

MINUTES OF
CITY OF CREEDMOOR – BOARD OF COMMISSIONERS
REGULAR MEETING AND PUBLIC HEARING
OCTOBER 23, 2007
7:00 P.M.

PRESENT:

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

QUORUM:

Mayor Moss welcomed everyone and called the meeting to order at 7:00 p.m. in the Commissioner's Room at City Hall.

Mayor Moss expressed that the Beautification Committee has been recruiting citizens to participate in the adoption of flowerbeds around the City. Mayor Moss announced that the Agdeppa family has taken care of the flowerbed at the entrance sign on Hwy. 50 North and can no longer do so because of other commitments. This evening the City is honoring Amor, Tammy and their son Alex Agdeppa for their service to the community and he asked Commissioner Mangum, Chairman of the Community and Economic Development Committee to join him in presenting the Agdeppa family with a basket of flowers and certificate of appreciation along with the sign that had been placed in the flower bed with their name on it. Mayor Moss read the certificate and he and Commissioner Mangum thanked the Agdeppa family for helping to make the City more beautiful. The Agdeppa family received a round of applause.

INVOCATION:

Mayor Moss

PLEDGE OF ALLEGIANCE:

Commissioner Ray

REQUESTS TO ADDRESS THE BOARD:

There was no one scheduled to address the Board this evening.

PUBLIC HEARINGS:

Mobile Home Park Ordinance:

Mayor Moss opened the Public Hearing.

Mr. Dave Roesler was sworn in by Mayor Moss.

Mr. Dave Roesler, Planning Director addressed the Board and said that over the past several months the Planning Board has discussed developing standards for new mobile home parks and related appearance standards for existing mobile home parks and replacement of mobile homes. This does not affect existing Mobile Home Parks. The Planning Board's recommendation is that the Mobile Home Park Ordinance be included in the Creedmoor Code of Ordinances; Zoning Chapter Special Use District Section 154.027 (p) and the Replacement Mobile Home Appearance Ordinance be Section 154.114; General Regulations. This would only deal with the replacement of single wide mobile homes. At the September 13, 2007 Planning Board meeting the Board finalized their discussions and forwarded a draft Mobile Home Park Ordinance for consideration to the Board of Commissioners. At the Board of Commissioners meeting held September 25, 2007 the Public Hearing was scheduled for this evening to solicit citizen input.

Commissioner Ray inquired about #10, page 3; Mobile homes shall be no closer than 30 feet. He said that #g, page 4 states; From any exterior property line of the mobile home park, 25 feet. Commissioner Ray said that he prefers it to be stated as 30 feet.

Mr. Dave Roesler, Planning Director said that he will make that change.

Commissioner Ray questioned #c, page 4; From any street within the mobile home park, 20 feet, #d, page 4; From any interior lot line, 10 feet and #e, page 4; From any exterior property line of the mobile home park, 25 feet. He said that contradicts the 30 feet.

Mr. Dave Roesler, Planning Director said that he would refigure and make the changes to comply with the 30 feet.

Commissioner Ray questioned #f, page 4; Accessory buildings may be constructed in the rear yard provided they are not larger than 10 feet by 10 feet and no closer than 10 feet from any adjoining lot line. He asked if this would include a carport.

Mr. Steve Colenda, Building Inspector said that any structure that is larger than 12 feet long has to comply with the state building codes. He said that it must be at least 10 feet away from the mobile home.

Commissioner Ray said that he has concern that 154.027 (p) Recreation Areas, page 5, that the recommended 300 square foot suitable for play area is only two building lots and this seems to be a small area for 25 lots. Commissioner Ray also said that he has concern of 154.027 (p), Mobile Home Park Use/Appearance Requirements, #b, page 5, No living compartment or structure other than a "Florida Type Room, or other prefabricated structure, specifically designed for mobile home use or extension, shall be added to any mobile home. He asked if this includes a deck.

Mr. Dave Roesler, City Planner said that a deck is allowed.

Commissioner Ray inquired about #c, page 5, Administrative office within a mobile home park; one mobile home may be used as an administrative office. He asked if this administrative office will count as a lot and will it meet the same requirements as any other lot in the park.

Mr. Dave Roesler, Planning Director replied that one of the mobile homes can be used as an office and it would have to meet the same requirements unless it is a separate structure that is only an administrative office.

Mr. Steve Colenda, Building Inspector said that this should be changed because the structure would have to meet the state building codes for handicap accessibility.

Mr. Dave Roesler, Planning replied that if that is the case, he recommends deletion of #e, Administration Office.

Commissioner Ray said that he has concerns of 154.114 Replacement of a Mobile Home 2. b. Have a brick wall installed at the foundation around the perimeter of the home. He said that he feels this will be a burden to the mobile home owner.

Mr. Dave Roesler, Planning Director said that he would change the language to read "Each mobile home shall have a brick or similar appearance curtain type wall/siding installed at the foundation around the perimeter of the home before a certificate of occupancy is issued."

Commissioner Ray questioned 154.027(p).9 Landscape Requirements. He said that he would like the language changed from wall or fence to a "privacy fence" for screening purposes. He noted that it mentions that there shall be sidewalks on at least on side of the street; however it does not mention the setback requirements. Commissioner Ray said that he would like for it to be added that "pervious surfaces" are permissible.

Mr. Dave Roesler, Planning said that he can add language to the City's design manual in reference to pervious surfaces.

Commissioner Ray referred to 154.027(p).8 Mobile Home Park Use/Appearance Requirements, #m Resident Requirements. He said that he wants language added that states that a copy shall be "given to each tenant" and filed with the City.

Commissioner Ray referred to #l, Solid Waste under this same section and asked that "county health department be deleted and changed to read "City."

Mr. Jimmy Minor, Planning Board Chairman was sworn in by Mayor Moss.

Mr. Jimmy Minor, Planning Board Chairman advised that during the Planning Board meeting they had requested the same changes that Commissioner Ray has inquired about

this evening. Mr. Minor said it must have been an oversight. Mr. Minor said that the Planning Board recommendation for brick underpinning was “or similar curtain type” and the recommendation for the setbacks for an accessory building was 10 foot to stay consistent with the rest of the areas in the City.

Commissioner Ray inquired about the sidewalk setbacks and asked if the 30’ would include the sidewalk.

Mr. Steve Colenda said that the front setback would be from the street right-of-way and the sidewalk would be within.

Commissioner Ray inquired about the number of dwellings in the recreation area.

Mr. Jimmy Minor, Planning Board Chairman said that it is consistent with subdivisions. He noted that it seems smaller because there are fewer lots.

Commissioner Robinson questioned Section 154.027(p).2 Mobile Home Park Standards, #10, “Mobile homes shall be no closer together than 30 feet.

Mr. Jimmy Minor, Planning Board Chairman said that it should have been 20 feet. He said that it is 30 foot from the right-of-way. He advised that this is consistent with the rest of the areas in the City.

Commissioner Ray asked if gravel driveways are permissible. He said that it seems that there would be major drainage problems with paved streets and paved driveways on such small lot sizes.

Mr. Dave Roesler, Planning Director said that they must meet the storm water requirements. He said that there are alternate surfaces available.

Commissioner Ray said that he appreciates all the hard work that the Planning Board did on the Mobile Home Ordinance.

Mayor Moss swore in Ms. Georgiana Kicinski.

Ms. Georgiana Kicinski, 310 Whitehall Drive addressed the Board and said that Commissioner Ray’s questions were excellent. She suggests that there be a definition of all “weather surfaces” and “stand alone structures” (carports, etc.) in the code to make sure that the definition is not misinterpreted.

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

Planning Board Establishment – Proposed Text Change:

Mayor Moss opened the Public Hearing.

Mayor Moss swore in Mr. Dave Roesler, Planning Director.

