

TOWN OF BLACK CREEK
MINUTES
AUGUST 18, 2009

DATE: August 18, 2009

TIME: 7:30 P.M.

PLACE: BLACK CREEK TOWN HALL

PRESENT: Mayor Moore, Commissioner Lucas, Franks, Smith, Dawson. Absent: Commissioner Godwin.

The August 18, 2009 meeting was called to order by Mayor Moore. The August 11, 2009 meeting was rescheduled to August 18, 2009 due to lack of quorum.

- A: Approve July 14th, 2009 minutes. 1st Commissioner Franks, 2nd Commissioner Dawson. Motion carried unanimously.
- B: Approve to pay August, 2009 bills after reviewing and consideration by the board and Supt. Gates. 1st Commissioner Lucas, 2nd Commissioner Franks. Motion carried unanimously.
- C: Approve Tax Resolution for 2008-2009 for tax collection for the town. 1st Commissioner Lucas, 2nd Commissioner Smith. Motion carried unanimously.
- D: Mr. Dennis Patton/Upper Coastal Plains: Building Reuse and Restoration Grant: Good evening! I am before you tonight to explain a program the Rural Center started a few years ago. It was designed, some of you may recall about the time they started the NC Step Program, which several of you participated as advisory committee members. It was designed for small towns to understand economic development and the various ways to can help improve the economic development in your community or in a broader sense create wealth within your community or increasing your tax revenue. About that same time they created also after a long study on the common traits, especially those under 5000 populations find themselves dealing with. One of the common traits identified they found in that study the town will have empty buildings that over the last decade have become empty for one reason or another. To help that they created a program a few years ago call the Building Reuse and Restoration Grant Program. They have divided it in 2 parts; you can do the predevelopment evaluation, or you can skip that if you have all your items off the check list and go right to restoration. Most people will start with the pre-development evaluation. This program is tailored for small towns and I am presenting this in such a way we have this discussion on a general level, and I am doing this on purpose, really

what we are looking for is your philosophy, your policy, on whether you want to partner at some point with prospective business owners, or business owners who are already in town, or in Wilson who want to start something in Black Creek. It is not only small businesses we are talking about, but recently in another document there is a chart, they have identified other businesses that the state would love to have in the area. If you don't have a copy I have a copy for you to look at. We are talking about manufacturing, call centers, things that will generate the type of employment or larger employment that would be healthily in rural areas. The small business when they get to part 2 of the grant, if they get that far, they will grant \$12,000 per full time job created. The businesses on that list as you will see, they will grant \$20,000 per full time job. They have sweetened the pot so what for those types of businesses because they felt it would be good for the state economy as well as the local economy where those businesses would locate. Some businesses of those types do not need to be in the city, they are just as happy in a small town if they can find a good labor pool. But most small businesses are going to start with the predevelopment evaluation part because under that portion, what is eligible, what is the market for this kind of business, structural analysis, and cost estimate to outfit the business. Any other feasibility or evaluation that is needed in order to move that prospective business owner to the next level that is prepare a restoration grant to go to the bank and get a loan and that sort of thing. One of the things that we require up front even on the predevelopment is they have started or completed a business plan. That sets the tone what you need, how are going to market the business, who your customers are going to be, who is your competition, all those things help you figure some things out. There are not many programs that will help the private sector to get their businesses going. The Rural Center provides this kind of program. They also have an infrastructure program so if you have a business in town, this will help run them water and sewer for \$10,000 per job. But this is separate from that. The EDA and the Rural Center, Community Assistance have come up with a program similarly to this, all of these programs by law requires that the local government are partners with their projects. The money has to flow through that local government to do what ever the funding objective is. In this case the first stage is to do the evaluation and the 2nd stage if they get there is the renovation. So the local unit of government has to be involved for this to work, this is one of those programs that is tailor for communities of 5000 or less. It is one of the few; the CDBG program does not care other than it can't be a community of 50,000 or more. This one is 5000 or less, the competition for this is less, but when you look at all the small communities in the state there are a lot of communities who could be looking for this grant. So what I would like to ask first and discuss with you is this program you would be interested. Let me go back for a moment. Your involvement at this point of time until January 1, they have cut back on the requirements because of the economy going sour, they have cut back the town's requirements. They will grant on the predevelopment; they will grant up to \$25,000. They require a \$5000.00 match, that \$5000 can be broken up into two parts which can come from any source, and a \$1000 must come from the local government. They go on to say because of the temporary

