

TOWN OF BLACK CREEK
TOWN BOARD REGULAR MEETING

Date: February 13, 2007

Time: 7:30 P.M.

Place: Black Creek Town Hall

Present: Mayor Howard Moore, Commissioners Seltzer, Godwin, Lucas, Smith

Absent: Commissioners Franks

Minutes Taped Yes

Quorum Present: Yes

Mayor Moore: Meeting called to order for February 13, 2007 is now in session. I guess everybody has had a chance to look at the January bills. Motion to pay the bills made by Commissioner Lucas, second by Commissioner Godwin, all in favor say I, all opposed. Motion carried unanimously. Approval of the minutes is next on the agenda. Motion to approve the January minutes made by Commissioner Seltzer, second by Commissioner Godwin, all in favor say I, all opposed. Motion carried unanimously. First item on the agenda is approve bathroom contractors, and cost for the park bathroom.

Commissioner Lucas: I make a motion that we start on the park bathroom. Maybe we can get the roof on and the walls up soon before the next Heritage Day.

Mayor Moore: Motion made by Commissioner Lucas to start on the park bathroom and go with the quotes we have reviewed, second by Commissioner Seltzer, all in favor say I, all opposed. Motion carried unanimously

Commissioner Smith: Is Chris Dawson one of those contractors that as submitted bids for the park bathroom? Supt. Greg Gates responds, yes. Are we going to make a motion that we do whatever it is we have to do to get our money back that is owed to the town for utilities not paid for \$739.03?

Mayor Moore: I do not know exactly how to word the contract information for the town to receive payment for the utility services not paid for by Mr. Dawson.

Commissioner Seltzer: If Chris Dawson is awarded the contract, his monetary settlement with Black Creek must be settled before he is awarded the bathroom contract, in advance, or he will not be awarded the park bathroom contract.

Mayor Moore: Motion made by Commissioner Smith, second by Commissioner Seltzer, all in favor say I, all opposed. Motion carried unanimously.

Commissioner Smith: What I want is when we pay him we deduct it he charges for past due utilities bills.

Commissioner Godwin: That is what I thought you meant. That motion is wrong then. Is that going to be good enough? Yes, stated Commissioner Seltzer.

Mayor Moore: Has the board reviewed the cost from Upper Coastal Plains for the North Carolina Step Demonstration preparations for development and strategies in action plan for \$4370.00 for small town economic prosperity? Has everybody had a chance to look at the attachment? Motion made by Commissioner Lucas to proceed with it, second by Commissioner Seltzer, all in favor say I, all opposed. Motion carried unanimously. Now it is time for Commissioner Business. Commissioner Lucas do you have anything?

Commissioner Lucas: The only thing I have is we are proceeding with the wall in the main office space for the enclosure of an office area for Mrs. Aycock. In addition, Barbara will be attending a meeting as you see at the bottom of the page on March 7-9 at Durham for the Annual Finance Officer Conference and NC Treasurer Accounting Management Conference on April 27, 2007 in New Bern.

Mayor Moore: Commissioner Godwin do you have anything for the meeting tonight? Pass. Commissioner Smith?

Commissioner Smith: How is the water line coming on Frank Price Church Road? Do we have an update on the progress?

Superintendent Gates: The whole thing is in except maybe about 800 feet of line. All the taps are in on Community Grocery Road. The main has been pressure tested up to where Buddy Baker stays. It passed the first test, it is just a matter of time now, we are going to start Thursday taking samples, and if the samples come back then they can start tying people on to the water line. They have two more ditch crossings to do; one of those is very much under water. It was designed to go under that ditch, but Crayton Overton of Herring and Sutton will be coming tomorrow, we are looking at going over the top of and incasing the pipe in concrete, there is an issue of water with the new road out there anyway. There has been a ditch blocked off, I do not know if you have noticed the water standing or not. We are looking at going over the top of those tiles, instead of below them and incasing the pipe in concrete. There will only be 2 ft of cover. It will be double line pipe in concrete so that if somebody starts trenching and they don't see my mark and they don't spot it when they hit that concrete it isn't going to do anything. That's just one of the ideas; we're going to see what the engineer says about it. We have an issue with the railroad track, I don't know if you've heard about the problem. When the person was looking for cables, he hit some running sand. They're scared if they try to go the depth of that railroad, they're going to hit running sand again. Therefore, everything is on hold. There's been some ideas sent to the railroad, and their engineer doesn't agree with any of them. We don't know if it's going to come down to a meeting or not with the railroad. That's not going to stop the water line from going in, because there is a valve on both

