

TOWN OF BLACK CREEK
PUBLIC HEARING MEETING
CARR ROAD

Date: May 23, 2006

Place: Black Creek Town Hall Meeting Hall

Present: Mayor Howard Moore, Commissioners Seltzer, Franks, Lucas

Absent: Commissioner Roland Godwin

Minutes Taped Yes

Guest Speakers and Coordinators of Meeting: Mr. Dennis Patton, Chris Lukasina of the Upper Coastal Plains.

Mayor Moore: I call this Public Hearing on the annexation of the area known as Carr Road to order

Mayor Moore: I want to welcome all of you in attendance tonight and thank you for your interest. We certainly understand that you will have questions and comments tonight. The purpose of this hearing is to provide an opportunity for the residents of the Carr Rd area and the citizens of Black Creek to make comments on the town's proposal and receive answers to sincere questions in order to gain a better understanding. There will be no decision made on this matter by the Board of Commissioners tonight. We have an agenda to follow and we'd like to make a brief presentation of information and we will allow most of the meeting time to be used for comments and questions. When the presentation is completed we will call on citizens to speak. We've got some general ground rules. Our goal is to end this meeting by 9:00, and still allow a reasonable period for comments and questions. Please remember that the board will not make a decision this evening. The annexation ordinance will be considered at the regular meeting in June, on Tuesday, June 13th at 7:30 PM. We expect there will be some strong feelings on this matter. We would like everyone to follow the golden rule and be respectful in your comments. This meeting is not intended to be a debate but one that allows for your input and provide the best information that we have. If we do not have the answer to a question we will try to get and answer for you, and get information to you. Because there are quiet a few people in attendance we ask that each person limit their comments to 3 minutes so that you can give everyone a chance to speak. We will ask each person who wishes to make a comment to come to the podium to speak and to state his or her name and address. Does anybody have any questions on this? I would like to introduce Mr. Dennis Patton and Chris Lukasina who are planners from The Upper Coastal Plains Council of Governments. They have been working with the town on the status and reports on the town's proposal on the annexation of this area. They will present a summary of information for the towns plan to provide service to this area if the proposal is adopted.

Mr. Dennis Patton: When we began on this job we sat down and talked quite a bit several times. The bottom line main concern that the board expressed at that time and I think they still feel that way, is to them that they wanted to protect the investment that they had in the utility systems that they had down in that direction. The utility system goes well beyond that area. They asked us to first do a qualification test. We're following the steps toward requirement. I might mention as we have posted there which allow for municipalities under 5000 and they've got rules for municipalities over 5000. To grow if they feel that they have some urban area at the fringe of their town limits, to bring them in and provide the same services that they do inside the town limits to those folks in that area. We conducted the qualification study for them, the statute requires that. There's several test that you have to meet. Part of the reason we drew the area the way it was to meet their test. Which also explains why some of the lots that are on the fringe were taking in because we had to reach for lots that were less than 3 acres. The statute tends to discourage taking in lots and lots of farm area. The state felt that's not the intent of annexation and the purpose of it. So we avoided that. The next step we took was a feasibility study. What the services would cost the town and what financial impact going both ways there would be. The largest, and Chris would have more info on this, by far the largest cost to the town on this is gonna be the extension part way of Carr Rd sewer service. That's going to be approximately 185,000.00, and we're not sure if it will be a little more than that by the time it's put in. Then we set up the informational meeting and workshop with the question and answers, and now that the steps that we're at to this point is a public hearing for comments on the proposal. The statute requires that the board or any municipality not make a decision on the same night. That consideration has to come at least 10 days after it and no longer than 90 days after the public hearing is held. No decision will be made tonight. Even if they wanted to they can't. Again, we've talked several times. The town looked at it from they're perspective. They looked at it from the residents' perspective. We made up a list of things that we thought would be beneficial both ways. I think the commissioners have been trying to go forward in a way that would not be harmful. That's all I have.

Mayor Moore: I've got something I want to read. I know people look at this and say, I'm going to be paying town taxes, and the towns not offering me much in return. But if you look deeper one of the reasons that might seem the case is the town has already provided one of the things that would ordinarily be provided after annexation and that is a clean, safe, reliable water source. And part of it has also got sewer service. No one likes to pay taxes, I know I don't, but taxes are one of the things that allow municipalities to do things like this water and sewer lines. The towns' property tax on 80,000.00 piece of property would be 440.00. And that 440.00 could be negated quickly with things like the difference in a homeowner's policy, cemetery plot and difference in water and sewer rates. The normal practice for all municipalities is for out of town rates to be double in town rates. In fact we recently had an analyst recommend that we do that. We didn't do it but we do have a difference of about a third of what was recommended by the analyst. A 6000 gallon a month water and sewer customer will pay the equivalent of half the tax on an \$80,000.00 piece of property more than an in town customer each year. When you look closer at what the town offers and are already giving the area the property tax

doesn't seem as large. I hope all of you will take this into consideration. We're ready to hear comments. If you'll step to the podium and state your name and address.

Rufus Webb: I'd like to thank every body for all the help we've had. I'm glad you're here tonight to show your pros or cons. I guess before I say anything, I've got a petition I need to distribute to the board members. And this is a petition of all the residents on Carr, Frank Price, Yank. It's noted also on the bottom of the petition of persons outside the annexation area that want to protest, because they're looking forward to being next on down the line. They just want to express their opinions now.

Commissioner Seltzer: Are they included on this?

Rufus Webb: They should be on the very back. The bottom line on the petition itself states the situation.

Commissioner Seltzer: O.K.