rules until January 1 that the \$1000 can be provided in in-kind services or waiver of fees if there are in to come into play like tap fees and that sort of thing, or may not come into play. But your administrative service, like handling invoices, sending in requisitions, progress report you get that \$1000 credit. That is available for in-kind services as their concession to the economy for small towns. Come January 1 their board of directors will re-evaluate this to continue the relax rules into the new year or not. Right now that is available. I want pull the wool over your eyes at some point you establish your policy or philosophy if you are going to help business grow here whether this program or some other program somewhere you may be ask to put in cash. If in-kind is not an option it might be a \$1000.00 cash. When you get into the renovation part they require a 3% match of the grant amount, not the full amount of the renovation, they will only grant ½ of the cost of the renovation. The business owner has to get money from the bank or some other source. So for small business that grant amount is not going to be a large amount. I don't remember what your share your amount will be. There is a small town that got this grant for \$29,000. Where as the business owner put up the \$4000.00 and he got the \$26,500 of valuation for \$4000 of their money. Back then because of the poverty level of Lillington they waived the town's \$1000 match all together, and later when the economy got better they come up with the in-kind services. I think they want to get away from waiving all together. Mayor Moore: So right now to get this started somebody has to put up \$5000 and the town has to put up the \$1000 and the applicant has to come up with the \$4000.00. Patton: Yes, \$5000.00 total, 4 and 1 of that \$5000.00. Mayor Moore: Shouldn't the applicant be involved in this procedure, this part of it. Patton: Well, this part, they could not be here tonight, I wanted to set this discussion up to be generic so all of you could discuss this concept. If your philosophy or policy is not to get involved in this it is a dead issue anyway whether the people were going to come to you tonight or Joe Smol down in Wilson wants to start up a hardware store. We would like to hear your policy in this program and then we will talk about a specific example at that point. If you don't want to be involved in economic development it is no need to continue this process. It is required that you be involved, they need the local government to be involved. There are few exceptions to that. Mayor Moore: The town would end up with more money in the project down the line is what you are saying? Patton: It is likely you will, I think that there is a possibly after January 1, it depends on how the board of directors look at the various projects they have received over the last 6 months if they want to continue these incentives to allow for in-kind services, they might do that or in combination of some cash. But if I were in your shoes I would be thinking well one day or next year or the year after there may be cash involved. I am not going to pull any punches you have to decide on what you want to do to get involved in community development. Is it worth the benefit you could receive by helping a business come in your community? At this point of time they have made it very easy for you to reducing the cash to in-kind service, you are not putting any dollars on the table. Some day down the road it could be a nominal amount a \$1000 to \$3000, is that worth it? Sales taxes or utility bills for the town to collect on. Mayor Moore: You just said we need to put a \$1000 to get things

