

**TOWN OF BLACK CREEK**  
**REGULAR BOARD MEETING**  
OCTOBER 13, 2009  
7:30 p.m.

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Present: Mayor Howard Moore, Commissioners Lucas, Franks, Godwin, Smith, Dawson

**Quorum Present: Yes**

**Public Hearing called to order at 7:30 P.M.**

- I: Public Hearing declared open by Mayor Moore.
- a) Dog Ordinance: Comment from Audience
  - b) Intent to Apply for USDA Grant for Sewer Lines
- No Comments

Notice has been posted required by law and posted in town Hall. Have we received any letters or phone calls regarding the public hearing notices, Ms. Aycock? No, stated Ms. Aycock.

**Commissioner Godwin:** On the sewer grant, is that 100%. Mayor: No. It will be discussed further in the regular meeting.

**Comment on Dog Ordinance from audience:** **Citizen:** I have some questions. Explain to me what went on with the amount of dogs? Like the puppies. Mayor Moore: I think it reads over 3 months old. 3 dogs over 3 months old **Citizen:** We live on Branch St. just 3 or 4 houses down from us, even beside me the dogs constantly bark all night. You get 2 or 3 dogs in the back yard, I know it is annoying. I know the dog ordinance is not enforced by the Town of Black Creek anymore, I think the Sheriff Dept handles the ordinance. Is that right? Yes, stated Mayor Moore. I have the same problem you have with the barking dogs. **Citizen:** What do we do, how do we handle this problem? **Police Chief:** Call 911. **Citizen:** They come out and do what? **Police Chief:** Come out and correct the problem. **Citizen:** At 2:00 in the morning? All night? **Chief:** Yes, all night. They will send a deputy out if they cannot get the animal control deputy out, and the animal control person will come out the next day. **Citizen:** What if someone already has 3 dogs and they are thirsty and don't get feed? **Mayor:** In that case you need to call the animal control office and report the owners; they call law and ordinance regarding how to treat dogs. **Citizen:** O.K. you got neighbors that have 3 or more dogs now what do you do? **Mayor:** If this ordinance is adopted they will have to get rid of the dogs. **Citizen:** Who is going to be in charge of it? **Mayor:** The town will enforce that ordinance; maybe the Sheriff's office will do it if they are in charge of our dog ordinance. **Chief:** The animal enforcement will handle this because they have the facilities to contain the dogs. **Citizen:** So, if the dog is over 3 months old and they have more than 3 dogs they have to get rid of one of the dogs? **Mayor Moore:** Yes, that is right. That means any dogs over 3 months old. **Citizen:** Does that apply to cats too? **Mayor:** No, we don't have anything about cats. **Citizen:** We have a cat problem too. **Chief:** The cats fall under the lease law and having them vaccinated. **Citizens:** I do chemo and many nights I don't sleep, so when I do try to sleep the dogs bark all night long right there at my

bedroom door. I walk the floor, I am going to speak for me, the nights I can sleep the dogs are still barking. So you are saying we get up at 1:00 am and call 911 and say the dogs are barking and it will be the next day before someone comes out? Chief: No! They will send a deputy out at that time. Citizen: The people next door to me have puppies, and you are saying they can't be older than 3 months old. One litter could be 6 or 9 puppies. The people next door to us do not feed and water their dog, I feel so sorry for the dogs. I can't say how many times we have put water across the fence to water the dogs. We have called animal control and they will come out there and the people will not come to the door. So, we are still left with out results and you worry even if you have 3 dogs are females, we have 2 litters of puppies barking all night long. Mayor: The only thing I can say is what Chief Fortson stated to call the 911 and they should come out, I don't know what else to say. Chief: They impounded 2 dogs over there where you are talking about. Citizen: They still have 3. Mayor: If they are barking, they are a nuisance they will do something about it. Citizen: These are not as bad as the dogs by my momma. I can hear these dogs 4 houses down all night long. It is bad. Citizen: I had to sleep in my recliner last week because it was so bad. That is uncalled for. Mayor: I am in the same shape you are. Commissioner Godwin: I do know if you call enough you will get results because I called enough and they got rid of the dogs next door to me. Citizen: After so many times are they given citations or what happens to them, can you tell me? Chief: They will give the citations, and if they don't comply they will take possession of the dogs. The thing like you said, feeding and watering the dogs, they come out there and the dog is healthy they will not do anything about it. I know it is bad to say this, where you feel sorry for the dog. Citizen: Are they allowed to come in the yard if those people don't come to the door and see what we see? Commissioner Godwin: To answer to your question. My daughter-in-law got a \$25.00 ticket and they walked in her back yard because she did not have her dog properly tacked. So they can do it. Citizen: What if they are in the house? Mayor: He will have to get rid of them. Commissioner Godwin: It is suppose to be listed on there taxes if they are legal. Commissioner Lucas: We are adopting Pikeville's ordinance on how they handle their dog ordinance.

