

MINUTES OF  
CITY OF CREEDMOOR – BOARD OF COMMISSIONERS  
REGULAR MEETING  
NOVEMBER 22, 2005  
7:30 P.M.

**PRESENT:**

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

**QUORUM:**

Mayor Moss called the meeting to order at 7:30 p.m. in the Commissioner’s Room at City Hall.

**INVOCATION:**

Mayor Moss

**PLEDGE OF ALLEGIANCE:**

Commissioner Mangum

**MINUTES:**

Moved by Commissioner Ray and seconded by Commissioner Piper approval of the October, 2005 minutes. The motion received a unanimous vote.

**REQUESTS TO ADDRESS THE BOARD:**

Reverend Bernard Holliday addressed the Board representing The G.C. Hawley National Alumni Association, P.O. Box 621, Butner, NC and read a letter addressed to Mayor Darryl Moss and Mr. Robert A. Schaumleffel, Jr. City Manager. He said that the G.C. Hawley National Alumni Association met on November 12, 2005 and approved a special motion related to preserving the historic cornerstone from the G.C. Hawley High School building. Reverend Holliday said that Mayor Moss made a presentation to the members of the G.C. Hawley National Alumni Association in May and gave to the association the marker symbolizing the educational enterprise that nurtured students for decades in Granville County, North Carolina. He said that the association unanimously voted to transfer the custody of the cornerstone to Mayor Darryl Moss to keep in his office for a period of two years to be placed on public display. Upon the expiration of the two-year time period, the G.C. Hawley National Alumni Association will assume responsibility for

arranging a permanent cornerstone site in this community. Reverend Holliday said that the Hawley Alumni thanked Mayor Moss and he displayed the marker for everyone to see.

Mayor Moss gave a history of the stone. He said that he tore down a barn on his Grandfather's property and while doing so he found this heavy stone marker, which has the inscription of G.C. HAWLEY SCH. VET. TRA. PROGRAM, 49. He said that the original Hawley High School was on Lyon Street and this stone was in the front of one of the brick columns at this school. He said that he thought it appropriate to donate the stone to the Hawley Alumni Association at the big reunion they had this year. Mayor Moss said that he donated it under the condition that he could display it at City Hall for a little while.

Ms. Sarah A. Caviness, President of the Joseph H. Cash Chapter #2647 of the United Daughters of the Confederacy and Ms. Shirley Cash addressed the Board to request to build a monument in the Cash Cemetery located at the South West side of Lake Rogers with frontage on Hwy. 56 West. Ms. Caviness read the letter she sent to Mayor Darryl D. Moss dated November 1, 2005. Ms. Caviness stated that the monument will be 600+ feet from the edge of Lake Rogers. The monument is to be brick with a base 4 to 5 feet square, with a center brick 24 inches wide and 14 inches thick. She noted that the center would be approximately 24 inches in height with a plaque listing the names of the known Cash Family descendents buried there. The letter stated that there has been little ground disturbance and will be no further ground disturbance as can be seen in Attachment G, H & I of the letter. The monument is in a location where there will be no runoff after a storm. She emphasized that the purpose of this monument is to honor those Cash family members and the Revolutionary and War Between the States veterans buried there.

Moved by Commissioner Piper and seconded by Commissioner Ray to grant the United Daughters of the Confederacy, Joseph H. Cash Chapter #2647 approval to build the monument in the Cash Cemetery. The motion received a unanimous vote.

**APPROVAL/ADDITIONS TO AGENDA:**

Moved by Commissioner Wilkerson and seconded by Commissioner Piper approval of the Agenda as written. The motion received a unanimous vote.

**PUBLIC COMMENTS:**

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

**MANAGER'S REPORT:**

Mr. Robert Schaumleffel, Jr., City Manager advised that he met with the County Manager and one of the County Commissioners yesterday and they brought it to his attention that there are approximately 15 to 20 residents in the Hester Community that do not have water and they have been purchasing portable water. The County asked if the City would support the County submitting a Community Block Grant to provide funding

to put a line in that area to connect to our system. He said that he had no objections to that as long as the grant was approved and it would only affect those existing homes and not new development. Mr. Schaumleffel noted that if the grant was approved there would be a written agreement to that effect.

Attorney Currin noted that it was the City's current policy not to extend water outside the City limits unless they have submitted an application for voluntary annexation.

Commissioner Wilkerson inquired about how far north down Highway 15 the line would go. Commissioner Wilkerson said that he has seen developers looking at property on the left hand side of Hwy. 15 for the possibility of development. He said that there are people requesting to develop in the City of Creedmoor that have already been annexed into the City. He said that he was not against helping the current residents that need water but he would not support putting in a line for new development.