started, is that right? Patton: Yes, they will allow you to do a in-kind services by doing some administrative in-kind services which we will help with. As long as it comes out of the town funds they will give you credit for it. Mayor Moore: Any discussion on this? Commissioner Smith: When you are talking about down the road what are you talking about, other projects down the road? When you start one you are obligated to others who want to do this, are we obligated? Patton: That needs to be part of your philosophy and policy. That is why I wanted to stay on a general level here a generic level. Commissioner Smith: Are we obligated? More projects? Patton: Not legally, no. Commissioner Smith: For an example has this been done somewhere else? Patton: Yes, in Lillington. Commissioner Smith: Does the City of Wilson do this? Patton: They are not eligible. Commissioner Smith: Are there other programs they do stuff like this? Patton: They could do EDA projects, which they have done, and there is no size limit there, they have done CDBG projects till they reach 50,000 they could help a community. Whether they have taken advantage of this I am not sure. I do know there are numerous projects that have been done, I am sorry but I can't think of one right now. They have done small towns across the state. We can pull down the list on the web site. Commissioner Smith: In your opinion what is the benefit for the town in participating? Patton: Job creation, increase tax revenue, sales taxes, utility services. Commissioner Smith: The town will most likely get their \$1000 back and then some. Patton: Oh yea! Mayor Moore: We need the business no doubt about that. Patton: Well, there is the intangible image in helping the community, making the community a little better. Internally to in town citizens, and externally to visitors to your town. Having services for them that they would ordinarily have to go to Wilson for. Certain kind of business will bring people into the town that does not normally come to Black Creek. So there is some spin off, job creation and sales tax is a big plus. Commissioner Smith: Just because you do one or two does not mean you have to do three or four? Patton: That is right. You are not legally obligated to do so. Commissioner Smith: We can try it and if we do not like it, that's right. Commissioner Lucas: Down the road it is going to get more expensive. Commissioner Smith: We would have to evaluate each request. The only way I see how to do it. Mayor Moore: This application has to be in before September? Patton: They have multiple dates they can be submitted, and let me segway into the request by a business owner. There are two partners that are interested in developing a site for a upscale restaurant; they would like to shoot for the Sept 4th deadline. I have an appointment with an economic development person Thursday morning that can do the evaluation they need so they will know how to proceed in the next step. Yes, things have to move quickly to meet this deadline. If they don't they will go for the December 14th deadline. They may have a business plan that approaches what they are going to do, their menu, etc. They will take this to the small business college at Wilson to have it analysis. There is a 3 page application, their narrative has been written up. We got describe the building they will use, their plan and approach and the evaluation. I can only speculate we will know more Thursday about what direction we need to go. There is a check list of things that must be in place before you send in your application; it is a very healthy process. Mayor

Moore: I will put my 2 cents worth in; I would like to see the town try for it. We need to grow and if we don't try we will never grow, and this seems to be a good chance to make a stab at it. What does the board think? Patton: Let me give you two options. You seek your comfort level. 2 options are: If you do not want to meet in another meeting before Sept. 4th that would authorize the Mayor and administrator to review the application and the Mayor to sign it. This signifies your involvement, Option 2: Indicate to us to move forward, you are interested in the concept but bring it back to us in a special meeting the first of Sept. Mayor Moore: Do you want to do it tonight. Commissioner Smith abstained from voting is that right? Yes, Patton. Commissioner Franks: Yes, I will make a motion to move forward on this and allow the Mayor and town administrator to look at application and the Mayor sign the application, 2nd Commissioner Lucas, motion carried by Commissioners Lucas, Franks, Dawson. Commissioner Smith abstained from voting.

Upper Coastal RPO/Daniel Vanliere: I do appreciate you providing the time for us to be here so quickly. I called Ms. Aycok yesterday and she said we could come in and speak with the board tonight. We are working with Wilson County and the City of Wilson to create TTP Comprehensive Plan and we wanted to speak to the board. We will ask the board to pass a resolution after I explain it to you. It is support or recognition for such a plan. The plan began in November 2008; we sent you information for a steering committee. We have had several meetings on the plan. We are updating municipalities on the progress on how we are doing. It is a long range model transportation plan, by counties and municipalities, and the DOT. Emphasizing using land use policies and community goals. This plan is 3 levels: local, regional, and rural planning organizations. Transportation plan emphasizes 5 elements: Highway, rail, public transportation, and bicycle and pedestrian element. (See resolution) The purpose is to identify future and existing transportation issues, generating information that decision makers can use to guide future transportation in the area and reduce traffic congestion and improve safety. The benefits of the transportation comprehensive plan common long range visions for model facilities for DOT that are in the vicinity of Wilson County and all local governments in the county. Other benefits are better development, and integration of transportation planning with land use planning, reduce project cost in the future that are associated with right away and construction activities. Impact to property and community appearances with future road improvements, cost benefits at large. What the plan does not promise is it doesn't promise to build a road, and doesn't pinpoint the location on where the road will be built. It is a wish list of all the transportation needs for your county and community. Once we identify the problems of your system, well we can say maybe these improvements can improve your transportations needs in the future. Comprehensive transportation plan does not require an air quality analysis were transportation improvement plan does. The comprehensive transportation plan is a 25 to 30 year plan where as the transportation improvement plan is a 7 year plan. So I wanted to update the board on where we are we have a steering committee that is formed from local government, transportation planners, and county