**I declare the public hearing close.**

**Mayor Moore called the regular meeting to order:**

II: Motion to pay bills: 1<sup>st</sup>: Commissioner Lucas, 2<sup>nd</sup> Commissioner Godwin. Motion carried unanimously.

III: Motion to approve minutes for September 8, 2009: 1<sup>st</sup> Commissioner Godwin, 2<sup>nd</sup> Commissioner Dawson. Motion carried unanimously.

IV: Kevin O'Donnell: So, I got what I think is good news tonight. I am going to talk about the renewable energy portfolio standard. I have talked to you about this before. I am going to hand out material for you. I think you may remember that we are in the process of working out a contract with Progress for them to handle our energy standards. It is called reps. This is a state mandated law; the intent is to jump start the green economy in NC. For that we will have to pay something. There is a monthly charge that is on customer's bill, if anyone here takes power from progress energy they will see it on the bills. At my house it is 60 cent and at my office it is \$2.00 a month. This chart here

stated what the legislature says is per account tax. Progress Energy customers have already been paying this. We have not; the first requirement takes effect January 1, 2010. We have put this off as long as we could, there is no more putting it off. Progress has agreed to take care of these requirements for us. I was expecting to bring you a copy of the contract tonight; Progress does not have it ready. I have been to Sharpsburg and Lucama, and Stantonsburg last night. What I am going to ask you is to do is give the mayor the authority to sign the agreement once I have gone through it and I am in agreement with the contract. I was in Waynesville, NC about a month ago, we had the contract in hand for Waynesville, they signed it, and it is over with. I am at a loss why Progress can't take the Waynesville contract and just apply to us. They say there are some very minor details in our agreement and Waynesville and they wanted to redo one paragraph. I still waiting for the redo part of the contract and the final agreement sent to me. But, the most important thing to note this table I passed out to you here if you look at the right hand column you will see the total monthly amount the town of Black Creek will have to pay. This will be tacked on our wholesale bill in January for December usage but it will be in the January bill. We received \$349.49, which is the first of the REP'S installment we will be paying to Progress. We in turn will take that amount of money and calculate a monthly cost to our customer, that will be in the neighborhood of 40 to 80 cent a month at the most we will pass on to our customer. That money goes to Progress; the town does not keep a cent of this money. They go out and purchase renewable power with that money. They have a solar set aside of .03% if our total requirements has to come from solar for 2010, there is chicken waste set aside, hog waste. So, the contract once Progress gets it to me I am going to review it, and once it is ok I would like the Mayor to sign it. That is why I am here tonight to request to the board to allow the Mayor to sign it. It is contingent of my review, and the Mayor's review. It will go off to Progress and they will handle the requirements for us. So you know that this question came up in Stantonsburg last night, the numbers behind this is pure math. There are no negotiations on this agreement. If we want Progress to handle this for us and we really have no alternative, I am telling you that are producing energy from hog waste will not talk with me if I try and go out to buy a 1,000 kwh. We are too small. Progress is not making any money on this either; this is a state mandated rule. One other point on this, one of the items I will talk about when I will be back in a few months is a 6 pack program. I am going to recommend to you we pass out florescent lights to our customers. Progress is expecting us to meet our on 25% energy efficiency. We buy these 6 packs of lights and pass them out to our customers and we recover the cost, and only the cost of the CFL's through this monthly surcharge that the state is requiring us to meet. We are required on an annual basis to make a filing to the Utilities Commissions on September 1 of every year, letting them know what we are doing to meet our renewable energy portfolio standard requirements. We have already told them on 2 separate filings that Progress is going to handle this for us. So, I think that is it Mayor. Ask the board to let you enter into this contract once we get it from Progress and it is approved. Mayor Moore: Any discussions or questions? Commissioner Godwin: This chart, once we sign this, can't be changed? O'Donnell: No! Unless the legislation changes, I will guarantee the environmentalist will be coming after them and the cost caps in 2010 and 2011. Commissioner Godwin: This is supposed to be good to 2015 and after. O'Donnell: As it stands now that is what senate bill 3 states. I will tell you that, and I hope I don't come