sides of the railroad track. If we have to we can do everything else, and that can be the last thing we do. He may come close to the main this week.

Commissioner Godwin: Supt Gates keep a check on the ones I told you about on Community Grocery Rd. The driveway tiles and other things I spoke with you about. Frank Galloway asked me about it last night, he's getting ready to fix it, I told him to hold off.

Superintendent Gates: They are trying to get everything done now, and then come back and do the fine-tuning. We're trying to let some rain get on it and let it settle some before they do any fine-tuning.

Commissioner Seltzer: I make a motion that we contact Kevin O'Donnell on the resolution against senate bill 3, and have him talk to some other small towns and see if they want to come on board regarding a resolution.

Mayor Moore: Motion made by Commissioner Seltzer, second by Commissioner Godwin, all in favor say I, all opposed, motion carried unanimously.

Commissioner Seltzer: The other thing I have, there's a street light hanging off where Erader Mills demoed that building. I don't know if he hit something and knocked it loose. It's down by the park path and its hanging like it's about to hit the wire, just look at that some time Supt. Gates. That concrete in the park, what can we do with that? Commissioner Godwin states that S.T. Wooten might take it because they grind it up Supt Gates stated they would be using the concrete for a project to do fill ins. Commissioner Seltzer: I went back to the day care and looked at the ditch that caved in and it's worse now. We need to contact the property owners and we need to do something about this now. It actually is in our road right of way. It's completely caving in now, it's about 15 feet. It's the daycare's problem. It looks to me like that the land was graded at one time to drain to the pond. Evidently, by them building that building there it interfered with all of that. That is what's created the problem. It's created a dam and the water can't get back to the pond anymore. They elevated it when they built the building, it's draining toward the road, and it's creating a bigger problem, like the big holes side of the road.

Mayor Moore: It was an open ditch to start with. If it was put in right, shouldn't it go into the tile and go in the pond? If the tile is fixed that should fix the problem.

Gates: The question was asked before any work was done out there, and I was told there wouldn't be nothing done to it. Given enough time, the asphalt is going to start sinking in and there will be a big hole in the road. I feel bad for the people who purchased the building because they inherited the problem when they purchased the building.

Commissioner Smith: What's happening is the same thing that's happening to my lot in Wilson. There was a ditch across my lot and City of Wilson tiled it. The joints came loose and the dirt started going thru it, there are holes all out there now.

Commissioner Seltzer: I make a motion that we contact the daycare and start some kind of discussion to see what we need to do about this. Greg can look at it, but I believe that it is in our right of way, so we can make them do something about the holes.

Mayor Moore: Motion made by Commissioner Seltzer, second by Commissioner Godwin, all in favor say I, all opposed, motion carried unanimously.

Commissioner Seltzer: Supt. Gates, I know you've got a full plate right now, and that's why I hate to even bring it up, but at some point we need to start going thru the town ditches and cleaning them out. Supt Gates is there any chance of that happening in the next year? In addition, they are going to have to change the tile under that street, the tiles are too small and it can't handle the water that flows thru there. You know it and I know it. It's at the corner of Mclean and Aycock. We have the ditch to handle it, if we just had the right pipe to handle it. It's the States/DOT, it's not ours. The DOT supervisor retired so they're in a transition period right now, so they're slow about getting back to us about correcting this problem. We'll send a letter and see what kind of response we get. I'm not saying anything will be done about it. However, we need to address the problem, its way over due.