Rufus Webb: Like most of you here I was blindsided by this forced annexation. I've lived here for 12 years. I've not heard the first word about annexation until a month prior to that May 2nd date of that meeting. We started researching the laws of forced annexation. We learned a lot. There are only 7 states in the United States that allow forced annexation that ought to tell us something. What it tells me is that I've got absolutely no say so over my property whatsoever. It's almost like you are a resident of North Carolina and you've got no right to say nothing about nothing. The majority does not rule evidently. I believe as a North Carolina property owner and citizen that I should and I must have a say in any decision to become part of any city or town. You are misguided in the attempt to solve Black Creek's financial problems by annexing whomever you want and whenever you want. I've got one more thing I'd like to say. About 40 years ago there was a war. It shouldn't have been. There was people that were killed that shouldn't have been. There were people killed that should have been killed. And the ones of those that came home came back to the United States of America, land of the free, land of the brave, democracy, where a vote matters. If you just vote this forced annexation in, you are voting against everything the United States stands for. I would like to pray and beg upon you to vote with your heart and your conscious and not your pocketbook. Annexation is wrong and you know it and we know it. But it happens to be legal. Thank you.

Mayor Moore: Thank you for your comments Mr. Webb. The petition will certainly be taken into consideration.

Rufus Webb: I'm sure it will.

Mayor Moore: O.K. who's next?

Tom Beamon: Good evening my name is Tom Beamon, folks from the last meeting called me the nice one. If I can beg you're indulgent I have a short statement I'd like to

read, it won't take but a moment. As discussed at the last public meeting by these gentlemen we learned that there are 3 types of annexation in North Carolina. There's voluntary, satellite, and forced. The voluntary and satellite annexation are basically the same thing. In fact they are both voluntary. Forced annexation really is just that. And in many ways just represents taxation without representation. According the Carolina Journal North Carolina is one of seven states that allow forced annexation. The process as we've learned again is generally simple. It allows cities that want to expand to notify the public, to prepare a report, and to hold public meetings for a vote. Yet all the while no one can really prevent the city from annexing an area as long as it wants the municipality follows these few simple steps. The use of this process has spawned many activist groups around North Carolina, as residents are genuinely angry for having no voice or vote in the decision. I as well as the united residents of Carr Rd. Akron Rd, and part of Frank Price Church Rd, here tonight are strongly opposed to this forced annexation, as we believe it truly is taxation without representation. Private property rights are one of the cornerstones of the United States Constitution. A document that was drafted following a war of independence from England for unfair taxation practices. Citizens should always have a vote or voice in regards to their property rights and the taxation of their property. Now, based on the history of annexation in North Carolina, municipalities have shown time and again that they are unwilling and unable to provide in a timely manner the equal quality of services that are being annexed as to those that are currently in town limits. Locally I've heard Town Council members are believed to say they must annex this area because they need the money. My personal opinion is that the town council of Black Creek as well as everyone else needs to budget like everyone and learn to operate within their means. Just like other organizations do. Those living outside city limits do so because we choose to. We have water, sewer, septic tanks, fire protection provided by volunteer firefighters, police protection provided by the Wilson County Sheriffs office, state maintained roads, and a place to dispose of our trash. So what is Black Creek offering to us? The only thing that I can reasonably deduce is higher taxes. Thank you for your attention.

Mayor Moore: Thank you Mr. Beamon, we appreciate that. Who's next?

Mike Kimbrell: About two years ago my wife and I purchased a place in a nice little community right on the outskirts of Black Creek. Sir you said less than 15 minutes ago that you were not going to annex farm land. But if you go down Akron Rd toward Goosecreek on the left hand side there's about 15 acres of farm land on that side there's corn growing right now. On the right hand side there's approximately 30 acres of farm land there in between where we pull out of our driveway and the next set of houses. Now that's farm land. Now whether that's going into the quote unquote annexation project or not or allow for expansion you said the state doesn't allow us to annex farm land. But according to something to that affect the state frowns on it. My thing is this, just like the gentleman just said about the constitution, the difference between a free man and a slave is not the right to vote. It's the right to control and choose what he does with his own property. I understand there's a section right here in the middle of Black Creek that's not even annexed into Black Creek. And there's businesses and things like that there. Why? Shouldn't Black Creek get its house in order before it starts going after other property.

That's my question. I'm not a fool, if this annex is coming whether we like it or not. My concern is this. I went through basic law enforcement training with a young man who worked in Lucama after a proposed annex project. And shortly thereafter he was cut down to little or no hours, and he ended up having to leave as a Police Officer because they were cut back to 28 days a month, 12 hour days. And then the sheriffs department had to cover in the interim of that. I understand that process tried to happen here, but the citizens got together and said no, you're not doing away with our police department. Number 1 I would like to make sure that regardless of whether this annexation project goes through or not, one of the things cut is not our police protection. Number 2 whether I live on Akron Rd there's a lot of children playing. Whether or not this project is going to come to pass, and we're going to get our 4 lights on Akron and Carr Rd 2 of them need to go on Akron Rd and 2 of them need to go there. On Akron Rd in particular there are children playing on both sides of the road. There needs to be speed humps put in and 20 or 15 miles an hour posted speed limit in that area. I understand ya'll can make that happen. Asphalt doesn't cost that much. Those 2 things go together. And number 3 if this is going to happen whether we like it or not. If ya'll are going to choose to make this happen it's going to make our property tax go up. I see for sale signs all up and down the road I've seen 5 or 6 houses that weren't for sale a month ago. People are wanting to leave. They don't like this idea. No country, no dictatorship has ever taxed itself into good standing with its people. Most of those places that overtaxed, overtaxed, overtaxed tend to implode. We've seen all that in our lifetime. We saw the fall of the greatest, at one time was worshiped by a lot of rural people. But we saw the fall of communism in Russia. This was all about Government doing what Government wanted to. And by the way it was elected government, it was elected government. The people got together in elected government and then they took over in a democracy and they forced the people into servitude. That's happening fast in this country. I really wish citizens could recognize the fact of what we are, where we came from, and get back to the difference between a free man and a slave. Which is the right to own and control his private property. Thank you for your time.

Mayor Moore: We appreciate it. Next.