across negative, there is going to be a lot of pressure to increase these cost caps. As you all know I don't really like to admit this but I am a registered lobbyist in NC. I haven't been down to the General Assembly in 2 years. The only reason I am registered is I have a client who fought real hard to get these cost caps in place. So when this bill was written I was on the consumer's side making certain these cost caps were there. Because other people had past bills without cost caps in them. So at least we have the cost caps. I will be there to prevent any increases. Commissioner Smith: What kind of terms are we going to have on that contract? O'Donnell: Life of the contract we have with Progress which will last another 7 years. If we had another alternative to deal with other than Progress, and Progress is great to work with, I don't want to be negative toward them at all. Because they are in the same position we are in, they have to comply just like we are. There is no choice, it is a state mandate. Motion to give mayor power to sign approved contract: 1<sup>st</sup> Commissioner Godwin, 2<sup>nd</sup> Commissioner Franks, vote carried unanimously. O'Donnell: I will be back with the board. I am working closely with Greg and Barbara on a community energy efficiency block grant. We will team up with Black Creek, Stantonsburg, Lucama, and Sharpsburg. There is 12.5 million to be spread out over North Carolina. January 1<sup>st</sup> will be the date. I will fax Barbara a copy of my utility bill. I would like to mention something to the boy scouts that are here tonight.

V: Dog Ordinance: Motion to adopt the Pikeville Ordinance for 3 dogs in the town. 1<sup>st</sup> Commissioner Godwin, 2<sup>nd</sup> Commissioner Lucas, vote carried unanimously.

VI: Ms. Norma Yanez (Waste Industries) the state has passed new legislation that it is mandatory to recycle plastic and it started October 1, 2009. You have to recycle any plastic that has a mix. Currently the town does not have a recycle program. I am with Waste Industries; I have a facility on Black Creek Road. We have a transfer station there we do many recycle programs for many towns and counties in the area. What I have proposed to Greg is that we could use the 18 gallon bin which looks like a laundry basket, we would provide the bin, pick them up each week, and we would pay the processing fees for the recyclables and it would be \$3.10 each month. Not only would we recycle the plastic but I have a list of items we would pick up. Newspaper, glass, aluminum cans, there is a list of items we would pick up. Everything that goes in this recycle bin will not go into the trash can and not pay disposable fees, so there is an advantage to it and deferment of charges from one item to another. Right now you pay a land fee bill. You will not pay as much of a land fill charge. Greg asked it be a one year agreement so you can evaluate it. We agreed to that, so that is pretty much it. Mayor Moore: What day would of the week would you pick up. Ms. Yanez: Thursday would be the day selected. We pick up around 7:00 am and 7:00 p.m. I did a flyer so when we put bins out the citizens will have the information. Mayor Moore: Any discussion on this? This was supposed to start Oct. 1. Ms. Yanez: The state has give the towns some extra time to comply, some of the land fills are already being really restricted and charging around \$500.00 per load if the loads had material in there that is recyclable. Mayor Moore: What happens if people put in something that is not suppose to be in the recycle bins? Ms. Yanez: They will dump it, they will leave it and tag it and tell you what is wrong with it. Commissioner Godwin: I got one question on that? Could you drop the price to \$3.00? Ms. Yanez: We come to every body's house at a cost of around 65 to 70 cents per house

a week; we can't do much cheaper than that. The only reason I could give you this price is because I have some very gently used recycle bins we will put out for that price. Commissioner Godwin: To be true for form I had to ask. Ms. Yanez: I know that, this is my job, the bins are not brand new, some could be and they will remain my property. If they get run over we will take another one out to replace it as long as someone is not setting fire to them. Commissioner Godwin: We had the contract with Waste Industry before regarding recycling. Mayor Moore: Anymore discussions? Motion to accept the contract for one year for December 1? 1<sup>st</sup> Commissioner Godwin, 2<sup>nd</sup> Commissioner Lucas. Motion carried unanimously.