Mr. Schaumleffel said it would be approximately 1.2 miles from Georgia Pacific. He agreed with Commissioner Wilkerson and reiterated that he told the County that if the grant is approved that the agreement would be to help the existing homes and not new development.

Mr. Schaumleffel advised that he was still working on personnel issues. He said that he had given approval to fill one vacancy in the Police Department and there are still two positions open in the Public Service Department.

Mr. Schaumleffel said that he had conversations with three or four potential developers interested in the Goldston Property located on Highway 15 North. He noted that he did not have anything definite to report at this time.

Mr. Schaumleffel said that he attended Leadership Granville today and there is a lot of activity in this county for employment opportunities from Social Services to Private Sector.

Mr. Schaumleffel said that he had conversations with Nextel and would like to meet with the City Attorney in reference to negotiations. He noted that he also had conversations with a radio station that is interested in putting an antenna on the water tower.

Attorney Currin said that Nextel needed to locate 12 antennas and Southern Corrosion does not want to use a catwalk. He said that Southern Corrosion suggested another frame mounted below the catwalk. Nextel had talked in the past about the possibility of paying 100% of the cost to go with an even higher corral than the City has now to mount the 12 antennas and leave space for a fourth carrier. Attorney Currin said that Nextel is very interested if Southern Corrosion can come up with a design to allow them to do so and that the fourth carrier could pay for half the construction costs.

Commissioner Wilkerson said that he understood that the radio station wants to be downtown so that they can serve the Butner area but felt that Nextel is a large company

that has strong signals and they should be able to go on the Kayser Roth tank; which is a much higher tank. He felt that the tank downtown should be saved for smaller use.

By consensus of the Board, Mr. Robert A. Schaumleffel, Jr., City Manager was given the authority to go ahead and negotiate and enter into an agreement with Nextel based upon good faith negotiations similar to the earlier Alltel Contract.

Mayor Moss asked Mr. Schaumleffel, City Manager to talk with Nextel to make sure that they understand that the Kayser Roth tank is a much higher tank.

Mr. Schaumleffel, City Manager gave an update of the generator at the gym. He presented to the Board two bid proposals for the wiring and installation of the current generator located at the gym as follows:

- \$5,610.00 - Steve Owens
- \$9,500.00 - Act Electric

Mayor Moss inquired if this would include the fencing and Mr. Steve Colenda, City Inspector said it would not.

Mr. Colenda said that the difference in the two estimates is the type of switch; Steve Owens quoted a Cutler Hammer transfer switch and Act Electric quoted a Square D transfer switch. He noted that both switches have the same capabilities.

Mayor Moss had concerns of wind constraints of the gym and said that the City needs to contact Doug Logan of Granville County Emergency Management to make sure that the gym meets the requirements for an emergency shelter.

Mr. Colenda said that he had spoken to Emergency Management and they said that the gym does not qualify as an emergency shelter and they will not support it.

Commissioner Wilkerson said that he was in favor of having the work done at the gym because it could be used for other activities for the citizens of Creedmoor.

Commissioner Mangum asked that it be clarified that the generator as it is set up at this time could safely run lights and heat if needed and the additional \$5,610.00 would be for the use of air conditioning.

Mr. Steve Colenda, City Inspector clarified that Commissioner Mangum's statement was correct.

Commissioner Wilkerson said that if the wind comes through and tears the building down it would not be of any use but if the building is still standing the citizens of Creedmoor could use it for lights and heat.

Commissioner Mangum said that she could not see paying \$5,610.00 additional for a building that might blow down in a hurricane just for air conditioning.

Moved by Commissioner Wilkerson and seconded by Commissioner Piper to accept the bid from Steve Owens of \$5,610.00 for the installation of the generator at the gym. The motion passed by a 3-1 vote.

Aye Votes: Commissioner Piper, Commissioner Ray and Commissioner Wilkerson

Nay Votes: Commissioner Mangum

**OLD BUSINESS:**

**Department Head Written Reports:**

Provided in the Board packets were monthly reports from the Water Plant, Public Service Department and the Police Department.

**Waste Industries:**

Mr. Robert A. Schaumleffel, Jr., City Manager addressed the Board and gave an update of the presentation given by Mr. Billy Williams of Waste Industries at the November 22, 2005 Board meeting. He said that based on the contract with Waste Industries that \$2,800.00 was the negotiated amount to be paid by the City for the Fuel Surcharge from January to December, 05.