Mr. Dave Roesler, Planning Director said that this is a simple text change. He noted that it was an oversight when it was previously presented to the Board. He said that the text change is noted by the strikeout on the document. Mr. Roesler advised that at the September 13, 2007 Planning Board meeting there was discussion of a possible error in one of the provisions in the Zoning Ordinance that was recommended by the Planning Board and adopted by the Board of Commissioners. Section 154.192 that established the Planning Board. By a vote of 7-1 the Planning Board recommended that the proposed text change be forwarded to the Board of Commissioners as follows:

154.102 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.~~

At the September 25, 2007 meeting the Board of Commissioners scheduled the public hearing for this evening.

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

Tar River Conservatory Tracts:

Mayor Moss opened the Public Hearing.

Attorney Tom Currin was sworn in by Mayor Moss.

Attorney Currin gave a brief overview of the Annexation Agreement required by statute to be adopted by both the City of Creedmoor and the adjoining jurisdiction of the Town of Butner to allow the City at a later time to adopt an Annexation Ordinance to take the Tar River Conservatory tracts into the City limits. There has been previously distributed to the Board in last month's package a draft agreement. The agreement states that there are two tracts that are contained within the property owned by the City which are currently outside the City limits. He advised that one tract consists of 45.7825 acres and the other tract consists of 134.35 acres. He said that because these tracts are at certain points closer to the newly created Town of Butner limits the City of Creedmoor must have an agreement with them to allow the tracts to be brought into the City limits of Creedmoor. Attorney Currin said that this has been discussed with their Council and we believe that they will be presenting this matter themselves and that they will adopt the agreement.

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

MINUTES:

Commissioner Ray requested technical language changes to the minutes.

Moved by Commissioner Piper and seconded by Commissioner Robinson to adopt the minutes of September 12, 2007, September 25, 2007 and October 10, 2007 minutes with the technical language changes. The motion received a unanimous vote.

APPROVAL/ADDITIONS TO AGENDA:

Moved by Commissioner Ray and seconded by Commissioner Karan to postpone the Mobile Home Park Ordinance until the recommended text changes have been made, add under New Business Item – b, Planning Board Establishment – Proposed Text Change and Item c, Tar River Conservatory Tracts. The motion received a unanimous vote.

Attorney Currin suggests that the Anti-Corrosion Equipment also be added to the agenda.

Moved by Commissioner Piper and seconded by Commissioner Robinson to add under New Business, Item d, Anti-Corrosion Equipment. The motion received a unanimous vote.

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

PUBLIC COMMENTS:

Mr. John Wilkerson, 308 N. Main Street addressed the Board and inquired about the City providing a community place for debris placement.

Mr. Robert A. Schaumleffel, Jr., City Manger said that currently the City does not have an area to place debris. Mr. Schaumleffel said that the City purchased a chipper and is providing this service for citizens that have a large amount of brush. He said that the City has to be careful not to allow the debris to pile up to prevent problems with gases.

Commissioner Piper said that if the City is going to continue providing chipper service that there should be information provided to the citizens in the community.

Mr. John Wilkerson suggests that the Board consider the possibility of having a place to dump small amounts of debris.

Ms. Mildred Goss, 322 Aiken Avenue said that according to the City's Ordinance the water bills are to be in the hands of the customers on the first day of each month. Over the past several years this has not happened. The first excuse was the postal service, second was because of the meter readers and lastly, the rereads. This month the bills were received on the 11th day. Ms. Goss asked for an explanation as to why this is not being done according to the ordinance. She expressed that the City fines the citizens

and cuts off the water if the bill is not paid on a certain date and the citizens expect the same good service back from the City.

Mr. Robert A. Schaumleffel, Jr., City Manager said that as he had expressed earlier that there have been some internal problems and the Human Resources Department is working to solve the personnel issues. He said that as he reveals his Manager's report you will see that the City is making changes to the billing system, which should help accelerate the process. He said that the AMR system will also be addressed in his report.

Ms. Goss noted that the bill states that if you do not pay the bill by the 10th of the month there will be a fine. She said that citizens did not receive their bill until the day after the due date.

Ms. Goss said that according to the ADA laws the City is to provide for the handicapped and the City's Website is not in compliance for the visually handicapped. She said that the City refers citizens to the website for information and asked if changes can be made to accommodate the visually handicapped. She said this can be done by changing the color.

Commissioner Robinson said that he really likes the website and asked if there can be a link for the visually impaired.

Mayor Moss referred this issue to Mr. Tom Mercer, Administrative Services Director.

Ms. Mildred Goss said that she would like to publicly thank the Maintenance Department for their prompt service to a water leak on Aiken Avenue.

Ms. Georgiana Kicinski, Whitehall Subdivision addressed the Board and said that Ms. Goss did a great job this evening addressing her concerns and advised that she took care of two issues that she was going to address. Ms. Kicinski said that she wrote a letter to the editor in reference to garbage pickup. She said that her question is directed to the City Manager this evening about the garbage pickup. Ms. Kicinski said that at the July 24, 2007 meeting they had the bid and Waste Management personnel was present and citizens were told the total would be \$12.79 and we are currently being billed \$13.00. Ms. Kicinski noted that she also talked with staff about the recycling ordinance. She said that Commissioner Ray said that it should be on a voluntary basis and she is fine with that. Ms. Kicinski said that her concern is that the City sent someone to negotiate a contract when there was not an ordinance in place. She said that the City has to stop putting the cart before the horse. She said that the City does not have a recycling ordinance and can not order the citizens of Creedmoor to pay for a recycling bin when there is no ordinance. Ms. Kicinski said that if the bid was presented at \$12.79 per month the City can not raise the rate \$13.00 per month. Ms. Kicinski said that she has two neighbors that stopped automatic draft because the money was drafted before they received a bill. She noted that it is only twenty-one cents per month but to some people that is a lot of money per year.

Ms. Kicinski said that she wants to thank Commissioner Karan for his time and help. She said that there have been two to three water breaks in Whitehall and she called the City and got nowhere. She said that after calling Commissioner Karan at his house it did take a couple of days to repair; however the job got done.

Commissioner Karan said that Ms. Kicinski is absolutely right in her statement that there is a difference in the money of twenty-one cents; however, the difference consists of an administrative charge for postage, printing and staff time.

Ms. Georgiana Kicinski said that her point is that Waste Industries should do their own billing.

Commissioner Karan said that this is something that can be considered for negotiation next year.

Commissioner Mangum said that she has concern that citizens would receive two separate bills. She expressed that there would be a bill for water and also a trash bill, which means the citizens would have to pay two bills. Commissioner Mangum said that she is not in favor of reviewing this option because it would cost more.

Mayor Moss expressed that the City has always provided garbage pickup. He said that the thought of the Board was 1) to improve the recycling program and 2) that it would be financially feasible. Mayor Moss said that he is personally happy to see the recycling center closed. He said that it was a dumping site and needs to be torn down.

Commissioner Robinson said that Commissioner Karan commented to him the other day that he can't believe how much he has been placing in his recycling bin, whereas he was previously throwing it away. Commissioner Robinson said that he can say the same for his household. He said that his only concern is rinsing out the cans and bottles; however his trash has gotten a lot lighter.

Mr. Sam Bradsher of Lyon Street spoke in reference to the water and trash bill. He said that it was not received until the 11th of the month. He said that he has called City Hall the last three weeks asking for his garbage to be picked up. Mr. Bradsher said that he thought that they had a list of handicapped citizens and they would know to pick up the garbage by the house and carry it out to the curb; however his garbage has been missed.

Mr. Sam Bradsher said that he has been asking for the last month for the City to take care of the ditch cleaned out beside his house and it has not been taken care of. He understands that there are other maintenance issues; however, he is being as patient as possible. Mr. Bradsher said that luckily there has not been a significant amount of rain because the ditch fills up with water and the water stands.

Mr. Sam Bradsher said that he wants to commend the Commissioners for all of the things they have been taking care of the past couple of months; nevertheless, it seems there is more emphasis on the playground equipment and other things around the City as far as

fun and the neighborhoods are being neglected. He expressed that the basketball goal was removed as requested; however it has been placed back.