planners, division engineers, rural planning organization, Dept. of Commerce and Development. Anyone is welcomed to attend the meeting on the 2nd Thursday of each month at the Wilson Operation Center at 9:00 am. We have several meetings with established on community goals and visions, and at this point we put together goals and objective surveys that are available on line and in paper, they are distributed through out planning organizations, and you can go to Wilson County web-site and there is a link to the survey and I encourage each of you to take the survey on line. It asks questions on how you view your town in the future and what the deficiencies in Wilson County are in the area. So at this point we are collecting data and putting it together road network we will analyze for the entire county. We will bring this data in front of the steering committee again, ideally they will look at the data and endorse it and we will project it to the future to see what are the deficiencies that the system will have in the future and what we can do about it and how we are going to improve the system. Develop alternatives and recommend a plan and bring it up for adoption in front of the municipalities and county. So at this point we are asking you to look at the resolution of participation you have before you. You also have roadway network map in the packet; this is something the steering committee came up with and if you feel there are any roles we missed out in your community you are welcome to contact us and talk with us to see if we can add those roles and discuss it again with the committee. This is very beneficial to the county. The revamping of the TIP they are in the process of doing it and coming up with what they call work programs is a 7 year plan currently. They are talking about making this into a 5 year plan which the Secretary of Transportation states are more obtainable. So what this plan means for that to get a project in that TIP or work program in the future it needs to be in this plan. So what we are trying to do in work with the county and municipalities to come up with the different projects so when it comes to put it in the TIP we can enter it in there and it will be accepted and we can look at maybe getting these projects funded. TIP projects are usually big projects.

Mayor Moore: This is building roads instead improving or widening roads.

Daniel Vanliere: This is for both, so we are looking at widening roads, looking at building new roads, this is also multiple modems, we are looking at pedestrian paths, bicycle, public transit, and rail through out the whole county as well. I thought the Town of Black Creek is a beautiful town driving in here for the first time. This is the first time I saw designated bike lanes. I think that is wonderful. I moved here from Colorado a few years ago and we had bike lanes. So when I moved to NC such a thing did not exist anymore, I was a little taken back. Driving in here there were beautiful yards, beautiful lawns well kept. This is really a nice town. This kind of thing gives you the opportunity to try to progress your town as well. She gave you a little map of little roadways that need improvements or we want to study these roads. In Black Creek you see as a major roadway that needs to be looked at that you see as a major route something we have not recognized let us know and we see how it impacts other roadways in the county. Let me make a side note here, I am with the Upper Coastal Plain RPO, so I do transportation planning for Wilson County, Edgecombe County, and Nash, and Johnston County. I am almost your staff as well, so where you can't hire a transportation

planner you can look to the RPO to work on some transportation projects, I will leave a card with you. If you have any transportation questions at all please call me. Motion to approve resolution. 1st Commissioner Smith, 2nd Commissioner Franks. Motion carried.

Swimming Pools: Greg Gates: Right now we do not allow people to do swimming pools for sewer credits. I would like the board to make a motion to allow sewer credit one time per year on in-ground pools and constructed above ground pools to be verified by the town one time per year. Not including pools you roll up you buy at Wal-mart they pay for the water what ever the rate is. Mayor Moore: Any discussion? Motion to approve as stated: 1st Commissioner Smith, 2nd Commissioner Lucas. Motion carried unanimously.