Moved by Commissioner Wilkerson and seconded by Commissioner Piper to approve payment of the \$2,800 Fuel Surcharge. The motion received a unanimous vote.

**Chappell Point:**

Mayor Moss advised that this issue was tabled from last month's meeting awaiting further information from the developer. He advised that there were two Resolutions that they had before them to consider this evening. Mayor Moss said that the first Resolution was regarding support from the City of Creedmoor to forward to the state the moving of the ridgeline and the second was for SIBDA approval.

Moved by Commissioner Mangum and seconded by Commissioner Ray to deny the SIBDA application. The motion failed by a 3-2 vote. In the absence of Commissioner Karan there was a tie vote so the Mayor had to break the tie.

Aye Votes: Commissioner Mangum and Commissioner Ray

Nay Votes: Commissioner Piper, Commissioner Wilkerson and Mayor Moss

Commissioner Ray said that it was not that he was against the project but he had not been provided all the information he had requested regarding previous properties located in Raleigh that had been graded and engineered in this way and he did not feel comfortable making a final decision at this time.

Mr. Michael Crowley, Project Engineer addressed the Board and said that he had spoken with Commissioner Ray several times and that he did not have the information requested. He said that he felt that as a courtesy he needed to ask Attorney Tom Worth for permission. Mr. Crowley said that Attorney Tom Worth called him at 10:30 a.m. on Saturday morning and he was not in the office.

Moved by Commissioner Ray and seconded by Commissioner Mangum to table all discussions of Chappell Point until further information could be retained regarding the location of the properties in Raleigh that had previously been graded and engineered in this way. The motion failed by a 3-2 vote. There was a tie vote so the Mayor had to break the tie.

Aye Votes: Commissioner Mangum and Commissioner Ray

Nay Votes: Commissioner Piper, Commissioner Wilkerson and Mayor Moss

Commissioner Ray commented that he had concerns that once the ridgeline is moved that it would not align with adjacent properties.

Commissioner Mangum noted that Mr. Winslow, Denmark Construction said that he would provide her with information regarding other quality town homes that had been built by DenMark in South Carolina and he was not able to provide such information. Commissioner Mangum said that because of this she had lost trust in anything the developers have to say so she does not trust this project.

Mr. Mathew Winslow said that he apologized and hated to lose her trust. He explained that his intent was not to mislead the Board and that it was just a misunderstanding on his part. He noted that he had only worked for DenMark Construction for three months and the project that he spoke of previously was under development and they haven't put the roads in as of yet. He noted that he had e-mailed Commissioner Mangum and told her of other quality developments and used Glen Oaks, Tannager and Baron Place as examples. Mr. Winslow said that they build homes from \$170,000 to \$600,000.00 and they pride themselves on quality. He said that in Wake County they entered the home Alabama Place in the Parade of Homes and won the golden home award because they received a perfect score.

Commissioner Mangum inquired about Southerby's. Mr. Winslow said that they are not the actual developer so they did not put in the roads but they had built homes in Southerbys.

Commissioner Wilkerson said that he knew of an instance where DenMark Construction sold a home and a year later the shrubbery died. He noted that DenMark stood behind their finished product and replaced all the shrubbery for the homeowners.

Commissioner Ray said that he did not doubt the credibility of the developer he just wanted to address to the Board that there are still issues with the presentation made that do not meet the impervious coverage percentages that are set up by the Neuse River. He said that the plan that was presented last week is a single plot of property that has not been subdivided and the focus was totally on the front portion of that property. He said that the presentation showed very little information to the town homes and the basins. He said that he felt that approval would be a mistake without more assurance to the citizens of the town.

Moved by Commissioner Wilkerson and seconded by Commissioner Piper to adopt the Resolution to be forwarded to the State on the moving of the ridgeline. This motion passed by a 3-2 vote. There was a tie vote so the Mayor had to break the tie.

Aye Votes: Commissioner Wilkerson, Commissioner Piper and Mayor Moss

Nay Votes: Commissioner Ray and Commissioner Mangum

Mr. Patrick Maloney, City Planner addressed the Board and said that he had conducted additional reviews and analysis with Crowley and Associates. The Wooten Company, the City's consulting engineering firm was sought out for advisement on the referenced project's storm water control systems proposed onsite and referred to the attachments in the Board packet. He noted that the Wooten Company has concurred with Crowley and Associates the overall concept plans for the storm water management based upon the submitted materials of the staff analysis and storm water engineering.