Mr. Robert A. Schaumleffel, Jr., City Manager said that when Mr. Bradsher made the request he had a crew go out to remove the basketball goal and it was stored at the Maintenance Building. He used City funds to clean up the area, cut the grass and fixed the hydrant at that location. Mr. Schaumleffel said that someone placed the basketball goal back there. He said that there seems to be a difference of opinion in that neighborhood. Mr. Schaumleffel said that there are basketball goals being placed at several locations in the streets and he has concerns that someone is going to get hurt.

Mr. Sam Bradsher asked the City Manager not to bother removing the basketball goal again because a neighbor came to his house and cursed at him about this issue.

Mr. Robert A. Schaumleffel, Jr., City Manager said that in reference to the ditch issue he sent a crew out to do ditches and he thought that they had taken care of this particular ditch.

Mr. Bradsher said that the ditch was dug too deep and when it rains the water doesn't drain.

Mr. Herman Wilkerson, 211 South Main Street addressed the Board and expressed that although citizens can get a Doctor's note in reference to rollout carts why can't a handicap sticker on someone's car be used to designate that Waste Industries needs to pick up the roll cart from the house to empty the trash and roll it back to the house.

Commissioner Robinson said that if someone's wife is handicapped that does not mean that the husband is handicapped and can't roll the garbage cart to the street. He expressed that he sees people misuse handicap stickers all the time.

Mr. Herman Wilkerson said that citizens are concerned about the taste and smell of the water. He said that citizens either have the smell of rotten eggs or the smell of chlorine. Mr. Wilkerson asked what the City can do about this issue.

Mayor Moss said that the water plant is currently only a booster station as the City is using SGWASA water. He said that he honestly does not know at this time.

Mr. Herman Wilkerson said that they are adding chlorine to the water as needed and this may be the cause of the chlorine smell going into homes.

Mr. Wilkerson said that at the August 28, 2007 the Manager reported to the Board that he needed another \$100,000 in addition to what was already budgeted to help upgrade the filters. He said that it was reported that even though the City is on SGWASA water it still has to go through the City's filters at the water plant. Mr. Wilkerson said that was an untrue statement unless there has been a lot of work done that he is not aware of.

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

Mayor Moss said that there have been some changes and later this evening there will be a report on this issue.

MANAGER'S REPORT:

Mr. Robert A. Schaumleffel, Jr., City Manager gave the Board a handout and an update on the LGC Audit. He spoke with Mr. Cunningham from the LGC and reported that the most current number to be paid by the City is \$700,000. If the City is successful in getting the penalty removed the total amount will be lowered to \$400,000.

Mr. Robert A. Schaumleffel, Jr., City Manager reported that the new phone system is to be installed next week. Administration tried to improve the existing system until the installation of the new system and by doing so almost had a total crash.

Mr. Schaumleffel said that Mr. Tom Mercer, Administrative Services Director is working on a scanning project that will enable better access to public records and reduce the amount of paper in this building. The first phase is Human Resources, secondly, finance documents and lastly, public documents.

Mr. Schaumleffel announced that over 60% of the recreational equipment at Lake Rogers has been installed. He said that due to rain last Friday they did not work on the project. Monday and Tuesday they were not on the job; therefore, he called the firm today and has not received a response. He will keep the Board updated.

Mr. Schaumleffel said that he, Tom Mercer, Tom Currin, Dan Boone and his staff from the Wooten Company met with State officials in the Division of Environmental Health pertaining to administrative penalties relating to surface water treatment rule violations. He was happy to report that this was a very comprehensive meeting and the City will be working with the State on reducing those penalties. Mr. Schaumleffel said that it was explained to the State about the changes in personnel and also the procedures that the City will be implementing to make sure this does not happen again.

Mr. Schaumleffel said that attached to the handout is the new utility bill that the City will be using that will become affective as of November 1, 2007. He pointed out that the bar code at the bottom of the page will enable the information to automatically enter into the system the personal account data associated with each bill received. The chart at the top of the bill will allow residents to review a twelve-month history of their account.

Mr. Schaumleffel said that several Board members have asked about letting residents opt out of refuse collection.

Attorney Tom Currin referred to page four of the City Code book as follows:

Section 50.16 Collection Fees

Monthly garbage and refuse collection fees shall be assessed to each separate residential and/or business premise within the city according to a schedule of fees established by the Board.

- (C) All premises having city water shall be billed for garbage pickup, regardless of whether or not they receive garbage pickup.

Mr. Schaumleffel said that the SGWASA agreement contract is an issue that will be addressed by the Board. Mr. Schaumleffel said that he is postponing the issue of the Automated Meter Reading system (AMR) until the Board makes a recommendation on the proposed SGWASA agreement contract.

Mr. Schaumleffel advised the Board of a concrete repair that was made in 2006 during a water line break at Zbonic Court. He said it is extremely costly to the City when the lines are under a driveway.

Commissioner Karan asked if they replaced both sections of the driveway.

Mr. Schaumleffel replied that they had to replace a couple of sections because as they dug it up they cracked one and there is another section that also needs to be repaired. He said that in the future if the City needs to tear up a driveway he wants a video record to prevent disputes.

Mr. Schaumleffel advised the Board that Hunter's Ridge Subdivision is under foreclosure. He said that a copy of the Notice of Foreclosure is attached to his report.

Mr. Schaumleffel said that he attached to his report the latest correspondence via e-mail with the Granville County Manager on Mt. Energy and the Wilton EMS Station. He said that after talking with the Mayor the decision was made to allow the connection to the water line for the EMS Station based upon commitment from the County Manager that they will complete the necessary construction to make sure that it will operate as designed. Mr. Schaumleffel said that he preferred that they had not built the building until the problem had been resolved. Mr. Schaumleffel advised that the City would not accept the station until approval is received from Dan Boone of the Wooten Company.

Mayor Moss inquired about an odor at South Granville High School last week.

Mr. Robert A. Schaumleffel, Jr., City Manager advised that there was a problem in the school's internal lines and not the City's lines.

Commissioner Ray asked if the internal controls have been implemented in reference to the audit.

Mr. Robert A. Schaumleffel, Jr., City Manager said that staff is working on completing everything that has been requested. He said that he provided information to the Finance Committee, which will be discussed at the next work session.

Commissioner Ray asked about the time frame for the closing of the books and the checklist.

Mr. Schaumleffel advised that he, Tom Mercer, Administrative Service Director and the Finance Director is going to meet tomorrow to discuss personnel issues that are related to this issue. He said that he would keep the Board updated.

Commissioner Ray asked if all the contributions to the retirement accounts have been completed by the City.

Mr. Schaumleffel advised that Mr. Tom Mercer has sent three reports to the State and they were not satisfied. He said that the State Retirement has been completed and they are currently working on the 401k plans.

Attorney Currin expressed that because some of these plans relate to individual employees it would be more appropriate not to discuss this issue in open session at this time.

Commissioner Ray said that there were 300 re-reads last month and his understanding is that there have been approximately 500 re-reads this month. He said that several people are complaining about their bills. Commissioner Ray said that he understands that it relates back to a personnel issue; nevertheless, the City Manager said last month that this issue would be resolved.

Mr. Robert A. Schaumleffel, Jr., City Manager said that he would prefer to discuss this in closed session since it relates to a personnel issue.

Commissioner Ray said that there was a previous request from a citizen about the placement of a traffic-calming device on Church Street and asked the Planning Director if he had contacted NCDOT Division of Engineers, Division Five.

Mr. Dave Roesler, Planning Director said that he would check on this and report back to the Board.

Commissioner Ray inquired about how the Satellite Annexation to be voted on this evening would affect the amount of acreage.

Mr. Dave Roesler, Planning Director said that there is approximately 80 acres that can be Satellite after this one.

Commissioner Ray inquired about the discussions with Oxford in reference to negotiations for water/sewer.

Mayor Moss advised that the discussions have been postponed until after November 6, 2007.

Commissioner Ray asked about the status of the dredging of Lake Rogers.

Mr. Robert A. Schaumleffel, Jr., City Manager said that the Board has the most current time line. He said that Mr. Dan Boone of the Wooten Company has advised that until the water level of the lake is higher the most economical method cannot be done. Mr. Boone is working with the State to extend the date.