Well #1: Greg Gates: Well 1 was constructed in 1958 has pump work done on it multiple times and never has had any iron treatment and has had high levels of iron in that well which over time stops the veins that feed the well up and restrict the flow of water. In the last 5 months we have noticed a decrease yield out of the well, basically the cheapest thing is to remove the pump and try to restore the yield of the well. The process is called air bursting. That would include a yield test Pearson Pump out of Goldsboro, that is who I spoke to on this matter, you are looking at a rough estimate of \$12,000.00 and it depends on yield testing and air bursting, naturally they will pull this pump out of the well. That pump in the well is eleven years old. Will they find anything, I don't know. If there is any damage to the pump or if there need to be any work done now is the time to do it, naturally that will be additional cost. The only other option is as far as a contractor that does this kind of work is in Chesapeake, Va. You are not going to get it any cheaper. You will have to pay his transportation and hotel cost for his guys. Several towns have done this process, it is the first and cheapest step in determining you have a well that is viable or you need to look doing something else. Mayor Moore: Any discussion: Commissioner Smith: Do we have to take the pump out of the well to do it? Gates: Yes, and like I said they recommend 10 years and pull the pump out and look at them. Commissioner Smith: Is this part of the cost. Gates: Yes, pulling out and putting back in is part of the cost it is just a matter if they find something mechanical. Looking at the water levels I see unless there is something faulty in my air lines in the well it is nothing mechanical, not to say the air line is not broke and I am getting a false reading. I don't think I am getting a false reading, I think it is the yield of the well. The only way you are going to know is to pull that pump and video the well and the air bursting. It is really unheard of talking to several people that nothing has been to a well that was put in 1958. That is my recommendation to the board. Mayor Moore: Any discussion? Commissioner Smith: Do we have the money in the budget? Commissioner Franks: Sounds like we been pretty lucky. Motion to approve to work on well #1: 1st Commissioner Smith, 2nd Commissioner Lucas. Motion Carried unanimously.

Commissioners Business:

Commissioner Lucas: The only thing I got is grant thing on constructing and enlarging community facilities. It is a 75/25 deal. It can build a new town hall, police station, fire station. The federal does the 75% we do 25%. Commissioner Smith: What do we need to build? Lucas: I am just asking, what we need. Aycock: No, this is just information that there is a grant available for the town if they want to take advantage of it. Lucas: It would not go toward purchasing land? Ms. Aycock: No. Mayor Moore: They are going to need room in the town hall in the near future. It is getting crowded over there. Lucas: It would on toward the purchase of something next door like we spoke of. Aycock: I think it has to be new purchase. Lucas: It will go toward enlarging, repairing. But where are we going with any construction, we don't have any room. Mayor Moore: We have a lot of irons in the fire right now. Lucas: Yes, we do unless we tore down that building next door. It been there a long time, can't go no further. Commissioner Smith: You can go up. Mayor Moore: The ideal solution, the fire department has considered a combination of fire department, and town hall facilities, but you have to have land to do this. Wishful thinking I guess. Gates: Since you are in all this, you got a police station that one of these days that will come all to pieces. You could look at doing something where you are at. The fire department is open to the idea because there is coming a day they are going to need beds for them to sleep simply because of EMS. It is coming quickly they will want to station a truck down here. It is strategic in the county. They are already doing other places. Mayor Moore: If we tore the police station down and build a new building there will that give up the room we need? Gates: You might have to incorporate this. Lucas: Put both of them under one roof. Moore: Remove both buildings and build a new building. Moore: We got enough irons in the fire right now. Commissioner Smith: You would have to get someone to study that. Gates: You would have to do some in-depth. Lucas: It is just information.

