd. Mr. Boone said that they looked at the lines and proposed to pump the sewage further into their system so that it will not surcharge. This will add approximately \$120,000 to the City's budget. There are other less costly alternatives; however SGWASA does not want the City to consider those alternatives. Mr. Boone said that the City went back with a proposal to extend the force main of 1,000' further down in their system and they said that they want the City to go even farther. The extension that SGWASA wants will cost the City \$167,000.

Mr. Robert A. Schaumleffel, Jr., City Manager said that at this point, he asked Mr. Boone to stop further discussions with SGWASA until further direction from this Board.

Commissioner Karan said that there is another intake collection point for SGWASA on Gate II Road on Highway 15 behind the transformer site. He asked if the City can get effluent to there and split it to Joe Peed Road.

Mr. Dan Boone said that they reviewed this and it is too small.

Commissioner Karan asked the cost of having the City's water/sewer system appraised to consider getting out of the water/sewer business. He said that the cost overrun is getting more expensive on a daily basis. Commissioner Karan said that at this point there is no guarantee with the connection to Oxford. He said that the SGWASA rate study has a ten year CIP included. The rates being paid to SGWASA organization have the CIP built in and this is a capital improvement project. Commissioner Karan said that the numbers that Mr. Mercer presented show that we are looking at \$4.00 out of an \$8.00 bill that goes toward our system. Commissioner Karan said that this is a difficult decision to make; however if we don't have a system we do not have to pay the \$4.00. He asked Mr. Dan Boone if the Wooten Company can do an appraisal.

Mr. Dan Boone said that it would take some effort and fortunately, the City has good mapping records to make it easier. He said that this is something for the City to consider as there are a lot of cases throughout the state where smaller systems are consolidating. He used an example of Wendell, Zebulon, Rolesville and Wake Forest consolidating with Raleigh.

Mr. Robert A. Schaumleffel, Jr., City Manager said that the unit costs are so high that a larger group of units are needed to share the cost for feasibility. He expressed that unfortunately the City's system is old and has out lived its usage.

Commissioner Karan said that he knows that the question will be asked as to how that the City will maintain our future growth ability. He used Waste Industries as an example of collecting our garbage and as people and businesses move in Waste Industries does not complain and tell us that the City can not have new customers. He also used Duke Power

as an example. Commissioner Karan stressed that the longer we wait the bigger the hole becomes.

Commissioner Ray asked the time frame for an appraisal.

Mr. Dan Boone said that it would be only a couple of months.

Mayor Moss said that there is no answer on the \$167,000 upgrade this evening.

Commissioner Ray asked that Mr. Dan Boone check on the cost of an appraisal and get the numbers to Mr. Schaumleffel by next week. Commissioner Ray said that Creedmoor is not in a position to wait long to make a decision. He said that even with dredging the lake the potential capacity does not meet the needs for the next twenty years. Additionally, it is going to require an upgrade of the plant, which is a tremendous cost. Commissioner Ray expressed that SGWASA has the capacity to provide the needs of Creedmoor over the next twenty years.

Mr. Dan Boone said that he provided the City Manager with some alternatives in a report from the Wooten Company. He said that the report looks at alternatives that were mentioned this evening.

Commissioner Karan said that the report was made available to the Board for review.

Mr. Dan Boone asked if the Board would like an update as to the cost of the water plant repairs.

Mr. Robert A. Schaumleffel, Jr. City Manager said that he needs direction from the Board as to what they want done. He advised that the last figure presented was \$330,000.00

Mr. Dan Boone said that the estimated cost for a new chemical feed system is \$10,000 and no cost for installation if the City will buy the chemicals from them.

Mr. Dan Boone said that they are in the process of getting pricing for the things that need to be done to keep the plant in operation short term. He said that he will provide pricing at the next meeting.

Mr. Robert A. Schaumleffel, Jr., City Manager said that Bob Jones had all the certifications needed and now that he is gone it is time to replace those certifications. He said that it is critical that we have an ORC for distribution. Mr. Schaumleffel said that Mr. Boone has presented several options. He expressed that the City also needs an ORC for cross connection. Mr. Schaumleffel said that for the sewer, Phillip Howell has taken the class but the test is not available until December. Mr. Schaumleffel said that he talked with Lindsay Mize, Executive Director for SGWASA and they have the certifications needed to help out. He said that the only problem that he foresees is that the City will have to operate under SGWASA's umbrella; however the final authority

will be by the City. Mr. Schaumleffel said that Mr. Boone has given him other options; however, he is trying to look at the most economical way.