Commissioner Ray inquired about the conventional method.

Mr. Schaumleffel said that the City would need more easements to do the conventional method.

Commissioner Ray said that his understanding was that the City has received easements across the properties and it would not be a problem. He said that he is really upset over the delay because the money has been available for five years now. He noted that he understands that there have been a few obstacles; however, if the City loses the money to dredge the lake it will be a total embarrassment. Commissioner Ray said that he cannot understand why it has taken this long. He noted that the City has paid the Wooten Company a lot of money and he does not understand why this is such a difficult task.

Commissioner Ray said that the last time line he was given is that the dredging is to begin in February and the project will be completed by July.

Mr. Robert A. Schaumleffel, Jr., City Manager said that he will contact Mr. Dan Boone of the Wooten Company and give the Board an update

Commissioner Ray asked if the boats at the lake have been cleaned and placed in storage.

Mr. Robert A. Schaumleffel, Jr., City Manager said that they have been cleaned and are stored on wood at the water plant.

Commissioner Ray mentioned the Resource Development Act that may possibly provide emergency funding and said that he will meet with Mayor Moss in reference to this.

Commissioner Ray inquired about the certifications that are required in regards to water/sewer.

Mr. Robert A. Schaumleffel, Jr., City Manager said that those have all been signed by the Mayor and mailed. He added that SGWASA holds all four certifications.

Attorney Currin advised that Wayne Wilkerson is the ORC for water and Mr. Yates is certified for cross connection and distribution.

Commissioner Ray inquired about the fourth certification. He said that he spoke with Mr. Lindsay Mize, Executive Director of SGWASA and he said he was not sure about the fourth.

Commissioner Karan said that the question is the sewer ORC. He said that during the odor issue Mr. Mize advised that they are taking over water only and sewer is the responsibility of the City.

Mr. Robert A. Schaumleffel, Jr., City Manager said that numerous times over the past six to seven years there is an odor on 12th Street, Butner. Last year Bob Jones, previous Public Service Director tried several things during a sewer spill to eliminate the odor. He said that he has recently received a complaint about a sewer smell and this individual said that they were going to the State and television media if it was not eliminated. Mr. Schaumleffel said that Gary and Fred from SGWASA contacted the individual and requested 48 hours to find the problem. Mr. Schaumleffel said that he took the lead maintenance worker to the Joe Peed station and found that they had reduced the chemical feed. Mr. Schaumleffel said that they have raised the flow. He said that he had a productive meeting with Mr. Lindsay Mize, Executive Director last Tuesday and on Wednesday met with Gary and Fred in reference to the Joe Peed lift station. On Thursday he was shocked to receive a violation letter signed by the SGWASA Utility Director. Mr. Schaumleffel expressed that the City is spending a large amount of money on chemicals for Joe Peed and Mt. Energy and there has also been an additional chemical feed placed at Golden Pond. Hopefully, this will solve the problem and there will be no more complaints. Mr. Schaumleffel asked that Commissioner Karan look into the collection certification.

Mr. Schaumleffel, Jr., City Manager said that he was riding through Golden Pond and caught an individual get out of his truck and shove pine mulch down the sewer pipe. He wrote the tag number down and had the Police Department talk with the individual. Mr. Schaumleffel said that he has instructed the Police Department, City Inspector, Planning Director and Public Works Department to keep their eyes open to such incidents.

Commissioner Ray asked about the status of the streetlight on Crescent Drive.

Mr. Schaumleffel, Jr., City Manager said that he will find out and report back.

Mayor Moss advised that on the October 5th City Manager's report, item #4 stated the following: The City of Creedmoor has arranged with Mr. Gary Yates, SGWASA staff to act as the City's "B" distribution cross connection and wastewater collection ORC until such time as our staff has certification.

Mr. Robert A. Schaumleffel, Jr., City Manager will call Mr. Lindsay Mize, Executive Director of SGWASA to clarify this issue.

Mr. Robert A. Schaumleffel, Jr., City Manager advised that the Public Hearing for the Lake Rogers Dredging Project is scheduled for Monday, October 29, 2007 at 7:00 p.m. Mr. Dan Boone, The Wooten Company will be here to give the presentation. Mr. Schaumleffel said that the legal advertisement requirements have been met and requested that the Board continue this meeting until such date to prevent having to call a Special Meeting. He noted that Mr. Boone tried to get the EPA requirement waived; however, it was not.

OLD BUSINESS:

Tax Audit Update:

Mayor Moss announced that the tax audit update has already been discussed this evening.

SGWASA Management Contract:

Mayor Moss said that he provided the Board with copies of e-mails from Mr. Lindsay Mize, Executive Director of SGWASA, spreadsheet and a copy of the Management Agreement. He asked Commissioner Karan and Commissioner Ray to address the goal of the agreement.

Commissioner Karan said that the County, Stem, Lyon Station and Cozart have similar agreements. He noted that Stem became an entity to receive water/sewer. The County signed a management contract with SGWASA when Mr. Tom Lucas, Director/ORC of the Lyon Station and Cozart resigned and they had no licensed individuals to take over the requirements from the state. Therefore, SGWASA took over the electric, chemicals and day-to-day operations. Under this agreement the employees continue to be County and Stem employees; however, they are under the direction of SGWASA and the employees are mailed their paycheck. Commissioner Karan said that the County provides a couple of vehicles, tractor and miscellaneous equipment to SGWASA. He expressed that this agreement before the Board covers everything involved with water/sewer distribution. Commissioner Karan advised that any expenditure of more than \$1,500.00 must be approved by the City Manager. He expressed that he and Commissioner Ray feel that without an ORC for the City this will be an opportunity to alleviate the City from its day-to-day quagmire. He said that the City would no longer have the burden of dealing with electric, chemicals, various suppliers and vehicle expenses. Commissioner Karan said that SGWASA has reviewed the City's budget figures and would operate on the current budget.

Mayor Moss suggests that this action be deferred until the continued meeting of Monday, October 29, 2007. He said that he met with Attorney Currin, Mr. Lindsay Mize, Executive Director of SGWASA and Attorney Jim Wrenn yesterday morning to discuss the agreement. Mayor Moss gave an overview of the spreadsheet, Revision "B". He noted that as Commissioner Karan said SGWASA would provide the day-to-day management of the City's water/sewer system. The numbers shown reflect the City's current budget for water/sewer and salaries. For expenditures over \$1,500 SGWASA

will have to come back to this Board for approval. For the water side of the agreement the \$18,000 figure shown is \$1,500 times 12 months. He said that the figure of \$20,000 was taken out for the line replacement and extension. The reason for the deletion was because this would not be paid on a monthly basis. Other items deleted were \$4,000 for miscellaneous, sales tax and local sales tax. Mayor Moss noted that repair to the water tank is still a discussion item. The City currently has a contract with Southern Corrosion for maintenance of the water tanks. The water plant is currently working as a booster station and not as a water plant; therefore, the \$20,000 for pumping of sludge was deleted. Mayor Moss said that there will be language added to state that if at some point in the future the City decides to have the water plant return to function as a water plant these numbers would be revisited. Mayor Moss said for the sewer side the miscellaneous, sales tax and local sales tax was deleted. The \$18,000 (\$1,500 times 12 months) is shown and the \$20,000 was deleted for line replacement and extension.

Commissioner Robinson asked if the power would be down.

Attorney Currin explained that the circumstance is that the way the water currently comes into the plant it goes into a space where it would normally come through the filters and is pumped into a clear well where it is tested and receives chemicals. He said both sets of pumps have to run because of where the water is placed into the plant when it arrives from the Butner line. There may be some savings; however it may not be as much as you would imagine.

Mayor Moss said that he did not change any of the numbers because the Board adopted these numbers and he does not have the authority to change the budget. He did, however, make the notation of the \$18,000. He said that no changes were made to the salaries. The City would be paying for half of the Public Works, half of an equipment operator and half of a maintenance worker. Mayor Moss noted that the salaries are up for discussion. He advised that revision "A" shows that the monthly charge would be a lower number of approximately \$26,000 per month. Mayor Moss said that he took out any item that would be expenditure over \$1,500. Anything over \$1,500 would come before the Board on a case-by-case basis. Mayor Moss referred the Board to page two of the e-mail for revision "B" where Mr. Mize gives a complete breakdown of the items that need to be in the agreement.