VII: USDA Loan/Grant for Sewer Project: Dennis Patton: We are now at the point we have been working toward the past year, we started out if you recall for flow meter testing, and that determined we had some problems in the collection system and there are some problems in the out fall area. It determined there was a problem in your collection system. The next thing we did was exam your collection system to see what problems existed within the town. The video work was completed by Bartlett Engineering. Bartlett Engineering is here to discuss several repair options and what they have found. I am here to present to you a resolution only after we have gone over the variable. The Rural Center's supplemental grant is due Thursday; by nature it is a supplemental grant which supplements another source of funding. We have indicated we will apply for ½ million dollars of their funding, and this is a grant. Not a loan but a grant. The town has in turn give other funding because you are in the 35 percent bracket of how much you have to match as opposed to 50% or 25%. You have to put up a minimum of \$175,000 of other funds to leverage their ½ million dollars. We were planning on applying USDA Rural Development funding as that other funding. That would be a combination loan/grant. The last we saw on their regulations is 55% loan and 45% grant depending on your qualifications to receive that break out. Unfortunately we were not able to put on the Rural Center application information over and above the Rural Application that a letter had been secured for another funding. A packet would have had to be in there triggering a process that we had gotten an approval from the state office in order to have something secure enough to be competitive in this round. This round may be the last round for the supplemental grants from the Rural Center for sometime until the economy improves and the general assembly approves more money for grants. They are down to the last \$23 million dollars; they have recently received 99 other intents to apply. There are around \$45 million dollars of request. Things are tight and the competition is going to be very fierce. I had a conversation with the director of water and sewer with our situation with the USDA and she suggested we go another route because not having a definite approval from USDA we might not be competitive. So what I am going to suggest so you will be competitive is to set aside the notion, not the intent that you will put up town money that you know that is there. They will not make a decision, they got a budget sheet where the number where it asks is this pending or secured. You want the word secured in that column. Pending will be the Rural Center because you do not have the funding. To me that is the only way you will be competitive if secured is noted. What I am indicating in the mean time, we get the Rural Center off to Raleigh, their board will meet sometime in December or March, and their staff will go through the application and make the decision. In the mean time we will complete the USDA application and get it in. Doing it

this way raises an issue on how much we will ask for; we can cross that bridge when we get to it. Simply put are we going to ask for what we want, we got to figure out the amount on what we want to get from the USDA. You have to decide on what you want to put up for the match until we can get the USDA. If you get the letter from the Rural Center, there is an agreement to change a project budget and put in the USDA on what you had pledged to put up or increase the USDA amount. They do not care that you go up; they don't want you to go down. We have not given up on the USDA but we need more time to get that package to send in to them. At this point unless you have some questions on that aspect I would like to have Robert go over some details on the videoed over 30 thousand ft through town and another 6 thousand to go. He got some figures on one man hole to another in the various sections in town. Commissioner Lucas: What is the deadline for the total package for us to submit? Patton: The deadline is Thursday for the Rural Center, and what is handed in at that point is what they accept. We can not make any changes to that budget sheet until they have made their decision. If we get the award that is when we will change the budget to the USDA funding on behalf of the town's portion. Commissioner Smith: Is the USDA a loan? Patton: It is a combination of loan/grant. They will loan 55% or more, the best grant will be 45%. Commissioner Smith: We are trying to go after \$500,000 grant from the Rural Center and we have to match \$175,000 minimum. So that will be \$675,000. Instead of our \$175,000 we are going to apply for a grant with the USDA with the 55% loan and 45% grant. Patton: Let say a million dollars; if we can pull all this together and it plays out, we substitute the USDA in there, you will get ½ million grant free money, the other ½ will be broken out 55% (\$275,000)/45 %(\$225,000). You have gotten a fair amount of grant money of \$725,000. Commissioner Godwin: The amount we put up front will be smaller; we are replacing our part with the USDA loan. Patton: I think part of the other dimension is how much work you need to do to the system and what you want to do the system. You have some work to do on the system and how much do you want to do to it. Commissioner Smith: What is the % on being approved on this? Patton: No one can stand here you will get approval. The indicator is they are interested in doing these projects. The lack of money is not there and the Local Government approval. Commissioner Smith: Our worst case scenario, we will have to put up \$175,000 if we take the grant? Assuming we take the care if we get it and cannot get the USDA money and we want to go forward we will have to put up this amount of money. Patton: On paper you are putting some of your money to get the job done with the Rural Center and putting yourself in a good approval way on paper. Commissioner Smith: Just because we get approval for the \$500,000 grant does not mean the town is obligated to take it. Patton: You can return the contract if you do not want it. Robert Bartlett: We have 2 or 3 hours of stuff we could go into, it depends on how much you want to go into. I will briefly summarize what I have got here. Some of it will be recap and some on the technical side. You know you had issue with your sewer lines, nothing more than the bills you got from the City of Wilson. We verified that with the flow monitors we done, and from that with the videoing we pinpointed more of the locations and sources and types of problems and how to fix the problems. The grant application requires you to look at different alternatives to take care of what you are going to do. In this case is rehab. So looking at it from a cost stand point issues, concerns, you got to look at a list of all things not just a cost alternative but everything that comes