Mr. Dan Boone said that the state will allow for the City to use someone else's certification of a nearby facility on a temporary basis. He said that a contract operator is also an option; however this is more expensive. Mr. Boone said that he spoke with Mr. Lindsay Mize, Executive Director for SGWASA today and he said that there is a longer term consideration at this time; nevertheless, he said that he is willing to take a temporary agreement for assistance before the SGWASA Board. Mr. Boone said that Mr. Mize said that he would need a written agreement of their responsibilities to prevent liability.

Mr. Dan Boone advised that the state has time frames for which you must have a certified operator back on staff or agreement for someone to operate the system. He expressed that the City needs to move rather quickly because time has been running since the loss of personnel.

Mayor Moss referred this issue to the Energy, Environment and Natural Resources Committee for recommendation.

Mr. Robert A. Schaumleffel, Jr., City Manager reported that he and Tom Mercer have been negotiating a contract with Verizon Wireless and suggests the amount of \$2,500.

Mr. Robert A. Schaumleffel, Jr., City Manager said that Waste Industries has started the delivery of the new canisters for refuse collection. He expressed that they were running a little behind and some citizens did not receive the notifications that were taped to the canisters. Mr. Schaumleffel said that he researched commercial refuse and at Hidden Valley and Royal Pavilion there are commercial dumpsters and the City also charges the individual apartment owners; at Driftwood Apartments there is no dumpster and we charge the individuals, Charles Street and Cotton Avenue there are multi units and there is no dumpster; however the City charges. He said that he does not understand why the City is involved with commercial locations for the billing of residential refuse collection. Mr. Schaumleffel said that this is the first contract in twenty years and before he sends a letter of notification for the change in billing arrangements he would like feedback from the Board.

Commissioner Robinson said that the City Manager was correct in saying that municipalities do not usually get involved with commercial refuse. He said that he was involved in a case where apartments were annexed into the city and they were promised garbage pickup. Commissioner Robinson said that agreement lasted approximately one year and they realized that commercial should take care of their own refuse pickup and charge the individuals for the service.

Mr. Robert A. Schaumleffel, Jr., City Manager said that commercial entities must negotiate with the hauler for their own refuse service and they decide what to charge the individuals.

Mayor Moss said that Chris Blackwell of Waste Industries verified that this is the arrangement that was agreed upon many years ago. Mayor Moss referred this to the Finance, Administration and Intergovernmental Committee to work with the City Manager.

Commissioner Karan said that the playground equipment was ordered and was shipped to Durham and will be delivered to Creedmoor on Thursday. The equipment will be installed Tuesday or Thursday of next week. The old equipment has been removed and the site has been prepared for the installation of the new equipment.

Mr. Robert A. Schaumleffel, Jr., City Manager said that he would like to meet with the Committee in reference to the Automated Reading System (AMR) before making a formal recommendation.

Mr. Robert A. Schaumleffel, Jr., City Manger reiterated that the lake is 36" low and he made the recommendation to close the lake. He said that the paddle boats will be removed, cleaned and placed in storage. Mr. Schaumleffel said that he also recommends eliminating all boat traffic for the safety of citizens.

Moved by Commissioner Karan and seconded by Commissioner Ray to close the lake to boat traffic for the safety of all residents and the protection of the City paddle boats.

Commissioner Mangum asked what would be an appropriate lake level to reopen the lake.

Mr. Schaumleffel said that he would like to keep it closed until a normal lake level and from what he has heard it doesn't look like this will happen until February. Mr. Schaumleffel said that if the City gets an efficient amount of rain he will notify the Board when he feels it is appropriate to reopen the lake. Mr. Schaumleffel said that citizens can fish from the shore; however it is not safe to have a boat on the lake.

Commissioner Karan amended his motion and seconded by Commissioner Ray to close the lake to boat traffic for the safety of all residents and the protection of the City paddle boats until the lake returns to 20" below the reading level at which time the lake is to be reopened to citizens with non-motorized boats. The motion received a unanimous vote.