Attorney Currin noted that in other words this e-mail was a response to Revision "A" and that resulted in the City preparing a second draft, which is Revision "B".

Mayor Moss said this is correct.

Attorney Currin added that the one without any deletions was the original prepared by Attorney Wrenn for SGWASA.

Commissioner Ray asked if \$1,500 is a reasonable figure for repairs without the Board's approval.

Mayor Moss referred the Board to the section that specifies language for emergency contingency.

Attorney Currin advised that Mr. Mize does not seek to make money on this contract nor does he seek to lose money on this contract. Mr. Mize believes that in the course of the duties that will be performed under this management contract they will spend this money. Mr. Mize feels that the City is making the best faith estimate as to what it will cost SGWASA for what you are currently paying to suppliers and other employees, etc. The City needs to consider that there will still be six in-kind employees at the water plant.

Commissioner Robinson asked if the employees would be under SGWASA's direction half of the time.

Attorney Currin said that they would be under SGWASA's direction all of the time. The water plant employees may have been working divided duties; partly maintenance and partly water/sewer. They prefer to have people that are assigned under SGWASA's direction that are devoted to water and are being paid by the City. SGWASA does not want to supervise employees that are maintenance workers that could be called off of a job. SGWASA envisions that if the City has a water plant employee that is under their supervision to do a specific task and that employee has two hours where he can do other tasks that employee may be asked to check City hydrants or check something that is generic to the system.

Commissioner Robinson said that if he understands correctly what Attorney Currin is saying is that they could be called to check the hydrants in Butner.

Attorney Currin said that is correct. He expressed that they can also send a SGWASA employee or County employee to check the hydrants at the City. He said they are trying to achieve cost savings due to scale and organization. Currently there are approximately 1,700 City customers, 1,700 in the old Butner system, 1,100 customers in the County and fewer customers in Stem. Attorney Currin said that the City is operating a system that is currently accepting water from SGWASA and it is being retested at the plant and adjusted for chlorine and other chemicals. The City is currently on a two-hour testing cycle; therefore someone must be at the plant every two hours for testing. One of the proposals discussed today was the placement of chlorine monitoring equipment, which would reduce the requirement of testing to every four hours. Attorney Currin said that he feels the agreement should state that it is the intent of the parties that SGWASA's cost be covered including overhead and incidental costs, that it is not their intention to make a profit and that both parties agree in good faith to negotiate adjustment in the future.

Commissioner Robinson expressed that this is a management agreement and the City is not rolling our system into SGWASA. He asked if the City signs this agreement and decides not to roll our system into SGWASA will they double our rates.

Mayor Moss replied that if the City does not roll our system into SGWASA we can remain a member; however, the rates will double as of February, 2008.

Commissioner Ray asked about the six employees, which consists of one maintenance worker, one maintenance worker II, one water plant superintendent and three water treatment plant operators.

Attorney Currin advised that Mr. Mize explained that the City previously had a Public Works Director that was spending half of his time supervising and half of his time doing maintenance. They assume that they will have to take supervisory personnel in a similar salary level and spend a similar amount of time as half of that Public Works Director. He said that what they are requesting is an amount equal to half of your Public Works Director salary as additional expense. He said that there are two other positions that can be in part eliminated by the City. The City will no longer need the expertise of a Public Works Director. One half of that salary can be for the City to hire maintenance personnel and the other half of that salary can go to SGWASA. Attorney Currin added that the City budgeted for nine positions and not all of those positions have been filled. SGWASA is anticipating that the six funded positions that the City currently has filled will remain filled and will be City paid employees. The City can cut back on three personnel due to their management of the City's water/sewer distribution system and water treatment plant.

Commissioner Mangum said that we are talking about someone else handling our issues. She said that she needs to know the qualifications of Mr. Mize and his staff. Commissioner Mangum requests that this information be available at the November work session.

Commissioner Robinson said that anyone that comes to the City with a contract makes a presentation to the Board. They stand before the Board and citizens to tell what they have to offer. He said that he understands that the City has two representatives on the SGWASA Board; however, Mr. Mize has not come before this Board to present answers.

Commissioner Karan said that Mr. Lindsay Mize, Executive Director of SGWASA and Attorney Jim Wrenn volunteered to come before the Board and he declined. He said that they will be more than happy to come to make a presentation and answer questions. This management agreement has been in our possession for two weeks.

Commissioner Ray said that the agreement has been in negotiations since July and it has taken this long to receive the numbers.

Commissioner Mangum said that the agreement states that the City is the holder of and at all times incidental hereto shall continue to be the holder of all licenses, contracts and certificates necessary for the operation of the System and Plant.

Attorney Currin said that there has been a change in the language.

Commissioner Mangum said that it talks about management of the plant in Section 2.1 and questioned the operation of the plant.

Attorney Currin said that a member of management could use a SGWASA employee to do something and if the employee does not do so, they will be disciplined by SGWASA. On the other hand, if a duty was to be performed by a City employee such as the testing at the water plant every two hours and the SGWASA ORC employee says that this is not being properly done every two hours and the individual fails to comply, the SGWASA ORC will inform City Administration of the requirement and personnel action would have to be taken by a supervisor of personnel actually hired by the City.

Commissioner Robinson pointed out that when the employee is let go they will come after the City's unemployment,

Commissioner Mangum asked for clarification of 2.1 D. which states "Provide coordination with the City's Utilities Billing."

Attorney Currin said that they want the City to tell them how much you want them to do. They know that you have automated meter reading (AMR) scheduled and that it is now on hold for discussion of this agreement.

Commissioner Robinson said that he thought the AMR was postponed for the discussion of rolling into the system and not because of the management agreement.

Attorney Currin said that the question would be if in fact you enter into this agreement and it included meter reading whether you would want to spend the money on the AMR system.

Commissioner Robinson expressed that if the City owns the pipes and meters we can do anything we want with those meters.

Attorney Currin said that he was correct. He said that this agreement has money in it every month for SGWASA to replace broken meters, replace slow meters, etc. There would be a much larger capital outlay associated with the AMR followed by an increase in revenue caused by the replacement of slow meters and the decrease in employee time to read the meters. Attorney Currin expressed that there are a number of things to be considered to make a decision about the AMR.

Commissioner Mangum referred to 2.1.2 Reports, which states that SGWASA shall provide the following reports. She noted that there have been issues with the City filing the reports.

Attorney Currin said that the ORC is responsible by law for filing the reports. If there is a violation the ORC is responsible even though the City is the permit holder. This was discussed at the meeting yesterday and it is assumed that the City would transfer every permit and obligation possible to SGWASA. If the system is eventually collapsed there will be a single person in control of compliance and the permits.

Commissioner Mangum referred to 2.1.2 C., which states water and waste water purchases from SGWASA (which bills shall not charge the City for a volume of water more than eight percent (8%) above the actual volume of water used by the system.

Attorney Currin explained that sometimes water is used for purposes that do not get metered and there should be a limit.

Commissioner Robinson asked how this pertains to the Fire Department.

Attorney Currin said that this water is not metered.

Commissioner Robinson said that if the water is coming from Butner it goes to a meter before going to the City's water plant.

Commissioner Mangum said that the City will be paying for sewer that the Fire Department uses.

Commissioner Robinson said that they are allowing only 8% for that.

Attorney Currin said that provision came from the County contract.

Commissioner Mangum asked about the capacity fees.

Commissioner Ray said that the fees are still the City's fees.

Attorney Currin said that the City has certain expectations and certain assets. SGWASA is currently paying for the assets formally belonging to the State, which they have acquired. The City has requested an assessment of the value of the assets that are pertaining to the collection and water distribution systems.