Lori Gasbarra: We've been talking about the annexation for quite some time with our neighbors and everyone is opposed to it, again this is a mandatory annexation we basically have no say. But I feel that a lot of what is being said all depends on the money. It all boils down to the money. You put together a package for us last time saying the benefits of annexation. We all basically laughed at it because it's not benefits, there's nothing that were in those papers that I as a property owner could benefit from. I saw higher taxes, I saw garbage pick up going from whenever I want to for \$35.00 a year to once a week pick up for \$76.20 a year. And we don't even know if we're going to get recyclables or the garbage can handed to us. I saw so many negatives that I just had to put it down because I do not see anything positive from this annexation. And I believe I might had said before why not go after the people who live down Central or in the town of Black Creek verses jumping across to other roads, jumping in the farm land, and mandating people who do not want to be annexed. Thank you for your time.

Mayor Moore: Thank you. In the downtown area we don't have any that are not inside of town. I don't know where that came from, but that's not true.

Lori Gasbarra: I thought Central Rd according to that map. The part of Central Rd that runs through. Every town has a main street that runs through. But Central Rd runs right there and half of them are not the town of Black Creek

Commissioner Seltzer: Center Street would be the street inside the corporate limits but Central is not. Center Street would be our center.

Mayor Moore: Thank you ma'am we appreciate it.

Joan Cummings: You've said it 2 or 3 times I wanted to make sure. We haven't been voted to be annexed in yet, is that correct?

Mayor Moore: No, it hasn't been decided yet.

Joan Cummings: Do we know if we're going to have to buy the green carts or are ya'll going to buy them?

Mayor Moore: The town supplies the trash carts

Joan Cummings: Okay I called the state about our drainage problem. I'm out on Carr Rd and it's a state maintained road and they don't think there's much they can do with it because of the way the road falls or whatever. I talked with the state about that. I think our police and fire department are as perfect as they're gonna be. And they're fantastic as they are. I don't have a problem with our police and fire department protection. Are there any restrictive covenants once we're voted in and if we are voted into the town of Black Creek that we have to comply to that we don't already know about or will be grandfathered in? I have a hog house in my backyard. You see what I'm saying about restrictive covenants. If we were annexed in the town of Black Creek are there things we can't do in our back yards that I can do now? Can I burn freely in my back yard?

Commissioner Seltzer: There are restrictions that covered by the zoning rules for the city. There are burning restrictions as to how you burn.

Joan Cummings: You know when you go annexing these areas you're going to have to maintain that water and sewer once you add it on. So that's going to be more expense. You're bringing us in and yet you're still going to have more expense. It's like one of the gentlemen was talking about that budget. You bring in more, you've got to spend more to keep them up. Why not just raise our light bills that way everybody is equal. And you're not bringing us in and bringing up our property taxes. I say light bills because that covers our electric and water, and sewer. I'm lucky right now because I pay Black Creek for my electric and water, and sewer. So I'm on the lucky end of Carr Rd if there's a such a thing right now.

Commissioner Seltzer: Can I ask you a question? If we did that, if we just increased, this is not about money. Everybody is saying taxes, taxes, this is not what this is about. But in the logic that you're thinking, if we increase those rates. Howard quoted you on \$80,000.00 would be \$440.00 a year. It wouldn't take long to get \$440.00 if we started increasing rates. That's not what it's about. If that's what it was all about we would have already increased your rate

Mayor Moore: The State the normal standard practice is state wide for almost all municipalities is for the out of town water and sewer rates to be double what they are for in town. And if we did that.

Joan Cummings: So when we get my light bill, it's going to be half?

Mayor Moore: No. Your water and sewer rates will go down.

Joan Cummings: But now at any point you can still make a generalized water, sewer, and electric increase. No matter whether you are in or out. You can still do that.

Mayor Moore: We're increasing our rates this year. For one reason Wilson is upping ours to 11.8.

Commissioner Seltzer: We have a letter here from Wilson where their wasted water rate increases. Their sewer rates go up every year and we pay them. So if they go up we have to go up.

Joan Cummings: I don't have a problem with my light bill going up. I made choices what I want to pay for and what I don't want to pay for. If I wanted a street light or security light I would have put a security light there. If I want that green ugly cart in my yard I'd have that green ugly cart in my yard, and have those private people picking up my trash.

Commissioner Seltzer: Let me ask you a question. You have all of our services. Not everybody has it, but you're one individual that does. And the way I look at it is you're getting everything that we have to offer. And the only thing we're asking to do is bring you into the township.

Joan Cummings: And pay more taxes. That was the thing I was going to say, I feel threatened that you're coming to my home saying you're going to pay taxes and pay more but I'm not getting anything else. I'm not even getting better service. My trash pick up is going to be more and I'm getting sorrier service because ya'll aint going to come but once a week. The community building is of no value to me. I don't mean it ugly I know some people spent time money and energy to build it. The fire department and police department I'm tickled to death with. I don't have a problem with them. That's going to still be the same volunteer fireman or police coming to my house whether I pay you taxes or not.

Mayor Moore: Your homeowners will be less because of the fire district that you will be in. In town and out of town is different.

Joan Cummings: Not mine believe it or not. I'm 435 feet from a fire hydrant and Black Creek has been a 7 since July, 2002. I called the North Carolina Department of Insurance State Fire Marshall Association. I haven't been getting the 7 but my insurance company is looking into that. I'm suing them over that for charging me for a 9 when it should have been a 7 because Dept of Insurance you can call Keith Mcloud. He said it's a 7 and it's been that since July, 2002.

Mayor Moore: If you're getting it for a 7 you're lucky it should be a 9. The Black Creek fire district is a 7. The out of town which is the Lee Woodard district is rated 9. Thank you. O.K. who's next?