Commissioner Franks: The only thing I got we didn't get the cops grant. We don't have enough crime. Commissioner Smith: Did it cost us anything to try and get it? Aycock: We just don't have enough crime in down for them to give it to us. They leaned toward towns with high crime rates. Commissioner Smith: I guess that is a good thing. Commissioner Franks: Ms. Aycock are we going to send Robert Murray a certified letter. Aycock: If the board approves for me to do so. Commissioner Franks: I think it is about time we send him a letter and re-evaluate where he is at and which way we need to go. Mayor Moore: Do I have a motion to send letter: 1st Commissioner Franks, I would like for Barbara to send him a letter on his status and where we need to go. Commissioner Lucas: I already know where he is at, he is on medical leave. Franks: I know that but we need to find out what the doctor is saying and if he is going to be able to come back to work. Motion by Commissioner Franks for Ms. Aycock to send Officer Murray a letter to attend the next board meeting. 2nd: Commissioner Smith. Motion carried unanimously. Aycock: Another thing is after the 12 weeks FMLA you do not have to carry employees insurance. Commissioner Smith: Before we do anything like that we need to know legally were we stand. Aycock: You can extend his leave, there are different things the board can do. Lucas: He has

exhausted all his sick leave and vacation time. Aycock: He did this in March.
Franks: We need to re-evaluate where we are. Mayor Moore: We need to start a process anyway.

Commissioner Smith: I think we have covered everything my way.

Commissioner Dawson: Yes sir I do. I need to get the board to make a motion to have Greg look into the right of ways cut in downtown where the grass has grown 2 or 3 inches, and the yards are manicured. Gates: I can handle that. Motion to have Greg look into this by Commissioner Dawson, 2nd Commissioner Lucas. Motion Carried unanimously. Commissioner Dawson: Also we need to start doing some repairs on the sidewalks and I looked at them and I suggest we start down at Shady's end and work back up there are some really high up sidewalks and then they drops and then there are 2 sections by the Methodist Church. Mayor Moore: How much money do we have? Gates: That is the next question; I don't know how much it is a square foot. Dawson: I was going to ask you to check on the cost. Lucas: I thought we had voted on doing so much a year. Gates: That is the thing did you decide to do that? Dawson: Oh yea! We did so much last year. Gates: So you want to do the \$10,000 worth of sidewalks. Dawson: Yes sir. Gates: If you keep that up you will have all the sidewalks done pretty quickly. Motion to do \$10,000 and get with Commissioner Dawson on bids by Commissioner Dawson and have board approve bids at next meeting, 2nd Commissioner Lucas. Motion Carried unanimously.

Mayor Moore: Commissioner Dawson are you not going to do the dog ordinance?

Dawson: I do have one more item. I would like to make a motion that we change our ordinance on the amount of dogs you can have in the town limits, no more than 3 dogs in the town limits per household. 1st Dawson to set a public hearing to hear this issue, 2nd Lucas, motion carried unanimously.

Mayor Moore: We did have bids today for the Water Project; we didn't get but 2 bids on the telemetry system so he didn't open them, so he will have to re-advertise for that and it will be about 10 days. He opened the bids on the treatment plant and we got a competitive bid and is our well within our budget. It came in at \$718,240.00. He has got to do some verifying and open the bids on the telemetry and he will attend our September meeting to make a recommendation and we can award the contract. Gates: Just for the board's information the telemetry will be advertised in tomorrow paper. Moore: The old filters will be retro-fitted, so Greg got his Christmas present. Aycock: I asked for an extension with the NC Rural Center because I felt like we would be down to the wire with these bids, and we are. If we need the extension it will be there to protect the grant deadline to provide a signed contract to the Rural Center. Mayor Moore: It is a good thing you did.

Mayor Moore: I would like to congratulate Commissioner Smith on his team 12 and under for winning the 2009 World Series Championship Soft Ball Event. Best in the country.

Mayor Moore: Read announcements off agenda. Anybody got anything else. If nothing else the meeting is adjourned.