Mayor Moss said that Commissioner Ray and Commissioner Karan are being placed in an uncomfortable position this evening because they sit on the SGWASA Board and a lot of their discussions on this issue are during closed session. They are not at liberty to discuss some of these issues. Mayor Moss recommends that the Board take time to read over the agreement and the e-mail provided by Mr. Mize.

Commissioner Robinson reiterated that he would like to have a representative from SGWASA make a presentation and answer questions. He said that he feels this is a one sided contract drafted by the SGWASA Attorney. Commissioner Robinson emphasized that he is a business himself and he would not sign a contract that someone else brings to him drafted by their attorney. That is not the way to do business.

Mayor Moss said that the original agreement is driving the City to collapse our system into SGWASA. He expressed that the City representatives at the meeting yesterday said no.

Commissioner Robinson referred to 5.5 Conflict Waiver which states that James C. Wrenn, Jr. is representing both parties.

Attorney Currin said that this may be language that was in the County contract and he may have left the language in out of caution because you have membership on that Board.

Commissioner Mangum referred to 2.6, which talks about financial controls and procedures. She said that this Board has been very careful about how they handle raises with employees and she has been told that SGWASA pay raises have been much higher than the City and she would like a breakdown of the SGWASA budget and pay scale. She said that she would also like a breakdown of the water rates.

Mayor Moss said that according to the rate study, regardless of what the City decides to do the rates may increase. He said that if the City does not roll over into SGWASA the rates will double by February, 2008.

Commissioner Karan said that he does not understand the comment about the rate may go up regardless. If we are removing all of the overhead that the City has internally it will equal out.

Commissioner Mangum asked if it would equal out for each citizen.

Commissioner Karan replied yes. The equalization of the rate study addresses the rate as a bulk customer. There is no individual residential breakdown within the component of the rate study. He expressed that when you figure in the vehicle expense, chemical expense, overhead for staffing and the other things that are associated above and beyond the City's own individual rate is completely different and has no bearing on the rate study that goes into effect in January. There was two rate increases recently. He noted that one was done internally and one was not.

Commissioner Robinson asked if SGWASA takes over who decides when we use Lake Rogers and who decides when we buy water from Lake Rogers. There is nothing in this agreement that says who does what.

Commissioner Ray said that his understanding is that if the City opens the water plant back up the agreement will be renegotiated.

Attorney Currin advised that this agreement has a very short term notice for either side. If there are three members on this Board that agrees that they are unhappy with the results there is a sixty day out.

Commissioner Karan said that this Board is asking great questions and this is why we need to have this open session dialog. He expressed that SGWASA is our ORC and unless we can recruit a Public Service Director with all the credentials and pay that

person whatever we have to pay him our sources are limited. This is one alternative and if there is a better alternative he is willing to hear it.

Commissioner Robinson asked if anyone has looked at other options.

Commissioner Ray said that we send our sewer to SWGASA and inquired about where we are going to send our effluent if we make our own water.

Commissioner Robinson said that currently we need to send the sewer to Butner; however after the election we can continue to negotiate other options.

Commissioner Karan asked how much this will cost the City.

Commissioner Ray said that the estimate was in excess of 27 million dollars.

Commissioner Karan said that the City paid the Wooten Company a lot of money for a 3 inch ring binder that we presented to USDA. The study showed that it would cost \$37.00 per month per resident for thirty years to run the line to Oxford and they will still tell us what to do.

Commissioner Ray said that the City has talked with Durham, Raleigh, Oxford and Franklinton about water/sewer.

Commissioner Robinson said that he feels that the City should research all alternatives. He said that if the line goes to Oxford the County will grow in that direction and may help lower our numbers.

Commissioner Ray said that it is also important to remember that the capacity at Lake Holt is rated at ten million gallons per day, which is enough to carry this area for the next fifteen to twenty years. After that, the City will need to look to other options and the most logical place would be Oxford. SGWASA may be a candidate looking to go with Oxford at that point.

Commissioner Karan said that as Mayor Moss said there are things that he and Commissioner Ray are not at liberty to discuss. He emphasized that the choices that the City have are limited.

Commissioner Piper said that he feels strongly that for the future of the southern end of the county the City has to look outside of Butner for sewage. He said that he and Mayor Moss attended a meeting in Butner with the County Commissioners and the City only has a total of 550,000 gallons of sewage allocation. If this end of the County continues to grow we have to look at other options. He said that Oxford is willing to work with the City. He said that we can continue to sit and talk about this; however the problem is not going away. Commissioner Piper said that it is going to take a few years to purchase and run lines. He asked what the future will look like for our children and grandchildren

fifteen years from now if we do not move forward and start working collectively together.

Commissioner Karan said that Commissioner Piper was absolutely correct. He said a regional approach would be to buy half of a pie instead of trying to pay for the whole thing.. He expressed that this is the way to go.

Commissioner Ray said that there has been discussion that that once the authority is fully operational the intent is that the politicians will remove themselves from the Board and it will become a true water authority of water wise individuals. The unique thing is that it will then become the unifying factor between Southern Granville County. It will no longer be a political entity at that point and everybody will be using the same pool of water and receiving the same water rates. This is the only thing that he has seen that has any possibility of uniting people together because we all must have water. He used Falls Lake as an example of supplying Wake County with water. He encourages citizens to read as much as possible on this issue, research and make suggestions. Commissioner Ray expressed that five years ago he was against the authority and did not feel that it would be viable in the county. He expressed that today he does not see any other way to go.

Mayor Moss said that this issue will be addressed again Monday, October 29, 2007 at 7:00 p.m.

Attorney Currin said that he will not be present for Monday night's meeting because his daughter is being sworn in that evening as a lawyer in Richmond, Virginia. He noted that Attorney Dutra will attend in his absence.

Department Head Reports:

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

Mayor Moss said that he received a call from Bill Wynn's wife in reference to the removal of the real estate signs.

Mr. Dave Roesler, Planning Director said that he will clarify that situation with the Mayor tomorrow.

Commissioner Mangum inquired about the attachments for the Averett property.

Mr. Dave Roesler, Planning Director apologized and said that this evening was to schedule the Public Hearing. He will have the information available for the next meeting.

Commissioner Karan asked Mr. Roesler if he contacted Barry Baker today.

Mr. Dave Roesler, Planning Director said that he talked with Mr. Baker and he did not think that the information was public record. Mr. Roesler said that he would look into it and send him a copy of the discussion for adequate public facilities.

Commissioner Karan said that the County is trying to adopt an adequate public facility ordinance. He expressed that during his campaign for County Commissioner this was his platform for education. The residents of Granville County will have a \$2,700 per dwelling unit impact fee for all new construction. Commissioner Karan said that if a citizen is in the northern end of the county and it was only going to affect one school that is not over capacity the rate would be reduced. He added that if a citizen lives in an area that has overcrowding and has a high capacity or the capacity has been met the fee will be imposed.

Resolution Designating Bank Signature Cards:

Moved by Commissioner Piper and seconded by Commissioner Ray to adopt the Resolution Designating Bank Signature Cards as follows:

CITY OF CREEDMOOR

GRANVILLE COUNTY

RESOLUTION DESIGNATING BANK

SIGNATURE CARDS

BE IT HEREBY RESOLVED that SunTrust Bank, the designated depositories for the City of Creedmoor be notified by certified copy of this Resolution that all checks, drafts, notes, orders or other instruments for the payment of money are to be signed by one of the following:

Lenessa E. Hawkins, Finance Officer

and countersigned by one of the following:

Darryl D. Moss, Mayor

Timothy J. Karan, Mayor Pro Tempore

Robert A. Schaumleffel, Jr., City Manager

All checks for the disbursement of City of Creedmoor funds are to be written by the Finance Officer, or in her absence, the City Manager.

Adopted this the 23rd day of October, 2007.

The motion received a unanimous vote.

Compensation Review for City Manager:

Commissioner Mangum said that at the July meeting the Board went to the half way point for the first quarter to become effective August 1, 2007. That was to be at the 50% of the budgeted raise. There was to be a follow-up review that is due at the end of October. If there is to be a change it will become effective in November.

Commissioner Ray said that he would like for the public to hear the amount this evening.