Lynda McKeel: I'm going to be nice. I've been here since 4th grade since I was 9 years old. I feel a certain closeness to Black Creek until this came up. I think that everybody here does not want to be in the annexation. The one thing that you haven't brought up so far is Carr Rd , all the people on Carr Rd bought whatever they're living in good faith. And they bought ever how much land they could at the time. So this is an in your face biggest mess I have ever seen. These people own 3/4ths of an acre, agreed. These people on Central Avenue and right across the road from me own more. So what is that, besides discrimination? The people that can't afford to buy any more. I'm paying everything I can for gasoline now. I just feel like we are being singled out. Lord help me why you came and got me. I'm still shocked. I just feel like these people should get up and just scream. But we're going to be nice. But it's discrimination. That's what it is. I don't understand how you can get away with this. You're singling us out, you really are. This is discrimination don't you think. We can't afford to pay it, we really can't. The business, the huge developments, the land owners. I don't care if its 3 acres or 3000, they can probably afford it. But we can't. I don't get it, how can you do that? I work right next door the ECU University Attorney. We've talked, and I guess by law you can do whatever you please. I still think of Black Creek as my home, but I won't like being in the city limits. Not if this is the way you do things. You don't have a big heart, you have a greedy heart. Get your own life in order. Get some money from these people that have been here 30, 40, 50 years. They were the last ones there. It's not fair to these people, and you know that. Thank you.

Linda Foster: Hello my name is Linda Foster. I'm lot number 4 and I want to ask, you got up here doublewide and lot. I know it's different on everyone's it varies on this sheet. I want to know what the difference is what you mean by doublewide and lot. You got some up here as vacant, some is doublewide, what are you saying?

Commissioner Seltzer: Where is that coming from?

Commissioner Franks: It's on the paper they got last time.

Linda Foster: I'm here because I'm against the annexation also. I've been at Carr Rd for 12 years and I feel like it is unfair to tell someone what it is they can do with the property they worked out. I work hard as a single mother. I worked so hard that now I'm on disability. For ya'll to come in and say I got to pay more money when I'm struggling as it is, because I have a fixed income. A lot of people probably have a fixed income. You can get a job but you're hardly going to get any pay. If this happens to me then I might have to try to get a part time job. I can't afford it. I can't afford for ya'll to come in and put some sewage line in when mine is working fine. I paid for that sewage, I put it there with my own money. It really hurts for somebody to tell you that you don't have no rights. I don't know why ya'll feel like ya'll have to come after Carr Rd, Yank Rd, Frank Price Church Rd. There's always other means I feel like the town can come up with to raise money if they are struggling or whatever. But I really don't see the benefits for me. I'm getting nothing, and I'm just against it. That's all I have to say.

Erwin Wilson: I also reside with Ms Foster. She sounded good to me. She sounds like she's got a lot of sense. I respect this town I've been out here about 6 years. I respect the people on Carr Rd, I think you got some beautiful people. I think the residents on Carr Rd are hard working, law abiding, descent people. Now I myself will just say this, and be short about it. You don't have to eat a whole cow to know you're eating beef. You said you wanted us to respect you, be descent and give people time to talk. That sounded real good to me, real loving. But sir I think everybody here, God gave us all some sense. We want to talk about a town that say's they've got a big heart. Well I'm gonna tell you this. Personally, and I don't want this to offend nobody I'm just going to state a fact. I know a town needs money, people needs money, neighborhoods need money. But you can come up with other ways to get the little things you want, like the Black Creek Day or whatsoever. It's nice when you have your little Town of Black Creek Day or whatever. You have people coming in. You pull in money for the town and that's fine. I'm living in a surrounding that you're not talking about one race of people. You're talking about people of different genders. Now when your going to include somebody and ask them to help pay for something that's going to cost to much for the town. What I'm trying to say is this. Being out here at this lady's home. Any day of the week except maybe Sunday, you can see this black man standing out there trying to help keep her property in an order that you don't have to turn your head when you pass by. There's not a policeman from Black Creek or Wilson that has to come back and forth to the residence. You talk about the fact that you want a town full of descent people. Well I think the people in this town also want people they can trust. The lady that said she had been here about 30 years, I felt her pain. I would like to ask ya'll in your hearts to think, if you were living on Carr Rd or wherever. She thought she was moving into the country any way. This is going to sound ugly. As nice as your town is, personally I don't see nothing except the regular services you already offer. I don't see nothing that drives you to think these people really need to invest in the town. I sing, I work, any way I can do any thing to help Black Creek, except pay taxes, I'll do it. I'll help you sell barbecue plates, I'll pull apples off your tree, whatever you need, but you need to come up with something. I hope the towns do grow. These fine people of Black Creek can stay together, and nobody has to have animosity. You're going to probably do what you want to do and I guess nobody can help that. I'd

hoped one day I would be able to buy a home in Black Creek. I plan to get married in a little while. But I ain't going to be able to afford that. I got a little girl that goes to Lee Woodard, smart as a whip. Now isn't that the kind of person you want to grow up in Black Creek? Somebody in your town that can offer something, some positives, not negatives, and also not just talkers. By the way thank you for having me on the camera, cause I'm sure some of my creditors will be glad to see me. But one more thing I'm not running from no law enforcement officer, and I aint got no shackles on my hands , no shackles on my feet, and you know I aint got none on my mouth. Have a God blessed night.

Meryl Batts: It sounds like a form of communism to me. I hear a lot of things about business coming to Black Creek. I've been living in Black Creek since I was 4 years old, and I remember growing up as a kid. We had a service station on the corner that sold gas. We had a couple of grocery stores everybody remembers. Mr. Howard used to cut hair. Mays welding and the other 2 shops I'm not in the same situation that some of these people are because I stay at the other end of the road. I'm on Wilson power line still, and my dad never hooked into the water, we've got our own water. I come to Black Creek now and I see nothing here. The biggest thing that I do and Elton over there knows it. To come to Black Creek to spend any money is to go watch the kids play ball. I don't see how expanding Black Creek. A lot of these people I know personally have been out here since 93 on my road. Plenty of people there, plenty of people in the Daniels Chapel community. But I also remember as a little boy Black Creek didn't even have 400 people, good or bad whatever. For whatever reason people retired, this or that or whatever. For me to have to pay more taxes, I just don't see it.