into play with each alternative. So we have looked at sections of pipes that have problems and looking at just replacing the pipes. You know the cost is higher than other options. Look at spot repairs, where you dig down and only repair areas of pipe that have problems, tap leaks, pipe crack, etc. You are not fixing manhole to manhole. We got some variations to these options also; they are the basic 2 options for a replacement standpoint. Then look at a slip lining where you got a cured in place pipe where they pull in advertised resin coating through there and it gets cured out with hot water or steam and it forms a structural pipe inside the pipe. Go in cut where there is a tap so the taps can flow into it. Obviously that is less disruptive from a construction standpoint. Cost is somewhat less in a lot of ways, but you are definitely looking at manhole to manhole. If you got one section from manhole to manhole that is 400 hundred ft long and you got a couple of taps at one end and some crack pipes at one end then a spot repair might could fix those cheaper than slip lining that whole 400 feet. If you are looking at replacing the whole 400 feet obviously slip lining is cheaper than replacing. But if you could just repair one or two spots versus slip lining maybe less to spot repair. So we have analyzed and looked at the combination of this and come up with a combination and spot repairs that from a cost stand point is most economical. We have also looked at 30,000 ft that has been videoed and we got another 6,000 ft. that is going to be done, the money is already there. So projection out the other 6,000 feet, it is the same kind of pipe put in at the same time you can expect to see the same kind of conditions. We have done a projection cost if you do the 36,000 feet. I don't know how much you want to get into as far as areas looking at to repair or anything else; we have all kinds of information. I will move ahead as where that money ties and got the spread sheet here that ties into the format that is required for the Rural Center. But what we got here to do the repairs that show up in the 36,000 feet looking at \$900,000 worth of repairs. Now you got to take in account with a grant application and when they look at and the purpose of providing the grant is to take care of the problem. Then if you spend less than that and you take care of part of the problem is that the thing to do. Do you have a project that takes care of part of your problem? Well, they will look at that part of it, what it will take care to fix all the problem, they will look at the financial side of it that has to be provided, your budget, audit, your ability to repay. If the ability is not there it can be supported that you do less of a project. Maybe you have to delay part of the project if you do not have the ability to pay. But where that is related to tonight is the resolution to go with the Rural Center Grant that is due Thursday in hopes of getting \$500,000 grant. You got to commit to at least \$175,000 to get the \$500,000. So that would be a \$675,000 project at a minimum. Realizing you are leaving some areas with crack pipes and some other things that would not be addressed now. So, I think the decision on the table and the discussion tonight is how much you want to commit to this project and how much is committed to the Rural Center Grant. Like we said, if you want the \$500,000 it is a minimum of \$175,000. When we go to the USDA and we are looking at the \$900,000 project and you got the \$500,000 then you are that more comfortable with it. My understanding is far as the grant versus loan with the USDA is they will tell you they are primarily a loan. Loan first, grant second. So even if they will do 55%, 45% if they award something to you it is automatically loan/grant money. They could do loan only or something with loan/grant and lower percentage. I think that is what is on the table tonight is a resolution for the purpose to submit to the Rural Center for the total project cost to reduce the sewer issues