Mayor Moore: Mrs. Aycock and I would like to prepare a plaque for Ellen Dawson in appreciation for her hard work on Heritage Day and other committees she serves on for Black Creek from the town board. Does somebody want to make a motion to have a plaque done for Mrs. Dawson? Motion made by Commissioner Lucas to have a plaque done and be presented at the next board meeting. Second by Commissioner Smith, all in favor say I, all opposed, motion carried. Department Head comments are next on the agenda. Chief Fortson, do you have anything. Pass. Ms Aycock?

Barbara Aycock: When you're going by the park, look at the improvements we have made to the park. We've extended the wood chips under the swings and opened up a place for the handicapped, this provides access to the playground for them. Mr. Steve Moler from the Park Grant suggested this be done for safety reasons, and to meet the PARTFA requirements. The steering wheels on the small children's equipment have been replaced. I think it looks nice with the extension of the wood chips around the swing area, and it provides safety for the children playing in the area. The park committee paid for 95% of the wood chips, and I would like to thank the committee for their donation. This area has really been utilized by the children and adults in the community. March 15th, I forgot to put it on your calendar is when the sewer authority wants to meet again from 6 p.m. to 8:30 pm at the community building with Mr. Mike Aquesta.

Mayor Moore: Supt. Gates do you have anything?

Greg Gates: Yes, my phone rang during the start of the meeting, the call was from the framing contractor, and his cost would be \$10,300.00 for framing. That's roof, shingles everything. The total cost as of now is for a total of \$35,000.00 for the bathroom

completion. We can talk to Tom May, and Ken, we don't have to make a decision tonight. The wellhead protection program, did the board get the brochure on the information for the wellhead? That is protecting the town's water sources. It's kind of a long drawn out thing. It's a plan that goes to the state for approval, it is not required by the state right now, but it's coming. It's 15 points on a grant if you've got one in place, you have a committee that sits down and decides like for instance the state requires 100 ft control around every well we have. What this does is it looks at your potential sources of contamination. Then if the town council sees fit you can actually have an ordinance stating changes to protect the town's wells, it depends on how far you want to carry the program out. This keeps anybody from building something to close to the well site less than a 100 ft. from the site. In this plan, it identifies what potential is there now. If there is a problem, in the plan it spells out exactly what has to be done. It's good for getting grant points, and it is not a three day thing. It's free, three or four people on a committee come down here to get information and they do all the leg work. Then it's just how the board wants to handle it. We definitely need to protect the town's water supply. Its 15 points towards getting a grant so we should do what we can. If the board wants to proceed just let me know.

Mayor Moore: Motion to proceed made by Commissioner Smith, second by Commissioner Seltzer, all in favor say I, all opposed, motion carried unanimously. We have a meeting with Dennis Patton of the Upper Coastal Plains on the 15th at 1:30 at the town hall. The speed limit has been reduced from 55 to 45 regarding the complaint the other week from the citizen regarding speeding by his home. Is there anything else I missed?

Commissioner Seltzer: One more thing! Chief Fortson, I gripe about the police department sometimes, so I'm going to pat you on the back this time. The patrol miles on the police car have increased, so I appreciate that. I want to commend you on the fact that you've managed to keep the police cars in good shape. The old car is looking good; it has outlasted what I thought it would. We're over the miles I expected to get out of the Crown Victoria police car, so I appreciate that.

Mayor Moore: Is there anything else that I need to announce? Do I hear a motion to adjourn? Motion made by Commissioner Seltzer, second by Commissioner Lucas, all in favor say I, all opposed. Motion carried, meeting adjourned.

Barbara Aycock
Secretary to Board

Howard Moore
Mayor¹

¹ February Board Minutes