Mr. Patrick Maloney, City Planner added that the total area is 145 acres; the unified business development is 25 acres and the unified housing development is 19 plus acres. He said that of the 145 acres the impervious surface is limited to 16.2% of this entire tract. Mr. Maloney said that if this plan is not utilized there may be a big development of multiple lots having larger amounts of impervious service runoff, which will cause a great impact on Lake Rogers. He said that this plan diverts the storm water away from Lake Rogers into the Falls Lake WS IV and will also collect any runoff upstream as well.

Mayor Moss said that the protection of Lake Rogers is the most important issue and it is also important that we control the type of development on this property.

Commissioner Ray commented that he read the letter from the Wooten Company and the letter said to bear in mind that this review is only a conceptual review of calculations and methods presented to control runoff and that construction drawings and further details will be required to finalize whether the specific devices as outlined would control the runoff in actual storm events.

Commissioner Wilkerson emphasized that it would be better to build the proposed project than to have the land de-annexed from the City and the developer build a large residential development.

Commissioner Ray said that they couldn't de-annex unless the Board voted for it to happen.

Mayor Moss asked the Board if they would like to take action on the SIBDA application.

Commissioner Mangum commented that the Board had been elected to be responsible and they are telling us that they are trying to experiment and Commissioner Ray is asking for information regarding previous projects and can not get answers. She asked why the Board does not want to wait and find out if this will work.

Commissioner Ray asked if this was just a Resolution where they can go and ask for the SIBDA but it does not grant nor deny from a City standpoint. He inquired if it just goes for State review and then comes back before this Board for final approval.

Attorney Currin said that what this Resolution is saying is that if the State approves the change in the ridgeline and if the City still has SIBDA allocation available at such time the additional information is provided that it would be the intention of the City to approve the allocation of the 313,580 square feet of impervious surface. He said that it would have to come back before this Board for final approval.

Moved by Commissioner Wilkerson and seconded by Commissioner Piper to adopt the Resolution on the SIBDA approval. The motion failed by a 3 - 2 vote. The vote was a tie vote so the Mayor had to vote to break the tie.

Aye Votes: Commissioner Wilkerson and Commissioner Piper

Nay Votes: Commissioner Ray, Commissioner Mangum and Mayor Moss

**Resolution of Intent:**

Attorney Currin addressed the Board and said that once the Resolution is adopted it will be a two part process. He said that the Board would readopt the Resolution of Intent and Plan of Municipal Services.

Commissioner Wilkerson said that he had mixed feelings on this issue. He said that he voted for it the first time and he has since reconsidered due to something that may be revealed during the hearing to come back to hurt the City.

Commissioner Ray said that as everyone is aware, SGWASA was formed and gave an overview of the Memorandum of Understanding for the next five years. He said that at



this time Butner has very little economic base and encouraged all property owners to check into Butner's budget and to weigh the pros and cons of what might be in the future.

Moved by Commissioner Mangum and seconded by Commissioner Ray to adopt the Resolution of Intent to Involuntary Annexation. The motion passed by a 3-1 vote.

Aye Votes: Commissioner Mangum, Commissioner Piper and Commissioner Ray

Nay Votes: Commissioner Wilkerson

Moved by Commissioner Ray and seconded by Commissioner Mangum to adopt the Municipal Plan of Services. The motion passed by a 3-1 vote.

Aye Votes: Commissioner Mangum, Commissioner Piper and Commissioner Ray

Nay Votes: Commissioner Wilkerson

### **MAYOR'S REPORT:**

Mayor Moss said that it was his understanding because of the way the infrastructure is being transitioned from the State to SGWASA that there is a likelihood that the partners of SGWASA may have to pick up part of the operating revenue to help subsidize.

Commissioner Ray said that if it is not a profitable operation then Butner, Creedmoor, Stem and Granville County would have to contribute.

Commissioner Wilkerson said that SGWASA has given away all of its allocation at this time, what is in it for Creedmoor.

Commissioner Ray said that he was not present for the last allocation meeting but Creedmoor is a Regional Authority to help control growth for all of Southern Granville County.

Mayor Moss thanked Ms. Mildred Goss for her Veterans Day program.

Mayor Moss announced that the Christmas luncheon was scheduled for Tuesday, December 20, 2005 from 11:00 a.m. until 2:00 p.m. He also announced that all of the Board of Adjustment members and Planning Board members were welcome to attend.

Mayor Moss announced that he had scheduled the upcoming Board Retreat for Friday, January 6 and Saturday, January 7, 2006 and asked that everyone check their calendars and let him know if there is a conflict. He said that the times would be announced at a later date.