and how much above the \$500,000 or above the \$175,000 that the town wants to commit to. Mayor: The more we put up the better chance we have getting this grant. Robert Bartlett: We don't know later what kind of loan or grant money there will be out there. I am not sure you got the Rural Center application, but with the USDA you don't know how much the project can change for the USDA. Mayor Moore: So if we went with the whole \$900,000 we would get \$500,000 from the Rural Center and \$400,000 from the USDA with 55% of the \$400,000 as a loan and 45% grant money. Bartlett: I don't know if the grant part of the USDA is automatic. You could get all loan. Commissioner Godwin: That \$175,000 is that all the town will have to put up for the \$900,000? Bartlett: If you would get the Rural Center grant only then you would be obligated to the \$175,000. You would do a \$675,000 project only. Gates: Keep in mind what we found that needs fixing on Church Street and Castlewood, Branch Street you will have over \$100,000 already in that part the town will have to pay for. You will call a contractor to do it. Commissioner Smith: Did we not already fix some stuff already? Gates: Yes, I talking about 130 feet of corrosion on Church Street and end of Branch St. we have a caved in line and manhole that is 15 feet below ground and Castlewood the tap is spraying water. Commissioner Godwin: My question was out of the \$900,000 how much is the town liable to pay? If we did not get the grant could we stop it? Bartlett: You do not have to spend anything, you could get the Rural Center grant and not except it and not spend anything. Commissioner Smith: We can always go for it and sees what happens. Commissioner Godwin: No doubt it needs to be done I was trying to find out what we could do. Commissioner Smith: Do we have the \$175,000? Aycok: Yes, I passed out the list of accounts for the board to make a decision on our financial status. Gates: The thing I am getting at Commissioner Smith the problems we have needs fixing. The problem at Church Street will corrode back up and it will start having blockages and then we will have to fix it, and it will have to be replaced. You have the end of Branch Street, it is a matter of time where it is caved in something catches it and you have the same problem there, and then Castlewood you got the water spraying in the taps over there. You will spend over a \$100,000 just fixing these issues when you got a chance to get \$900,000. Commissioner Smith: If we got the money it is worth going for it. Gates: If we get the \$900,000 how many feet did you say we could fix? Bartlett: That is problems within the 36,000 feet, so we are looking at slip lining 13,000 feet of pipe and additional 75 spot repairs. So that is where you could 400 feet of line manhole to manhole, but that is where there is one or two taps, you are looking at 1/3 of the videoing that will be slip lined. Commissioner Smith: Do we have video of at least 1/2 of the lines. Bartlett: You have done over 1/2 of it and particularly when you do the other 6000 feet. If you exclude the Frank Price Church Road Project done in 2001 or the more recent projects. You have done 75% of it. Just to throw this out for a lot less you could take care of most of your problems. What the video showed, 326 location shows stressed and cracked pipes. It was uncertain if infrastructure problems were there without shutting everything down, but it is a matter of time before they become a problem with pipe failures. You will have a big sink hole before you know the problem is there. So this slip lining will eliminate this problem. Commissioner Smith: What were the highest and low swings in our sewer bill? Aycok: I have given Robert the data, he has it there. Bartlett: You have 06 and 07, 08, and 09. I don't have the rainfall for 09, but it is really interesting looking at it. In November 07 which you had a drought year, it was on 1/2 inch

of rain in November and it was just under 400,000 cubic feet of water usage.