Commissioner Mangum asked for clarification of the notice for refuse pickup. She expressed that the notice mentions \$13.00 per month for once a week curbside pickup of solid waste with one 96 gallon cart. She asked if they will also pick up additional carts if citizens have placed them at the road.

Mr. Schaumleffel said that the contract reads that if you want a second cart you have to pay an additional \$7.00.

Commissioner Mangum said that what she is asking is will they pick up additional trash if it is brought to the road. She also inquired about additional recycling.

Mr. Schaumleffel said that Mr. Billy Williams of Waste Industries said that if anyone needs an additional recycle bin they will provide one at no charge.

Attorney Currin said that occasionally they will pick up extra trash; however if it becomes a habit they will require that the customer pay the additional \$7.00 fee for a second cart.

Commissioner Ray said that the City needs to make sure that the residents are aware that if they are not able to roll the cart out to the street they will pick up the trash from the house and place the carts back at the house for 3% of the City's citizens. Commissioner Ray added that this service will require a doctor's note for verification that will be kept on file. He said that he also wants to make sure that once they pick up the trash that they place them back in a proper manner and to make sure that they are clear of all streets. Commissioner Ray also requests that they make sure that they do not block driveways.

OLD BUSINESS:

Department Head Reports:

Provided in the Board packets were monthly reports from the various City departments.

Commissioner Ray noted a correction that needs to be made to the Police report for August. He said that the grand total reads 213 and should be changed to 202.

Tax Audit:

Mayor Moss gave a brief report on his meeting with Sharon Edmunson and Vance Holloman of the Local Government Commission (LGC). He said that there are communities that have gotten into trouble and the state moved in and took over their financial operations. Mayor Moss said that he asked the LGC if this was going to happen to Creedmoor and the answer was no. He said that 1) The City of Creedmoor called the LGC; they did not contact us and 2) the communities that had their financial operations taken over by the LGC were not willing to put forth a plan and were not cooperative. The LGC said that Creedmoor was cooperative and was working with them to get things done. Mayor Moss said that speaks for the efforts of this Board and staff trying to make things right.

Mayor Moss inquired about the correct W2s.

Mr. Tom Mercer said that all of the W2s were sent out.

Mr. Robert A. Schaumleffel, Jr., City Manager said that the information was found that raised questions, which solved the W2 issue.

Mayor Moss said that the LGC is recommending that the City hire a tax attorney. Mayor Moss said that they also want copies of any future letters from the IRS. Mayor Moss said that the LGC wants to make sure that the City is doing the pre-audit checks. He advised that the Finance Director is doing the pre-audit checks for purchase orders and checks. Mayor Moss has requested a follow-up meeting as the City nears conclusion of the audit and the LGC has agreed to do so.

SGWASA Contract:

Commissioner Karan said that Mr. Lindsay Mize, Executive Director for SGWASA has the staff breakout information and he will be presenting it to the SGWASA Board with the contract option at the next regularly scheduled meeting of Tuesday, October 9, 2007. Commissioner Karan said that he and Commissioner Ray would keep the Board updated.

To Do List:

Mayor Moss said that he added the following to the To Do List #21 as Recycling to be referred to the EENR Committee, #22 as Certifications to be referred to the EENR Committee, #23 as Utility System Appraisal to be referred to the EENR Committee and #24 as AMR System to be referred to the Finance, Administration and Intergovernmental Committee.

1. Sidewalks are complete and can be deleted from the To Do List
2. Mt. Energy issue to be corrected is still active

Mr. Robert A. Schaumleffel, City Manager said that he will contact the Granville County Manager to find out the status.

3. EMS Station connect to Wilton Line

Mr. Robert A. Schaumleffel, Jr., City Manager said that they can not connect to the line until they have corrected the Mt. Energy issue.

4. Sign Ordinance

Mr. Dave Roesler, Planning Director said that there has not been much interest from business owners.

5. Downtown Traffic

Mr. Dave Roesler, Planning Director said this is part of the CAMPO study to begin in October.

6. Paddington/Highlands (Punch List)

Mr. Robert A. Schaumleffel, Jr. said that he thinks that had to do with the erosion control and they are working with the state.

Mr. Dave Roesler, Planning Director said that he and Commissioner Karan have been discussing the issue of recreation.

Commissioner Karan suggests that this issue be deleted as #6 and place Paddington/Highlands under #19, Special Use Permit Review.