Mayor Moss announced that he invited Mr. Russell Murray of the Granville County ABC Board to speak at our next meeting about the newly passed liquor by the drink.

Mayor Moss announced that the Organizational Meeting was scheduled for December 27, 2005.

### **COMMISSIONER'S REPORTS:**

Commissioner Wilkerson congratulated Commissioner Piper and Commissioner Elect Larry Robinson. He said that if there is anything he can help with he would be glad to do so.

Commissioner Wilkerson asked about the status of the no thoroughfare traffic at Whitehall.

Mayor Moss said that issue was discussed at the last meeting and the conclusion was that it is a public street.

Mr. Robert Schaumleffel, City Manager said that what ever is done has to be consistent with other subdivisions.

Commissioner Wilkerson asked about the status of jake breaking on Hwy. 50.

Mr. Bob Jones, Public Service Director said that he received a letter from the State saying that putting up the signs is prohibited.

Commissioner Wilkerson said that we spent over \$20,000 on the ball field and inquired about the net to be erected between the two fields.

Mayor Moss said that he was going to refer this to Commissioner Karan and said that he would be notified about the results.

Commissioner Wilkerson inquired about the gym and Sr. Citizen building. He said that the City received an estimate of \$3,000 from Mr. Bowden to fix the room in the gym, repair doors and the top on the boiler room. He said that another \$100.00 was added for electrical work that was needed. He said that the room was built inside the gym, the doors were bought and no other work proceeded since the CARE group took over.

Mayor Moss said that he met with Mike Bell of CARE last week and he said that he would take care of this.

Commissioner Wilkerson said that he mentioned in July that he would like to see the City pursue the fireworks program again for next year and inquired about the status.

Mayor Moss said that he spoke to Mr. Tom McGee about this and has not received a response to date.

Commissioner Wilkerson inquired about gym rental fees.

Commissioner Ray said that the Board had already adopted a rental fee change per Commissioner Wilkerson's request.

Commissioner Mangum said that there were exciting things going on with Public Safety. She said that there was a meeting between herself, Commissioner Piper and Mayor Moss and there is a possibility that a State instructor would provide training.

Commissioner Mangum inquired about funding for sidewalks that connect from the High School to the Food Lion on Highway 56. She said that she had concern for the safety of the High School students that are leaving school and walking over to Food Lion.

Attorney Currin said that there are grants available and suggested that the City contact Steve Blair of the Wooten Company.

Commissioner Mangum said that the grants would be a start to get sidewalks from the High School to the Food Lion but would also like to see sidewalks from the High School to the Elementary School and a connection to downtown.

Mayor Moss said that he spoke with Commissioner Karan recently about the bikeway paths in Louisburg, which goes from downtown all the way to the community college. He noted that Commissioner Karan said that he planned to apply for the same grant.

Commissioner Ray inquired about the vicious dog complaint.

Mr. Robert Schaumleffel, City Manager noted that Granville County handles Animal Control and they will not respond unless there is an incident.

Commissioner Mangum inquired about a City Ordinance that has a fine for having too many dogs within the City.

Attorney Currin said the County would enforce Animal Control only if the City's Ordinance is the same. He said that otherwise the City would need to start its own Animal Control.

Commissioner Ray inquired about the water restrictions. He said that he received a notice and asked if the phone voice message system was set up to leave such messages.

Ms. Fowler said that they were having problems setting up the new message system at this time.

Commissioner Ray said that he attended the County meeting this month and they are looking at addressing the tax refund for the school systems. The County is still having problems with the water flow at the Wilton School and is looking at ways to correct this problem. The County annexed land into the Lyon Station District for development.

Commissioner Ray noted that for the next election they are trying to establish one-stop voting in both the Northern and Southern end of Granville County.

Commissioner Ray said that it had been a pleasure working with Commissioner Wilkerson these past two years and wished him well.

Commissioner Wilkerson said that he is gone but he will be back.

Commissioner Ray also said that he would be glad to talk with anyone about the comments he made in reference to annexation this evening.

Commissioner Piper said that he was happy to have served with Commissioner Wilkerson on this Board and said that he had been a benefit to the Board.

Commissioner Piper referred back to the vicious dogs issue and said that he had concerns of sitting back and waiting for a bad incident to happen. He said that it might cost some money but the Board should consider the City having its own Animal Control.

Mayor Moss thanked everyone for coming and wished them a safe and Happy Thanksgiving.

Moved by Commissioner Wilkerson and seconded by Commissioner Ray to adjourn. The motion received a unanimous vote.

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Mayor

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City Clerk