Commissioner Smith: What I am looking at is the swing in the money. Bartlett: What I estimate by reducing the infrastructure, I looked at it over 3 years \$120,000, and \$60,000 savings over a year. Commissioner Smith: It will not take long to pay for it, what we are going to invest? Hopefully! If we put \$400,000 that makes our application look stronger. If we don't get the USDA we have to come up with the \$400,000. We can't back off with the Rural Center. Patton: We could negotiate backing off the town's share, what we don't know in our office if they will back off their share or if they will let you back off only your share along. It doesn't necessarily have to do with money as scope, if you say you have a problem, why are you backing off. Now we made the case you can't do, we would have to do some tap dancing. Commissioner Smith: Do you think the USDA is there pulse 90%? Patton: The only thing that could stop you is the local government commission and I think only to the degree they would look at you borrowing. We will know by meeting with them. Unless another Katrina, there is lot of money there with the USDA. It comes down to the local government commission looking at the books.

Commissioner Smith: In your expert opinion what number do we need to be going with?

Patton: I think for a long term you need to be greater than \$175,000, I think you need to be in the neighborhood of \$900,000 to get the job done. I think, I don't know what your finances are, I know you have some outstanding loans, and your rates are where they should be. The USDA requires your rates to be at a certain level in order to get the grant/loan. I think your problem if any will be with the local government commission.

Commissioner Smith: What are your thoughts Barbara? Barbara: Julia Johnson has called me several times and I had a conversation with her today and she is waiting for the applications. She also called me two weeks ago and wanted to know what we were going to be looking for from the USDA. I told her around \$900,000 to 1 million dollars. They are aware from our July meeting we had with her and staff that we are going to submit an application. I'm more concerned about not getting the Rural Center Grant than the USDA. The Rural Center has only around 23 million left and they have already started receiving a lot of grant applications for this limited amount of funds. Commissioner Smith: You think we should do around \$400,000 than the \$175,000. Aycock: I think so, if we want the grant and fix our problems.

Commissioner Smith: That won't put us in a financial bind? Mayor Moore: If we put up this \$400,000 to the USDA do we have to put up town funds of \$400,000? Commissioner Smith: We just have to commit. Mayor Moore: Do we have to pledge the \$400,000 to get this application in the USDA?

Aycock: No, to the Rural Center is what the \$400,000 is being suggested. Commissioner Smith: We have to say we are setting the \$400,000 aside; we got to show we have it and we are setting it aside. It doesn't matter when the loan comes back we can change our mind, that is an option. Mayor Moore: What amount do we need to pledge?

Commissioner Smith: \$400,000. That is what I want to get to \$175,000 or \$400,000 and the answer is \$400,000 to be able to get the loan. That is what we are trying to boil down to figuring out. Do you think we need to go \$400,000 to be able to get the loan? That will show strong. Aycock: If we want to fix our problems like Robert stated that is what I would do, grant money is going to disappear and it might be many years before we have access to grant money. Like Greg stated you know these repairs are coming and you could already have a repair bill of around \$100,000 to \$150,000 you will have to do anyway from town funds. Commissioner Lucas: Yea, you need to do it now.

Commissioner Godwin: I agree! Commissioner Smith: Then again it is costing the town with infrastructure problems about \$60,000 a year; we could save \$60,000 a year, so it doesn't take long to add that up to get. Greg: Now you have a chance to get some free money. Commissioner Lucas: If we wait it will get higher and higher. Commissioner Smith: I tell you what are we ready? Motion to do the \$400,000 committal for the Rural Center Grant: 1<sup>st</sup> Commissioner Smith, 2<sup>nd</sup> Commissioner Lucas, vote carried unanimously. Do we need to vote to apply for the grant? Commissioner Smith: We approved the resolution for applying the \$400,000. Is that what we just did? Mayor Moore: We are set to go, right? Bartlett: Yes, thank you!

VIII: Proclamation for Domestic Violence: 1<sup>st</sup>: Commissioner Godwin, 2<sup>nd</sup> Commissioner Smith. Vote carried unanimously.

IX: Commissioner Business:

Commissioner Lucas: Our valuables need space; our current fire proof safe is full so we need to purchase another. We have two prices here? Aycock: One is for legal and the other is letter, I rather have the letter. Commissioner Lucas: \$2776 is the price for letter. Motion to buy letter fire proof safe: 1<sup>st</sup> Commissioner Lucas, 2<sup>nd</sup> Commissioner Dawson. Vote carried unanimously.

