

January 22, 1998

The Middlesex Governing Body met in Special Called Session on January 22, 1998 at 7:30 p.m. in the Conference Room of the Town Hall. Members present were Mayor Bobby R. Bisette, Commissioners Harold Meacombs, Fred Hough, Naomi Powell, Isaac Lewis and Bascoe Lewis. Mayor Bisette called the meeting to order and the invocation was given by Commissioner Isaac Lewis. There were three items of business on the agenda.

Guests were Charles and Judy Wood, J.L.McGee, Coy Pearce and Alvin Brantley.

The first item of business was a resolution to apply for funds for the completion of the last well drilled.

Commissioner Isaac Lewis moved to adopt the following resolution:

WHEREAS, The Federal Clean Water Act Amendments of 1987, Federal Safe Drinking Water Act Amendments of 1996, and the North Carolina Clean Water Revolving Loan and Grant Act of 1987 have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems; and

WHEREAS, The Town of Middlesex has need for and intends to construct a water supply systems project described as a new supply well and treatment facilities; and

WHEREAS, The Town of Middlesex intends to request loan assistance for the project;

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF MIDDLESEX:

That the Town of Middlesex will arrange financing for all remaining costs of the project, if approved for a State Loan award.

That the Town of Middlesex will adopt and place into effect on or before completion of the project a schedule of fees



and charges which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the Town of Middlesex agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Middlesex any state funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

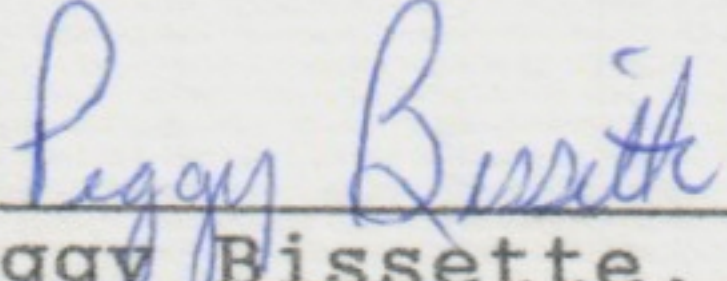
That the Town of Middlesex will provide for efficient operation and maintenance of the project on completion of construction thereof.

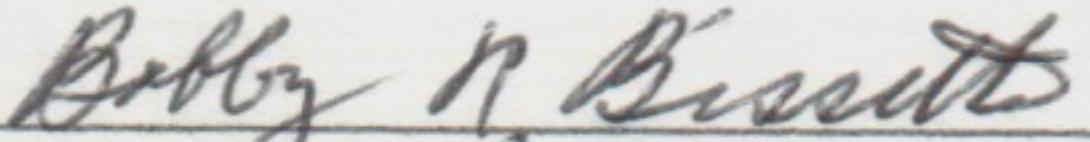
That Bobby R. Bisette, Mayor and successors so titled, is hereby authorized to execute and file an application on behalf of the Town of Middlesex with the State of North Carolina for a loan to aid in the construction of the project described above.

That Bobby R. Bisette, Mayor and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State Agency may request in connection with such application or the project, to make assurances as contained above, and to execute such other documents as may be required in connection with the application.

That the Town of Middlesex has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this 22nd day of January 1998 at Middlesex, North Carolina.

  
\_\_\_\_\_  
Peggy Bisette, Clerk

  
\_\_\_\_\_  
Bobby R. Bisette, Mayor

Commissioner Lewis's motion was seconded by Commissioner Bascoe Lewis and carried unanimously.



The second item of business on the agenda was the matter of extending a six inch water line from the Rock Side to the city limits boundary on Rock Side Road. A sewer line is being installed along the other side of Rock Side Road with grant money from the on going sewer project.

The clerk presented the board with an estimate from Mike Acquesta to extend the water line for approximately \$25,0000.00.

Charles and Judy Wood spoke in opposition of the water and sewer lines, stating that they had their own well and septic tank and did not want or need town services, and they felt that the town was doing this because of a request to annex property beyond theirs on Rock Side Road.

Commissioner Fred Hough moved to extend the water line from the intersection of Rock Side Road and US264A to the city limits on West Rock Side Road, his motion was seconded by Commissioner Bascoe Lewis. The motion carried with a vote of four to one. Commissioners Meacombs, Hough, Lewis and Lewis voting yes and Commissioner Powell voting no.

Commissioner Isaac Lewis presented a petition from JIBE Enterprise requesting that the Town annex two tracts of land they owned. Tract 5 and Tract 3 of the land formerly known as the Nancy Strickland Farm, joins the city limits and reaches to Stokes Road. Tract 5 contains 5.585 acres and Tract 3 contains 5.903 acres. Lewis stated that they wanted to develop the land to lots 15,000 sq. feet in size. Lewis further stated that the lots would be used for residential property, either modular homes or double wide manufactured homes.

Mrs. Wood stated that they were opposed to mobile homes being put there, that Middlesex had enough mobile homes.

Commissioner Powell stated that she was opposed to the town helping put water and sewer lines to property owned by JIBE, that she felt the town had already done more than enough for Commissioner Isaac Lewis.

Mayor Bisette accepted the petition and stated that the next step would be to adopt a resolution directing the clerk to investigate the sufficiency of the petition.

Commissioner Powell moved that the town delay any further action on the request until further discussion. The motion died for lack of a second.



Commissioner Powell moved to delay accepting the petition and any further actions until the next regular scheduled meeting. The motion died for lack of a second.