Attorney Currin said that this was taken care of in Closed Session and what you are actually doing this evening is stating what the action was and making it public record. The only public record is the actual salary amount and the fact that there is going to be an additional review.

Commissioner Karan said that it was obvious that it was not a unanimous vote. It was still carried by simple majority. He said that he had a personal discussion with Mr. Schaumleffel about this and he is aware that there were two Board members in opposition to that raise.

To Do List:

Mayor Moss said that some of the things on this list the Board has already discussed this evening.

Commissioner Karan said that he would like to add a new item as #20 as to how to pay the tax.

Mr. Robert A. Schaumleffel, Jr., City Manager said that some of that discussion is ongoing between the City auditor and the LGC. He said based upon a discussion last week there are three options to be presented.

Commissioner Karan asked if the City has heard from the USDA. He said that the City is on a time frame and May is around the corner.

Mr. Robert A. Schaumleffel, Jr., City Manager said that he will get the information to him tomorrow.

Attorney Currin said that the USDA has funding cycles and they are only funded once per year.

Mr. Robert A. Schaumleffel, Jr., City Manager said that the new funding cycle begins in October.

Attorney Currin advised that they accept everything within the funding cycle and everything that goes in within a certain period of time is eligible for immediate consideration. They are considered based upon the available funds. They generally have small amounts of grant funds and large amounts of loan funds. Grant funds are exhausted immediately and then you get points to go into a pool to determine whether or not you get the loans. The USDA only makes the notifications once per year.

Mr. Robert A. Schaumleffel, Jr., City Manager said that he will follow-up on this issue and update the Board.

Commissioner Mangum inquired about #19, Recycle. She said that she is excited about the progress that has been made. Commissioner Mangum said that it seems like we have come light years ahead as to what to do with our trash and how to reduce waste. She said the students that she has are also excited and are talking about using their recycle bins. Commissioner Mangum emphasized that she feels this is a wonderful thing. She said there are people that are trying to figure out what goes into the recycle bin and what does not. Citizens are getting used to the pattern and getting it out to the curb. Commissioner Mangum said that six months from now when things are running smooth and everyone knows what they are supposed to do it would make sense for the Board to adopt an ordinance. She said that there are great examples on line and Durham has a great ordinance. Commissioner Mangum encourages whoever is sitting on this Board in six months to adopt an ordinance or it will be wasteful.

Mr. Robert A. Schaumleffel, Jr., City Manager said that from Highway 15 to Joe Peed Road to East Lyon Station is the worst garbage dump on both sides of the road. He said that Granville County definitely needs the recycling.

Commissioner Ray said that it is not enforceable at this time and it comes back to personal responsibility. He said that he hopes that everyone realizes that landfills will be the next impact on citizens.

Commissioner Karan said that #17 can be deleted. He said that he forwarded an e-mail to the Board from Dan Boone on this issue.

Commissioner Piper inquired about an attachment to the water bills to educate citizens in reference to recycling. He said that a lot of elderly citizens in this town may not receive

the information about what is available to them. He said they may not realize that they can call City Hall and get their name on the list so that they will not have to worry about getting their garbage to the curb. Commissioner Piper said that he feels that the City should go the extra mile because there are a lot of citizens that are not able to push their garbage to the curb.

Commissioner Ray inquired about the status of the City's case that is pending before the State after the annexation and the incorporation of Butner.

Attorney Currin advised that this is calendared for the November session of Granville County Superior Court. Legislation that was passed by the NC legislature states that the area that is currently in Butner, which was included within your annexed area is to be in Butner and in no other municipality. This may move the issue of anything that you have attempted to annex. Attorney Currin said that it did leave open the issue of the status of a very small amount of property that is not in your City limits and is not included in Butner. He expressed that we are not the plaintiffs in that lawsuit, we are the defendants and are prepared to go forward with whatever litigation remains and to complete it to the end at such time the Plaintiffs are prepared to move forward and the judge is ready to hear the case.

Commissioner Karan asked if the Kayser Roth annexation portion was approved.

Attorney Currin replied that it was annexed.

Mayor Moss advised that he made a note to add under #19, Recycle, Debris Disposal Strategy.

Mayor Moss said that he received an e-mail regarding the issue of night lighting at the Senior Center and he plans to stop by on his way home.

NEW BUSINESS;

Zoning Map Amendment – Averett Property:

Moved by Commissioner Karan and seconded by Commissioner Piper to schedule the Public Hearing for Tuesday, November 27, 2007 at 7:00 p.m. The motion received a unanimous vote.

Planning Board Establishment – Proposed Text Change:

Moved by Commissioner Ray and seconded by Commissioner Mangum approval of the Planning Board Establishment Text Change. The motion received a unanimous vote.

Tar River Conservatory Tracts:

Attorney Currin said that he reviewed with the Board earlier the agreement that states that the City and Butner agree that Creedmoor can annex the two identified parcels. He advised that the resolution that was previously passed states that a public hearing is required by law, which was held this evening. At this point, the City should adopt the agreement and if Butner takes the same action it will come back to the City for signature. Attorney Currin advised that if Butner passes the agreement with amendments it will come back before this Board.

Moved by Commissioner Ray and seconded by Commissioner Robinson to adopt the Agreement Regarding The Proposed Annexation Of The Tar River Conservancy Tracts Between The City Of Creedmoor And The Town Of Butner. The motion received a unanimous vote.

Anti-Corrosion Equipment:

Attorney Currin expressed that the anti-corrosion equipment was suggested to be placed in the water system in order to get rid of certain rust and corrosive elements that were being pumped and detected at inappropriate levels during testing earlier this year. The City is required to send to the State a water sample within six months where we have taken corrective action and there is no longer any contaminates. Attorney Currin said that there is no exemption because the City is currently not making water. The City must send the water samples and currently the water testing is still showing that there are contaminates present. Attorney Currin said that the feeder will be put in with no expense to the City as long as you buy the chemicals from the chemical company that installs the feeder. If the City stops buying chemicals from the company for any reason they will reclaim the feeder.

Moved by Commissioner Piper and seconded by Commissioner Karan to install the anti-corrosion equipment. The motion received a unanimous vote.

Commissioner Robinson said that a way to make money is to open the lake back up to duck hunting and have them purchase permits.

Commissioner Mangum said that there are a lot of families that are walking around the lake.

Commissioner Ray said that he thought it was agreed that the whole lake was not to be closed and there was to be a barrier placed on the lake to have the section next to Hwy. 56 accessible to the public. He noted that the blinds are on the back portion where no one can access unless they go through someone's property.

Mr. Steve Colenda, City Inspector said that it takes two hours to walk around the lake. He added that there is now a foot trail for walking.

Commissioner Mangum expressed that it is a lovely walk and there are children feeding the ducks. She reiterated that it is lovely and do not ruin it.

MAYOR'S REPORT:

Mayor Moss announced that citizens have all heard from our Governor and other experts that we are under severe drought conditions. He said that it is spreading all across the country. He expressed that although we are buying water from SGWASA he strongly encourages this Board to advocate to citizens to use voluntary conservation measures. He said that his household is following conservation measures.

Commissioner Karan said that he has with him the water shortage response ordinance draft for SGWASA. As of October 16, 2007 SGWASA was twenty-five days away from implementing water restrictions.

Commissioner Mangum said that Mr. Mize mentioned that 35% of the water was out of the lake and he did not consider this to be a detrimental impact. Commissioner Mangum said that she feels that 35% of anything missing is a large amount. She said her concern is that Mr. Mize feels very confident that they are not planning to take any measures until sometime around the middle of February. These conservation measures would only be voluntary. Commissioner Mangum said that she is assuming that they have not done anything up to this point because they do not have an ordinance in place. Commissioner Mangum asked what the plan will be if citizens go to turn on the faucet and there is no water. She said that SGWASA's plan is that they will go to Raleigh or Durham. Commissioner Mangum reminded everyone that when Creedmoor asked Raleigh to help our community with sewage they went the other way and said no. She said that she feels it is not very responsible to say let's not save water and when we run out we will ask Raleigh and Durham for help. Commissioner Mangum said that this method is not being leaders it is being followers and waiting for someone else to help you.