Mr. Dave Roesler said that the City can require active recreation uses if they construct something new under Special Use Permit.

7. Dr. Dudley is still active
8. Sound System can be deleted
9. Playground Equipment can be deleted
10. Water/Sewer Negotiation with Oxford is still active
11. ETJ Expansion Request follow-up with Granville County

Commissioner Karan said that the map needs to be updated.

12. Fire Hydrant Inspection is still active.
13. Lake Rogers Dredging is still active.
14. Tom Currin items are still active.
15. How tax collections will be evaluated is still active.

Ms. Lenessa Hawkins advised that the City received a check for \$873,000 from Granville County for property tax, vehicle taxes and tags.

16. Post Tar River Land Conservatory – No Hunting

Commissioner Karan said that this item can be deleted because this will automatically take place at the time of annexation.

17. Educate Citizens is still active and ongoing.
18. Traffic Calming Device

Commissioner Karan said that the Transportation Committee has not yet determined all the locations; however, he can assure the citizens of Whitehall that they will receive one.

19. Special Use Permit Review is active and ongoing.
20. SGWASA Management Contract is still under review.
21. Recycle was referred to the EENR Committee.
22. Certifications were referred to the EENR Committee for review.
23. Utility System Appraisal was referred to the EENR Committee for review.
24. Automatic Meter Reading was referred to the Finance, Administration and Intergovernmental Committee for review.

NEW BUSINESS:

Mobile Home Ordinance:

Moved by Commissioner Karan and seconded by Commissioner Ray to schedule the Public Hearing for the Mobile Home Ordinance for Tuesday, October 23, 2007 at 7:00 p.m. The motion received a unanimous vote.

Planning Board Establishment – Proposed Text Change:

Mr. Dave Roesler, Planning Director addressed the Board and expressed that at the September 13, 2007 Planning Board meeting there was discussion of a possible error in one of the provisions in the Ordinance recommended by the Planning Board and adopted by the Commissioners that established the Planning Board. The Board voted 7-0 to recommend that the Board of Commissioners call a public hearing on the following text change:

154.192 Officers

The Planning Board shall elect one member to serve as chairman and preside over its meetings, and shall create and fill such offices and committees as it may deem necessary. The term of the chairman and other offices shall be one year, with eligibility for reelection. ~~to a second term.~~

The Planning recommends the deletion of “to a second term.”

Moved by Commissioner Ray and seconded Commissioner Robinson to schedule the Public Hearing for the Planning Board Establishment – Proposed Text Change for Tuesday, October 23, 2007 at 7:00 p.m. The motion received a unanimous vote.

Proclamation – American Red Cross:

Moved by Commissioner Ray and seconded by Commissioner Mangum to adopt the Proclamation proclaiming November, 2007 as American Red Cross of Central North Carolina's 90th Anniversary Month as follows:

Proclamation

WHEREAS, the American Red Cross has served our community by providing lifesaving information, training, and disaster relief to individuals and families for the past 90 years; and

WHEREAS, the Red Cross is a leading voluntary agency meeting the needs to individuals and families affected by personal emergencies and disaster; and

WHEREAS, the Red Cross is designated by the Congress of the United States in the Act approved January 5, 1905, as amended, 36 U.S.C. Sections 1-9, as the lead voluntary agency responsible for national and international relief in time of peace and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other great national calamities, and to devise and carry on measures for preventing the same; and

WHEREAS, the Red Cross has trained thousands in our community in essential skills such as: first aid and CPR, providing HIV/AIDS prevention education and disaster preparedness information; thereby, saving untold numbers of lives; and

WHEREAS, Red Cross is recognized as the leading voluntary agency to help families prepare for a disaster and meet the immediate needs of individuals affected by disaster, leading voluntary agency training families in first aid, CPR, HIV/AIDS prevention education and providing other needed services.

NOW, THEREFORE, I do hereby proclaim November 2007 as

“American Red Cross of Central North Carolina's 90th Anniversary Month”

in the City of Creedmoor, and hereby urge all citizens to take special note of this observance by acknowledging and supporting the ongoing contribution of the Red Cross in helping our families prevent, prepare for, and respond to emergencies and disasters during this month and throughout the year.

Adopted this the 25th day of September, 2007.

The motion received a unanimous vote.