Helen Barnes: I had to write me something out, I had so much to say. When you move out of a large town into the country near a small town you never expect to be annexed by that smaller town. Then to get a notification in the mail stating that a feasibility study of proposed annexation had been initiated 2 years ago is kind of mind boggling. Out of the clear blue we're told we could be forcibly annexed and there's nothing we can do. Our taxes will go up, the benefits we can expect are a joke. A lot of the problem is the word forcible. For grown people to be forced into something with no recourse is down right insulting. Though I understand the need for Black Creek to grow, and I appreciate the hard work the commissioners must have done to put this proposal together. I feel there could have been another way. As it is now if the annexation proceeds you're going to be getting a very disgruntled group of residents. Those that can sell, they'll sell and they'll move. The caliber of the people out there is going to change. The neighborhood will change. The resentment will still be there. And the Black Creek community spirit will be nonexistent. North Carolina law allows forced annexation to take place, all we can do is warn others to be on guard, and try to get the laws changed. As a property owner I'm against the annexation, and I join the rest of the people here in requesting the commissioners to reconsider. Thank you.

Mayor Moore: Thank you ma'am. Anybody else?

Billy Ray Aycock: I grew up in this town. Growing up in this town was a real good town to grow up in. There's a lot of people in this town that I grew up with. I just don't want the town to go where I stay at now. I moved on the outskirts of town. That is how I want to stay. Only thing I'm getting from ya'll is the water bill. I've asked to dig a well, but I can't hook it to the house. I sure don't need no taxes. I don't need none of the services. Ya'll making pretty good money on the water bill. And another thing is as far as the town goes and money goes, I wouldn't be spending all this money. Don't spend no more than you make. That would probably solve your problems.

Mayor Moore: Thank you. Anybody else?

Edith Ward: I am not part of the current proposed annexation. I have a vested interest, because my property touches the property that ya'll are going to annex. I'm against it. I think if you are looking for another source of revenue I like the rest of the residents think you should look somewhere else. I would hope if you continue forward with this that you look at the increase police officers that you're going to need to cover a city or town the size of Black Creek, cause you're going to need increased patrols. Right now the only service I got from the town is water, I don't have sewage. The only reason we didn't dig a well is because it was more expensive. Eventually if I ended up in the town of Black Creek limits, and hopefully I wouldn't because I have acreage. That don't mean I can afford it, I can't afford it I'll tell you that. If I were annexed in and had to pay increased taxes I would definitely have to sell. I don't know how many residents you're increasing the town by if you annex in. I would think that they would expect to see some increased police patrols from the town of Black Creek. I would like to know what plans there would be. I hope there would be something in writing that you could show us, if you guys are going to annex all this part in. I'd like to see the strategic plan for annexation 10 years from now. Because I'm sure that this is just the beginning of a bigger plan. I know because I work with a municipality, that you do have strategic plan forecast changes down the road. I agree I don't want to see Carr Rd in there. I have horses and I don't know what things would make the property right beside me change. But my fence goes right up against that property. That means Black Creek would be right there and my fence would be right there. I would hate that you guys might come in here and say you can't have livestock within so many feet of the city limits. It's unfortunate that you've incorporated one of the lots that the people were living in New York and didn't have the voice to say anything about it. There's a burned out house, and you're not going to get a lot out of a burned out house anyway. We had future plans of purchasing that lot and adding it to our current acreage. But if it's in the Black Creek city limits I certainly wouldn't want it. My vote would be against it to. I grew up in the Black Creek community. I've been here since I was about 10 years old. I'm 45 now so I've been a long time resident. Meryl forgot the pool hall it used to be here too. There are no businesses here except the store and the one bank. I think a better option would be, if you can get some businesses to come here then maybe you could get some residents who wanted to live here. Otherwise I would say just leave us as we are. Thank you.

Jeff Barnes: I'm against the annexation as well. I asked a question last time and no one answered it. There's 5 pieces of property that are not being annexed. It's been jumped over, and nobody seems to be able to answer the question, why is it not being annexed? The numbers are 5050 Yank Rd, 5046 Yank Rd, 5043 Yank Rd, 5035 Yank Rd, and 5034. They're at the city limit sign but they're in between. I don't understand why they weren't annexed.

Mayor Moore: The reason that little nook is in there, Jeff is because there are 2 pieces of property that was voluntarily annexed. They asked to be annexed.

Jeff Barnes: I understand that.

Mayor Moore: Their property comes around behind that, and it was kind of an oversight. But they have been approached and talked to. That's all I can tell you now.

Jeff Barnes: I don't understand why that was overlooked. There's 5 houses sitting right there. And if this is a dollar and cents thing why weren't they included?

Commissioner Lucas: You've sat up here on the board you know that Black Creek is not in any financial difficulties.

Jeff Barnes: I understand that but that's what the letter said. The letter read, it's a dollar and cents thing.

Commissioner Lucas: You know as well as I do this is not anything about money.

Jeff Barnes: I understand that. But why did it say that? That's what I don't understand. I don't understand why you've got 5 pieces of property on Yank Rd, and I'm just using Greg Williams as an example. And the other 4 are by Bobby Gene Godwin. You got him but you missed them 5. I don't understand the reason why. I don't think you could overlook something like that.

Commissioner Lucas: The 2 that we got were voluntary

Jeff Barnes: I'm not talking about those 2 people. I'm not talking about the ones that were voluntary or asked to be.

Mayor Moore: Does this have to be in one lump sum. That would be a separate piece from this.

Commissioner Seltzer: Jeff, can I ask you a question? You sat on the board when the power lines went into Akron, right?

Jeff Barnes: Yes. No, no I was not. That came after I came off. And another thing here too. It said on the fire department. You said that the fire department cost the town an extra \$173.36 a year. The tax payer, which every body pays a fire tax, and I'm a

volunteer fireman, I have been for over 20 years. I don't see where this is going to cost the town any more money. How do you explain that? I mean, the fire department, the guys volunteer, the county collects the tax. It reads here, the cost of the town of Black Creek area it's going to increase from \$1776.85 to an annual cost of 1950.21. Why is it going to cost the town any more? We don't charge anybody anything else anyway. Why would that be put in there?