Commissioner Franks: Greg did you have a safety meeting? Greg: Yes.

Commissioner Godwin: I wanted to bring up the thing about burning in Black Creek. We discussed it at the work shop; I wanted to know how the board feels? We pick up almost everything and there is nothing that isn't picked up that needs to be burned. Especially last year we got a lot of complaints with people that have asthma, they can't breathe. Mayor Moore: Any discussion? Commissioner Smith: What are we proposing to do? Ban burning in Black Creek. Commissioner Godwin: We pick up almost everything so there is no need to burn in town. Mayor Smith: Do we have to have a public hearing for this? Aycock: To change ordinance you do. Commissioner Godwin: I make a motion to have a public hearing at the next meeting November 10, 09 at 7:30 p.m. that we change the ordinance for banning in Black Creek. 2<sup>nd</sup>: Commissioner Lucas. Motion carried unanimously.

Commissioner Smith: The letter, did you get the letter. The 25,000 gallon. Did I give it to Greg? To make an adjustment for filling his pool on his sewer bill in this billing cycle for Mr. Garland Skinner. I know we talked about and Greg you stated he filled it up.

Greg: Yes, he did. Commissioner Smith: I make a motion we give him credit for his sewer bill, 2<sup>nd</sup> Commissioner Godwin. Vote carried unanimously. Commissioner Smith: When are we going to start work at the treatment plant? Mayor Moore: We have a preconstruction meeting on October 22, 2009. Commissioner Smith: I know we are by our deadline; it has been extended, right? Aycock: We have a letter of extension from the Rural Center. I knew it would be this way that is why I requested an extension. Commissioner Smith: Absolutely! I knew it too, I see it all along.

Commissioner Dawson: Pass

Greg Gates: Are we going to talk about X-mas Bonuses. I guess you have covered everything.

Aycock: We have 2 vehicles that still have collision on them. The 99 Ford and the 99 police car we need to remove the collision on them. The collision would only pay the

value of the vehicle which is not much after 10 years. Commissioner Godwin: Yea! The value on the police car is only \$1100.00. Commissioner Lucas: I make a motion we remove the collision on the 2 vehicles and older vehicles 10 year old any time it comes up, 2<sup>nd</sup> Commissioner Godwin. Motion carried unanimously.

Gates: We have advertised for the job and we have a lot of applications. Are we going to have a hiring committee? Commissioner Godwin: Yes, I think we should. Mayor Moore: How do you select the hiring committee? I am new to that. Commissioner Godwin: Will they be doing water and sewer mostly? Greg: Electric too. I got some applicants I know. Commissioner Godwin: The hiring committee interviews them, but the whole board hires them. Mayor Moore: If it is water and sewer and electric, you and Mack should be on the committee since that is in both your departments. Right? How many do we need on the committee? Two. Commissioner Godwin: If we have 3 on the board we have a quorum. Commissioner Smith, Commissioner Godwin, and Greg.

Mayor Moore: Does anyone in the audience have anything else's

Glenda Barnes: Wait I have something. I am one of 6 members for the Heritage Day. Ellen has done a wonderful job as our chairman for Heritage Day. And we are expecting and praying it don't rain Saturday. Plus the school will not be having the Halloween Carnival Friday night so we will sell more hotdogs and drinks. But I have a gift for all you commissioners, all we are doing as a committee is asking you commissioners to sell tickets for the 50/50 raffle. Your mayor was there at our meeting last night and we are asking you to attend our Thursday night meeting. That will be our final meeting. I am giving each of you 25 tickets at \$1.00 each and if you can't sell them turn them back in. If you would like to donate anything else please feel free to do so. We know how much the wiener cost, the chili. Really if you would I have only have 25 tickets please try and sell them. If you can volunteer to help with the hotdogs and cake sales.

Mayor Moore: Mayor read the schedule of meetings. Does anyone in the audience have anything else's?

Commissioner Godwin: I would like to make a motion. The board uses the ethic website for the board to do the ethics training. 2<sup>nd</sup> Commissioner Dawson. Vote carried unanimously.

**Mayor declared meeting closed :**



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Barbara Aycock  
Secretary to the Board

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Mayor Moore