Commissioner Bascoe Lewis moved to adopt the following:

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A  
PETITION RECEIVED UNDER GAIUS A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on January 22, 1998 by the Middlesex Board of Commissioners; and

WHEREAS, G.S.160A-31 provided that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Board of Commissioners of the Town of Middlesex deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Middlesex that :

The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Middlesex Board of Commissioners the result of her investigation.

Bobby R. Bissette  
Mayor

Attest:

Peggy Bissette 2/22/1998  
Peggy Bissette, Clerk

Commissioner Bascoe Lewis's motion to adopt the foregoing resolution was seconded by Commissioner Meacombs and carried with Commissioners Harold Meacombs, Fred Hough, Bascoe Lewis voting yes, Commissioner Powell voting no and Commissioner Isaac Lewis being excused because of a conflict of interest .



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Being no further business, Commissioner Hough moved to adjourn.

*Peggy Bissette*  
Peggy Bissette,  
Town Clerk

Mayor Bobby R. Bissette *BRB*  
Commissioners  
Harold Meacombs  
Fred Hough *FH*  
Naomi Powell *NP*  
Isaac Lewis *IL*  
Bascoe Lewis *WBL*



RESOLUTION OF GOVERNING BODY OF APPLICANT

WHEREAS, The Federal Clean water Act Amendments of 1987, Federal Safe Drinking Water Act Amendments of 1996, and the North Carolina Clean Water Revolving Loan and Grant Act of 1987 have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems; and

WHEREAS, The Town of Middlesex has need for and intends to construct a water supply systems project described as a new supply well and treatment facilities; and

WHEREAS, The Town of Middlesex intends to request loan assistance for the project;

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF MIDDLESEX:

That the Town of Middlesex will arrange financing for all remaining costs of the project, if approved for a State loan award.

That the Town of Middlesex will adopt and place into effect on or before completion of the project a schedule of fees and charges which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the Town of Middlesex agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Middlesex any state funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the Town of Middlesex will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Bobby R. Bissette, Mayor and successors so titled, is hereby authorized to execute and file an application on behalf of the Town of Middlesex with the State of North Carolina for a loan to aid in the construction of the project described above.



That Bobby R. Bissette, Mayor and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State Agency may request in connection with such application or the project, to make the assurances as contained above, and to execute such other documents as may be required in connection with the application.

That the Town of Middlesex has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

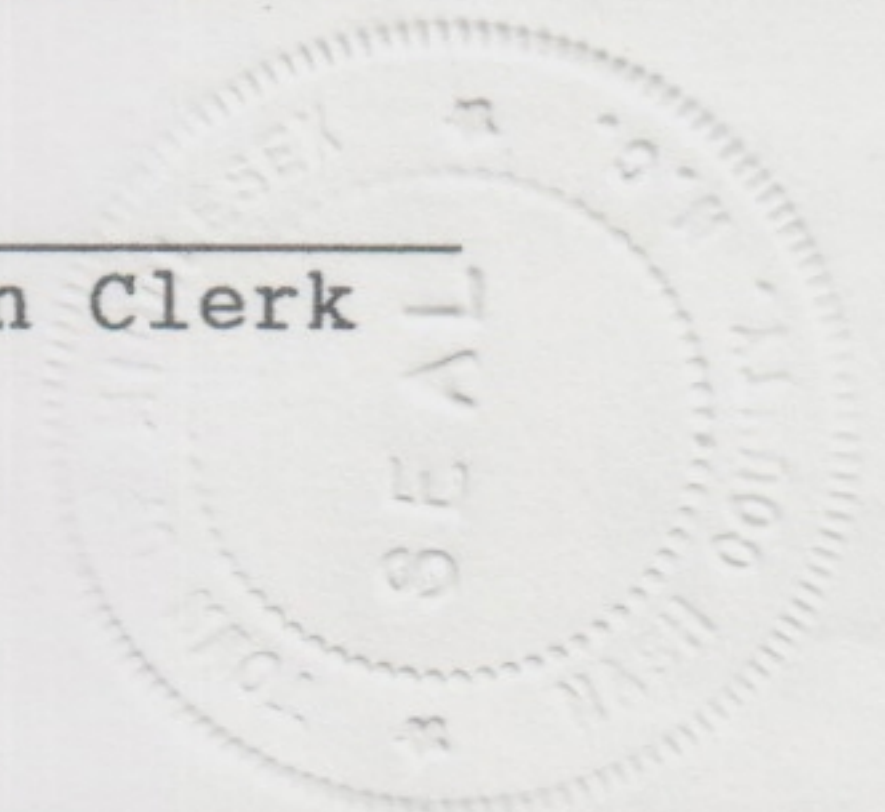
Adopted this 22 day of January, 1998 at Middlesex, North Carolina.

Bobby R. Bissette  
Bobby R. Bissette, Mayor

#### CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting clerk of the Town of Middlesex does hereby certify: That the above resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Town of Middlesex Board of Commissioners duly held on 22<sup>nd</sup> day of January, 1998; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 22<sup>nd</sup> day of January, 1998.

Peggy H. Bissette  
Peggy H. Bissette, Town Clerk





RESOLUTION DIRECTING THE CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER G.S. 160A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on January 22, 1998 by the Middlesex Governing Body; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Governing Body of the Town of Middlesex deems it advisable to proceed in response to this request for annexation;

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The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Middlesex Governing Body the result of her investigation.

Gobby N. Bissette  
Mayor

ATTEST:

Peggy H. Bissette  
Clerk