Dennis Patton: The rate outside The Black Creek fire department has the bulk?

Jeff Barnes: I understand that.

Dennis Patton: Outside of town is .041 per \$100.00. Inside town is .04 per \$100.00.

Jeff Barnes: But this wouldn't change if we weren't being forced into it, right? I mean the annexation wouldn't cost the town anything. Because the county collects that tax for the town anyway.

Dennis Patton: Correct, the city would have to pay for it thru the county. I believe that's how it works.

Mayor Moore: No, the county collects. You pay straight to the county

Jeff Barnes: I don't see where it cost the town any money for the volunteer fire dept to service that area. It never has charged. I understand the rate increase because the town is annexing in. But you're showing it would cost the town \$173.00 for us to service them, where we've already servicing anyway. I don't understand that. In other words the fire dept is going to gain \$173.00 on the tax. I asked the question also, that we've been in the county now, and we get mail from the postal service. But yet the town has a post office. Our area has a route. So that means that we've got to come up here and get my mail everyday.

Mayor Moore: No, you still get your mail, just like you're getting it now.

Jeff Barnes: You said my address would stay the same. Mayor Moore replies that it will stay the same. Jeff Barnes. Why would it stay Wilson, and I'll be in the town of Black Creek? Mayor Moore: The route comes out of Wilson. If they sent your mail to Black Creek there's no way the carrier that goes by your house could get that mail. That mail goes to Wilson to put on the carriers route. Jeff Barnes: But how would I be living in the city limits of Black Creek.

Commissioner Seltzer: We have people in the city now that get their mail at a Wilson address.

Mayor Moore: There's several mailboxes on Cemetery Street that have route carrier service. Jeff Barnes: There was a route here in Black Creek before there was ever a city limits. Mayor Moore: There used to be one here. But when the rural carriers retired the

post office took that route put it in Wilson, and split it up into 2 different routes. Route 3 and 5. Jeff Barnes: That much I can understand. I still don't understand why you skipped over 5 pieces of property. Why did ya'll jump them 5 pieces of property? That's to big a piece of property to jump.

Mayor Moore: When you annex it's got to be in one piece, isn't that what you said? You've got this percentage.

Jeff Barnes: Yes, but the city limit sign is in back of my yard. My sister's yard is behind me. She's in the town limits. Those pieces of property are not in the city limits. They will not be annexed in. I don't understand why they got missed. You had to come up that road to get to us.

Mayor Moore: I have talked to some of them about that, and maybe later on you know.

Commissioner Seltzer: At this time we didn't include it. But we would like to have them join Black Creek.

Jeff Barnes: Well, I know. You would have liked to have us to do it, but you didn't come and ask us. Now ya'll went and asked them. That's what I don't understand. Like I said, you still haven't answered my question, why did they get jumped? You did the feasibility study. I don't understand it. What's fair is fair. You're going right by them, and they join Yank Rd. Nobody seems to be able to answer the question. Thank you.

Mayor Moore: Thank you Jeff. Anybody else

Pete Cobb: I got no questions for you people. But I have a comment. I'm paying a big fat mortgage, as well as a bunch of these other people, I'm sure. I got 2 people side by side next to me, they're walking out. They're not here. I'm going to bite, scratch, and kick. They're not here. If this goes thru I may be walking. File bankruptcy, walk out, whatever I have to do. I'm not going to go hungry. Thank you.

Donald Sauls: I like the rest of these ladies and gentlemen here know that it don't do any good to try to fight greed. And I like the rest of them am not pleased with it. I wish you guys was more considerate. I wish you guys would think about what has been done to you that you wasn't satisfied with. Fuel prices, war, I wish you guys would really think about that, and be more considerate of what is important to us. I've been watching you the whole time, (nods toward Commissioner Seltzer) You've got this arrogant look about yourself. Like you just really don't care how we feel about it at all. I know that you are a business owner. Commissioner Seltzer replies, Are you talking about me in particular? Yes. I know that you are a business owner. And with the fuel price increase, I know that affected you. Now, I know you are in business to make money. When the fuel prices increased, it hurt you. And we don't appreciate this. And we ask you guys to take into consideration how we feel about it. Don't just come in here and force us to do that. Don't force these things on us. We don't want it. It's about growth, and if you're talking about growth, you're talking about more money, building up the community, it's going to

cost more money. It's not about that, it's about the decency. It's not because the law allows it. The law once allowed slavery, I'm a product of that. But, it wasn't right. And just because it's there for you to be able to do it, doesn't mean that you have to be so inconsiderate and do it. I'm not going to go into it about a lot of stuff, because I know it's not going to do any good. But I wish you guys would reconsider.

Commissioner Seltzer: You live at Akron, right? Where did you say that you lived?