Mayor Moss announced that there will be an event on Thursday, November 1st beginning at 5:30 p.m. at the home of Cindy DePorter at 3759 Hwy. 15 Oxford, NC to celebrate the 90th anniversary. They request that you RSVP to Twanna Jones of the American Red Cross.

Petition for Voluntary Annexation – Averett Property:

Moved by Commissioner Ray and seconded by Commissioner Robinson to adopt the Annexation Ordinance to Extend the Corporate Limits of the City Of Creedmoor of the three certain lots containing 44.585 acres, 2.652 acres and 1.315 acres located on the south side of NC Highway 56 and Hayes Road. The motion received a unanimous vote.

Resolution – Tar River Conservancy Tracts

Attorney Currin said that the Board needs to schedule the Public Hearing for the annexation agreement and secondly, request that the Board of Commissioners of Butner schedule a hearing and approve the agreement recommended by the City. He said having held the hearing scheduled for October and assuming that Butner has passed their Ordinance, this Board can act that night on the adoption of the agreement and adopt the Ordinance on the annexation.

Moved by Commissioner Ray and seconded by Commissioner Robinson to schedule the Public Hearing for October 23, 2007 at 7:00 p.m. and to adopt the Resolution. The motion received a unanimous vote.

MAYOR’S REPORT:

Mayor Moss said that Commissioner Ray asked him the other day about voting on the City Manager’s evaluation and salary.

Commissioner Ray asked Attorney Currin if this Board needs to take action in open session.

Attorney Currin said that this Board does not need to take any action in open session in reference to the City Manager’s evaluation; however, this Board needs to take action either in the Budget as a separate specific line item or take action for a matter of public record at setting his salary in the form of a motion.

Mayor Moss said that they will schedule this item for the Work Session.

Mayor Moss thanked Commissioner Mangum, Commissioner Robinson, Steve Colenda the City Inspector, Mr. and Ms. Bowden and all staff that participated in the making of the Music Festival. Mayor Moss expressed that he wants to thank Commissioner Mangum publicly for a terrific job planning this event.

Commissioner Mangum thanked Steve Colenda and the maintenance crew that helped set up the festival.

Mayor Moss thanked Commissioner Robinson for his outstanding performance as mediator at the Candidates Forum. Commissioner Robinson received a round of applause.

Commissioner Robinson said that he was very happy with the public and the questions they asked. He also commended the candidates on their answers to the questions.

Commissioner Karan said that he would like to schedule a ribbon cutting for the new playground at Lake Rogers for Wednesday, October 10th at 6:30 p.m.

Commissioner Karan said that as Transportation Infrastructure Chairman he recommends that a street light be installed at the curve on Crescent Drive.

Moved by Commissioner Karan and seconded by Commissioner Robinson to have a street light installed at the curve on Crescent Drive. The motion received a unanimous vote.

Commissioner Mangum again thanked everyone for their participation and support to the vendors. She expressed great appreciation to everyone that came out and supported the American Red Cross. She said that it meant very much to this community whether someone donated blood, money or volunteered hours. Commissioner Mangum said that it is very important to this community that we work together to support the American Red Cross. She advised that there is another blood drive at the Methodist Church on Friday for anyone that would like to donate.

Commissioner Mangum gave the Board a handout of the US Drought Monitor of North Carolina. She asked that the Board read this handout for guidelines. She added that this will help to give us guidance to know that it is appropriate to be a leader even if it is not a popular decision.

Commissioner Ray said that he and Commissioner Karan would also take copies to the SGWASA Board for reading.

Commissioner Ray thanked the citizens for attendance and also the participants in the candidate forum.

Commissioner Ray thanked the Mayor for his comments at the Agro Bio Facility Public Hearing. Commissioner Ray said that it is not necessarily that he is in opposition to the facility; however, the community needs to pay very close attention to the physical location they want to place the facility being that it is within the watershed and the consideration of the drainage into Falls Lake area. He said that he understands that the facility is needed; nevertheless, the location that has currently been chosen is a critical

location and he hopes that everyone will take time to read information pertaining to the proposed facility. Commissioner Ray said that he appreciates the fact that Mayor Moss was the only public official that stood up with any opposition to the facility.

Moved by Commissioner Mangum and seconded by Commissioner Robinson to adjourn. The motion received a unanimous vote.

Mayor

Clerk