Commissioner Ray said that is what Raleigh and Durham did until recently. They watered lawns up until last week. He said he has no problem adopting a voluntary ordinance. He said that citizens in this area should be very thankful that we are sitting in an area that has a lake that can produce and it is an area that is not overdeveloped. He said that it is the personal responsibility of everyone to voluntarily conserve. Commissioner Ray said that has said many times that water is the most precious resource and it should not be wasted.

Commissioner Mangum said that this Board has mentioned that we are going to take personal responsibility and not waste our water. She noted that you can drive down Hwy. 56 by the Medical Center and Food Lion and see water flowing across the parking lot because they are watering the flowers. Commissioner Mangum emphasized that water should not be wasted in that way.

Commissioner Ray said that he presented the information to SGWASA that Commissioner Mangum presented to the Board last month from the North Carolina Drought Management Advisory Council.

Commissioner Piper said that he was told by his coworkers in Youngsville that this Board took the first step in leading to conserve water and now we have turned around and changed our mind. He said that Commissioner Mangum is correct in what she has stated about turning on our faucets and having no water. He suggests continuing to allow carwashes operate; however limit the amount of gallons per day.

Attorney Currin said that there is a co-section that allows activities under certain circumstances. He noted that from time to time the Board has tailored the code, which requires adoption by ordinance.

Commissioner Robinson asked Attorney Currin about the water restrictions.

Attorney Currin read from the minutes the action taken at the September 12, 2007 meeting. He read that a motion was made by Commissioner Ray and seconded by Commissioner Karan to remove the Emergency/mandatory Conservation measures and to follow the same Voluntary Conservation measures as the other entities that use the same water. The motion passed by a 4-1 vote.

Mayor Moss said that he received a letter today dated October 3rd from the North Carolina Rural Center and they are having a workshop on water/sewer infrastructure on Thursday, October 25th. He said that he is going to try to attend.

Mayor Moss said that the last thing that he has is a request to the City Manager and City Clerk that after the November 6th election to provide agenda packets to the Mayor Elect and the Commissioner Elects.

COMMISSIONER REPORTS:

Commissioner Ray announced that the Christmas Tree Lighting will be held November 30th and the Christmas Parade will be held December 1st at 11:00 a.m.

Commissioner Ray reiterated that he encourages citizens to conserve water.

Commissioner Mangum, Community and Economic Development Chair asked Mr. Dave Roesler, Planning Director about the Code Enforcement violations listed in his October report. She asked if he would have available at the next meeting a list of property owners. Commissioner Mangum said that this is a major concern of citizens and we want to make this a nice community so that more people want to come here to live.

Mr. Dave Roesler, Planning Director said that he will be glad to do so.

Commissioner Mangum said that she wants to thank everyone that helped to make the City park a nicer facility. She said that when the weather accommodates the peddle boats will be back on the lake and parents and grandparents will bring children to the park. Commissioner Mangum said that the concession stand has been a big success. She noted that people are sharing food and fun with their neighbors at the lake. Commissioner

Mangum expressed that it is interesting to see the number of people that are walking around the lake and bringing their dogs to play. She expressed that she continues to see more and more activity at the lake and thanked the City Manager and Commissioner Karan for their hard work to make the park a nice area. She also thanked the Board for continuing to support this recreation area for the community.

Commissioner Karan asked Mr. Tom Mercer, Administrative Service Director to get with Mr. Dave Roesler, Planning Director to make sure the City limit signs are posted in the right locations.

Mr. Robert A. Schaumleffel, Jr., City Manager said that he is going to be addressing this issue with Mr. Dan Boone of the Wooten Company tomorrow.

Commissioner Karan said that as stated at the beginning of this meeting the Beautification Committee is looking for civic organizations or families to take care of entrance signs. The Girl Scouts do the flowerbed at the lake and the Karan family takes care of the sign at Hwy. 56 East. There are entrance signs that need to be taken care of at Highway 15 South and Highway 50 North. He said that a plaque will be given with your name on it and the City provides the flowers for planting.

Commissioner Karan presented the Board with a Resolution Adopting the Blight Spot-To-Bright Spot Program for the City of Creedmoor.

Moved by Commissioner Piper and seconded by Commissioner Mangum to adopt the following resolution:

A Resolution Adopting the Blight Spot-To-Bright Spot
Program for the City of Creedmoor

WHEREAS, the City of Creedmoor has unique residential and commercial properties and neighborhoods that define the character and heritage of Creedmoor by their distinct architectural and structural appearance; and

WHEREAS, the City recognizes the importance of maintaining and preserving such properties in order to preserve the City's heritage, physical appearance and neighborhood character; and

WHEREAS, the City has adopted reasonable standards of maintenance of private property to protect the livability, appearance and social and economic stability of the city and to protect the public from health and safety hazards and the impairments of property values that result from the neglect and deterioration of property; and

WHEREAS, the City recognizes that some property owners, for reasons of age, income, or infirmity, may not be able to conduct the necessary improvements to make their blighted property and deteriorated structures safe and habitable.

NOW THEREFORE, BE IT RESOLVED, that the City of Creedmoor adopts the “Blight Spot-to-Light Spot” program, and through this program will consider donations to the City of any such blighted private properties to be used for recreational and/or other public purposes.

Adopted this the 23rd day of October, 2007 by the Board of Commissioners.

Commissioner Robinson said that he attended the County meeting and it concerns him that the Fire Chief announced that SGWASA has an abundance of water in the lake, there are no restrictions and there is plenty of water to fight fires. He heard this evening that they are twenty-five days away from restrictions.

Moved by Commissioner Robinson and seconded by Commissioner Piper to adopt Voluntary Conservation Measures.

Commissioner Karan said that even though it is for the good of the people he does not think it is the governments place to have a resource available and not let anyone use it.

Commissioner Mangum said that it is our role and as the Mayor said the Governor has been begging us to do our job.

Commissioner Ray commented that the Governor is begging the entities that are already low on water. He said that we have been fortunate that we are being serviced by a lake that has not been affected by the drought as the areas surrounding us.

Mayor Moss pointed out that Lake Holt is the City’s backup source.

Commissioner Ray said that is correct; however the Governor cannot regulate everything that is done on a day-to-day basis in a household and we remain a free and democratic society.

Commissioner Mangum said that it is the responsibility of the government to regulate. She expressed that they build the roads and do not say that you can drive as fast as you want or that you can go anywhere you want. They tell you where your lanes are, how fast you can go and where you have to stop. She added that the government tells you that your children will go to school or you will go to jail. The government does regulate life and that helps us to when we turn on the faucet and have water.

Commissioner Ray said that humans build roads; however water and air are natural resources.

Moved by Commissioner Mangum and seconded by Commissioner Piper to substitute the original motion and go to Mandatory Measures. The motion failed by a 3-2 vote.

Aye Votes: Commissioner Mangum and Commissioner Piper

No Votes: Commissioner Karan, Commissioner Ray and Commissioner Robinson

Mayor Moss said this brings the Board back to the original motion of Voluntary Conservation Measures. The original motion received a unanimous vote.

Mayor Moss announced that the City is back to Voluntary Conservation Measures.

Commissioner Robinson asked Mr. Steve Colenda, City Inspector if he sees people walking around the entire lake.

Mr. Steve Colenda replied that citizens are fishing all around the lake on a regular basis.

Mr. Robert A. Schaumleffel, Jr., City Manager said that this is a unique situation because of the low water level and people are fishing in areas that would not have been imaginable in the past.

Commissioner Ray inquired about the possibility of fish kill.

Mr. Robert A. Schaumleffel, Jr., City Manager said that the lake is now 46" low and with people moving around the lake to fish it will eventually have to be restocked. He added that Mr. Mercer recently told him that we are losing approximately 2" of water per week.

Moved by Commissioner Piper and seconded by Commissioner Robinson to continue this meeting until Monday, October 29, 2007 at 7:00 p.m. The motion received a unanimous vote.

Mayor

Clerk