Donald Sauls: I stay at 5240 Carr Rd. Commissioner Seltzer asked: how many services do you get from Black Creek? The only one I get is water from Black Creek at this time. And I'm satisfied with that. I don't care for any other services. I really don't. If you want to grow I will contribute to the community. I'll do whatever I can to help grow. I would have probably went along with this annexation if you had more to offer. And if you had given me the opportunity first and not just throw it on me. You as a man, you don't like anybody taking anything from you. None of you, you don't like anybody taking anything from you. And this is important to us, so we ask you guys to consider that and don't just force this on us. We all are struggling, we're trying to survive, just as you all are. Maybe you're doing a whole lot better than we are. Commissioner Seltzer replies, I don't think any one up here is doing better. We're all struggling, just like you are. Being a commissioner on the board it a thankless job. If you do something right you don't hear about it. If it's something that somebody doesn't like then you hear about it. It's not a popular job but some one has to do it. This greed thing, I don't think that people understand we have an infrastructure that we're trying to protect. We're going to protect that infrastructure. That's what we swore in office to do. We're here to look out for the town of Black Creek. We want you to be part of that town. Mr. Sauls asked; who is the town of Black Creek. Commissioner Seltzer replies, all the citizens of Black Creek. Mr. Sauls says, the citizens. Commissioner Seltzer replies, we're asking you to be one of those citizens. Mr. Sauls says, you're not asking us. And you can't protect us if we don't want to be protected by you. That's what we're trying to make you guys understand. Protect Black Creek if they want to be protected, but don't protect us in a way that we don't want to be protected, cause we're not asking for it. Commissioner Seltzer responds. Do you think in all sincerity, if Black Creek doesn't grow, that somebody else won't grow this way? Mr. Sauls says; I'm sure they will, but think about how many thousands of dollars it's going to cost us because you guys are ready to do that now. It may be 20 or 25 years, none of us might not even be here when another town grows to take over. They may also have more to offer than you guys do. They may benefit us. It's going to be at our expense, but as long as it benefits us it will be fine. So I'm asking you all to consider that. This could be you. There's a lot of things going on with the government now. I know there's a lot of things that you guys are not satisfied with. It could be you next. Just because the laws are there, doesn't mean that you have to enforce them. The town has a big heart only if the people in the town have a big heart. And it starts here. And if you guys don't have a big heart, you can't expect us to. You can't expect the town to grow like this. Because we're not going to support it in ways that you want us to. Thank you all for listening to me

Cliff Harwood: I'm not part of this annex but like the speaker said earlier, what's going to happen in 5 years. I just bought that property and put a house on it. I was raised here in Black Creek outside the city limits. I like it in this area, but I'm almost regretting that I moved here because I see in 5 years it's going to be out here on Black Creek Rd. If I wanted to live in Black Creek, I would have moved to Black Creek. Black Creek does have a few things, but not like it did when I was growing up. Ya'll say it's not about money. What is it about then?

Commissioner Seltzer: It's about the infrastructure of the town. Building the town back up to the way it used to be.

Commissioner Franks: It's about growth. Just regular growth. That's all it is.

Cliff Harwood: I do help the town out. Both me and my wife volunteer for the fire dept. I heard earlier that the fire dept. would get money. Is the fire dept. going to be able to spend it the way they see it, or is that something that the town is going to say they have to do this and do that?

Commissioner Lucas: We've got no control over that.

Cliff Harwood: I think that's all I've got to say. I just totally disagree with it. That's why we're here.

Mayor Moore: Does any one else have anything?

Betty Daniel Williford: I'm one of the 4 or 5 properties that the fellow spoke about that were not in the annexation. I didn't learn about this until I went to church. About 3 weeks ago, the people at church were asking me did I get a letter about the annexation. I said; What kind of letter are you talking about? Well, they're going to take everybody into Black Creek. I didn't get a letter, because I'm not in that series of people on Carr Rd. But I do sympathize with them. I know what it's like to be on a fixed income, because I've been on a fixed income for 2 years now. I retired from BB&T but they don't pay that much for peon jobs, and that's what I had. I was kind of forced into working when my husband got sick after about 20 years in the service. He went to Vietnam, on one of the missions that he had to go for, and was exposed to Agent Orange. It resulted in cancer. I took care of him at home, and had to bring in the home health nurse while I worked in the day time. He said; you can't stay home with me because you know you have to work when I'm gone. It happened so, that when he passed I was co owner with his sister on the farm on Yank Rd. He had taken care of the farm for 10 years after he retired, until he got so sick that he couldn't. I couldn't do that and work a full time job, so the farm was split. I would have never sold my half of the farm if I had known it was going to result into this and Allan Thomas for the village of Black Creek. I hope the Lord will forgive me. If this is a burden for the people of Carr Rd and whatever else they want to include in this. I don't know why you didn't include these people on Central Ave, but you're scared of Jean Collier, and she's nothing to be scared of. I go to church with Jean and she is a very nice person. Her reputation, her conduct, and everything else.

She's a very good Christian lady. And she does her part in helping the people of Black Creek or any other community that she's involved in. She will help people that are sick, or whatever you have, she is right there in it. And she would help anybody else in this room, I'm sure. Even if it was to say annex her first before going after these people. Also, I don't know why Mr. Roland Godwin isn't here. I talked with him Sunday, when they were asking me about the letter. I said no I didn't get one, and he heard me say that, and he pointed his finger at me and said "you'll be next". Right now my home is up for sale. I can't take care of it by myself. I live alone, and I know what you all are going thru. And like I said, God forgive me for selling the farm land out there for Allan Thomas to turn it into the Village of Black Creek. If this is what's causing this to go on, please forgive me for doing that. I know it breaks my husband's heart to see this being done. As much as he fought for our country, to have freedom of speech, freedom of religion, and freedom of private property. . I hope you will take into consideration and that you will go to the bottom of your heart, and realize what this is all about. Have sympathy for the people that are about to be annexed. You say you've got 10 days from now or 90 days, whatever is the limit to make a decision. I hope you will pray about it and make a decision. Thank you.

Greg Williamson: I currently at this time do not receive any services from the Town of Black Creek. But I am included in this forced annexation. I am opposed to it. Ya'll continue to say this is not about money. If it wasn't about money you wouldn't be after the property tax. What else is it about? You say you want to grow the town or whatever. Well being in the retail business for 25 years I know that you've got to grow from within before you can grow out. You need to look inside the town at what you're doing. Find out what you need to do in the town maybe to attract business, and go from there. That's all I have to say. Thank you.

Trish McMann: I understand you're saying it's not about the money it's the infrastructure. But what's going to happen to the infrastructure when the people can't afford the taxes, and you end up with a bunch of bank repos sitting on Carr Rd. There are single parents. There are widows and widowers that just cannot afford the taxes that you are going to impose on them. And there's going to be a bunch of empty houses sitting there and that's not going to be pretty for Black Creek. You'll have an empty doublewide sitting there. Thank you.

Terry Barnes: I think most everybody in here knows me. I stay at 5218 Frank Price Church Rd. I'm single, I have 3 daughters, and it's all I can do to pay my taxes now. They are \$600.00. And come next year it may be \$1100.00. I think they ought to think about the single parents out there who are struggling now to pay their taxes. When all it is about the money. The whole thing is the money. Thank you.

William Waters: Most of ya'll don't know me. Mr. Franks does know me. Don't take away what I moved into. I was forced to move several years ago when the hurricane came. I was forced to move. I could move any where in the United States. I moved outside of Black Creek, not in Black Creek. I moved to the country life, and that's what I like. I'm a country boy born and bred. Don't take that away from me. I sat one year ago

in my back yard and watched a white deer for 4 afternoons in a row eating the corn crop. Do not take that away from me. Do not make that the city limits. If you do you'll take that away from me. You'll put up the street lights, the police will be coming by quite often, the garbage trucks will be beating and banging. Do not take my country life away from me. Thank you.

Kenny Matthews: I'd like to know why Gooseneck wasn't included in all this. These houses down in here. Why are they not being annexed?

Chris Lukasina: That probably has been subdivided since this all began. But it was once one individual property. I believe it is still one property.

Kenny Matthews: Yeah, it's Mack Smiths'.

Dennis Patton: Including that property would not meet the statutory requirements. Mr. Matthews ask why. The property was too large. Mr. Matthews ask, right here, was too large? And all this is not, (pointing to the map on the wall). It's considered one lot. To the best of our knowledge it has never been subdivided.

Mayor Moore: What exactly is down there, a cul-de-sac? A cul-de-sac with mobile homes on it.

Commissioner Seltzer: How long have the mobile homes been there? They weren't there 2 years ago when they started this study.

Chris Lukasina: The law looks at the land itself. It could have 80 mobile homes on it. It's one owner.

Mayor Moore: It's because one man owns the whole thing. That's the reason it wasn't included in it.

Rufus Webb: In other words you're saying, if this 7 acre lot was in 1 you wouldn't be able to annex me. There's 7 acres from this dedicated right of way all the way to the road. Mr. Patton replies; it would depend on the size of the rest of the parcel that was going to be annexed. There's a certain percentage of land over 3 acres that can and can't be annexed. Mr. Webb states, it seems like you're flip flopping around. I don't understand. Mr. Patton replies; I cannot speak for the board. Had that parcel with the 10 homes on it been subdivided into smaller parcels it may have been included. Mr. Webb replies; that's exactly what I'm saying, if I had this 7 acres in 1 lot instead of broken up maybe. Just like that cul-de-sac that belongs to Mack Smith. Mr. Patton replies, 7 acres still could have been. MR Webb states, I thought Mack Smiths was too big. Its' probably equivalent to 1 city block maybe. Mr. Patton replies; I don't know how many acres is on that particular property. It's something that we could look up to determine. Mr. Webb asks; if mine was in one solid lot would I be annexed? Mr. Patton replies again that would be up to the council. I can't tell you because I can't speak for the town as to

whether they would annex your particular property or not. But I can tell you that particular area would have met the statutory requirements.

Mayor Moore: We've got time for one more question. Does anybody have a question or comment?

Betty Daniels: My property was involved in the sewer and water line that went thru on Yank Rd. I had no say so; I really had to stand up for my rights. I'm allergic to chlorine. I'm not on Black Creek water or electric or sewer. So you don't offer me anything. I had an emergency at my home about 8 years ago and Black Creek couldn't help me I had to wait for Wilson to come out there to my home. I had a robbery. It would have been on me but I fled the scene before we got in the house. I was in the house but they didn't know that I was in the house. I was upstairs over the garage. I had just buried m mother and somebody broke in my back windows. The bedroom I was in fixing to dress to go to the funeral home to finish her arrangements. I was involved in the water sewer, it went thru my yard. I fought it because they were going to shut down my wells. I don't know if you guys were on the board or not. Greg, Gary Gates whatever his name was, was working with you at the time. He told me that they would contaminate my wells without my consent. I said, no you won't. He said, what do you mean we won't. We can shut it down whether you want it or not. I said you can't shut it down for contamination because I've already had the water tested and it's clear. In order to get the water thru my yard the town of Black Creek dug me a deep well, so I would give them permission to go thru my yard. The contractor that they did this with was Crocker, you probably know of him. While I was at work he dug thru the front yard. When I came home on afternoon there was a pile of dirt as high as the ceiling. It was a really high pile of dirt that they had scraped off my yard. Well I thought when they got thru digging everything that they would put it all back, and plant the grass seed, like they normally do. He chose to sell it to Tony Goff without asking me anything. Right now my front yard is washing away. My husband had told me to never let them come in there and get rid of the ditch in the front yard. You ought to see that part of the front yard now. It's washed down into the creek down here and the ditch is completely stopped up. Water has no place to go. I'm just wondering how I can get this corrected. There's trash, it's growing up, the sand, it's almost even with the front yard. This is a result of expanding. The water and sewer was put there for Tony Daniel and his cabinet shop. I'd appreciate if something could be done about my front yard washing out. What Crocker put in there in place of what he took out is nothing but stones and boulders. I had to go in there and pick it all out to mow my grass. But that's progress for you. Just wanted to let you know what I'm having to deal with since the sewer and water line went thru on Yank Rd. I'm at the end of the line. I'm also at the end of the line for Wilson electric. Like I say I have my own well and septic tank. But if these people have their way they'll probably condemn that too. My property is for sale if anybody wants it. I'm hoping to get a condo somewhere so I don't have to deal with this. Thank you.

Mayor Moore: We'll take one more question.

Tom Beamon: Will the minutes of the first public hearing and this one be made available to the public?

Barbara Aycock: Yes, I'm working on the first minutes now. I'm on the eleventh page now. I will try and have the minutes available before the next meeting.

Motion to adjourn: Commissioner Seltzer, 2nd Commissioner Lucas. Vote Carried unanimously.

Meeting was adjourned at 9:00.