

March 12 ,2007

On March 12, 2007 the Middlesex Governing Body met in regular session in the Conference Room of the Town Hall at 10232 South Nash Street at 7:30p.m.. Members present were Mayor Luther H. Lewis, Jr., Commissioners Harold Meacombs, Fred Hough, Luke Robinson, Derek Bissette and W.B. Lewis.

Mayor Lewis opened the floor for a Public Hearing on an amendment to the Town's Zoning Ordinance, Article VIII, Section 803.

Gordon Joyner, Town Administrator, presented a proposed amendment to the zoning ordinance to state: " All requests for any amendments to the Town's Zoning Ordinance be submitted to the Zoning Administrator, who would then submit the request to the Planning Board to review the request and submit its recommendation to the Town Board within a thirty (30) day period. The Town Board may terminate the amendment prior to a public hearing before any adoption."

There were no comments or questions from the citizens or any board members; therefore, Mayor Lewis closed the hearing at 7:35p.m.

Mayor Lewis the opened the floor for the regular scheduled meeting with an invocation. Guests present are noted on the attached guest list.

The minutes of the previous meeting were approved in a motion by Commissioner Lewis, seconded by Commissioner Robinson and carried unanimously.

The board reviewed the agenda and Commissioner Robinson moved to delete item 9e (a request from Joyner to attend the League Regional Meeting). His motion was seconded by Commissioner Lewis and carried unanimously.

The clerk presented the February financial statements and they were accepted as correct in a motion by Commissioner Hough, seconded by Commissioner Robinson, and carried unanimously.

Chief Ferrell presented a report on the activities of the police department and said that the department was making progress in the drug traffic and all of the items had been installed on the new police car with the exception of the laptop & modem.

Constance Corbett, Chairperson of the Beautification Committee, submitted a design of the Centennial Park created by Design-A-Yard. She pointed out some recommended changes to be made in the location of some items. Administrator Joyner pointed out to the board that all the infrastructure would need to be drawn by an engineer before the landscaping and parking or any work begins. Commissioner Hough moved to purchase and plant approximately 22 ash

trees at a cost of \$25.00 each, in order to define the park and block the view of the sewer lift station. His motion was seconded by Commissioner Robinson and carried unanimously.

Cherrye Davis, Chairperson of the Centennial Committee, was present to give a report on the progress of the Centennial Plans.

Administrator Joyner recommended amending the Town's Personnel Policy, Article VII, Holiday and Leave of Absence, to add Section 4. HOLIDAYS: Payment Upon Separation, to state "There will be no pay for holidays accumulated at the time of separation from the town."

Commissioner Hough moved to amend the Personnel Policy by adding to Article VII, Section 4, stating "There shall be no pay for holidays accumulated at the time of separation of employment from the Town of Middlesex". His motion was seconded by Commissioner Meacombs and carried unanimously.

Administrator Joyner gave a estimated cost of \$95,000 to construct a 3,000 sq. foot metal building. The plumbing, wiring and ventilation will have to be priced separately. Commissioner Meacombs stated he just hated to loose control of the present fire department building, because eventually, the Fire Department will sell and build elsewhere.

Commissioner Bissette moved to purchase paint for Ricky Pearce to paint the swings and playground equipment at the park with no labor cost involved. His motion was seconded by Commissioner Robinson and carried unanimously.

Clerk Lambert presented a Certificate of Sufficiency on the Bobby Bissette petition for annexation of property contiguous to Selma Road. Commissioner Meacombs moved to accept the Certificate of Sufficiency as correct and to set a date of April 9, 2007 for the Public Hearing on the issue. His motion was seconded by Commissioner Bissette and carried unanimously.

Clerk Lambert presented a Certificate of Sufficiency on the DFB Development Inc. petition for a non-contiguous parcel of land at Stokes and Selma Road. Commissioner Meacombs moved to accept the Certificate of Sufficiency as correct and to set a Public Hearing on April 9, 2007 on the issue. His motion was seconded by Commissioner Bissette and carried unanimously.

Administrator Joyner presented a Resolution directing the clerk to investigate the sufficiency of an annexation petition from Joyce Burrell for non-contiguous property located on US264A, west of Eagle Ridge. Commissioner Robinson moved to approve the investigation of the petition. His motion was seconded by Commissioner Meacombs and carried unanimously.

Commissioner Bissette moved to approve the payment of \$1256.65 for 102.50 hours of accumulated holiday pay to Steven Brubaker (resignation effective January 27, 2007) due to the fact that the current personnel policy did not address the issue and upon advice from the

League of Municipalities. His motion was seconded by Commissioner Meacombs and carried unanimously.

Commissioner Hough moved to allow Chief Ferrell to increase the part time roster from three to five men in order to have more manpower to solve problem with officer's inability to take earned time off. His motion was seconded by Commissioner Bisette and carried unanimously.

Administrator Joyner asked the board to set the salary increases for the 2007-2008 fiscal year budget, stating that the inflation rate for 2006 was 3.24%. He recommended a 4% increase, which would be an increase of \$ 14,479.00 in salary expense.

Commissioner Meacombs moved to approve the 4% request; however, the motion died from the lack of a second.

Commissioner Hough moved to grant a 3% increase in salaries for the 2007-2008 fiscal year. His motion was seconded by Commissioner Robinson and carried by a four to one vote, with Commissioner Meacombs voting no.

Administrator Joyner asked Mayor Lewis to send letters to the employees explaining the rationale of the board's decision on the salary increase.

A date of April 2, 2007, 7:30 p.m. was set for a budget workshop for the 2007-2008 budget.

Commissioner Robinson moved to amend the Zoning Ordinance by adding to Article VIII, Section 803. Public Hearing as follows.

All proposed amendments to the Zoning Ordinance of the Town of Middlesex shall be submitted to the Zoning Administrator, which in turn, shall submit copies to the Planning Board and copies to the Board of Commissioners. The Planning Board must render its' recommendation to the Board of Commissioners within a thirty (30) day period. The Town Board may, at it's discretion, terminate the consideration of a proposed amendment prior to a public hearing, based upon the recommendation of the Planning Board to deny the petition. The Board of Commissioners must hold a Public Hearing before amendments may be adopted.

Robinson's motion was seconded by Commissioner Bisette and carried unanimously.

Commissioner Bisette moved to set a public hearing date of April 9th, 2007 at 7:30 p.m. to hear an amendment to Article VII Administrative Provisions, Section 707.4.1 Board of Adjustments Administrative Review of Appeals, to allow acceptance of appeals within 10 days from the rendering of the decision or service of the order. His motion was seconded by Commissioner Meacombs and it carried unanimously.

After a brief review of the Abandoned Structures Ordinance and the Minimum Housing Code Ordinance, Commissioner Robinson moved to assign the responsibility to hear appeals to the Board of Adjustments. After a brief discussion, his motion died for lack of a second. The Board majority was in favor to leave both ordinances as is, with the Town Board continuing to hear appeals.

Administrator Joyner pointed out that the current Nuisance Ordinance did not include a provision for appeals. Commissioner Meacombs moved to amend the ordinance to allow for an appeal process. Commissioner Hough seconded the motion and it carried unanimously.

Commissioner Robinson moved to go into Closed Session under G.S. 143-318-11(a)(5) for contract negotiations. Commissioner Hough seconded the motion and it carried unanimously.

Once back in Open Session, and being no further business, Commissioner Robinson moved to adjourn.

Jennifer Lambert
Town Clerk

Mayor Luther H. Lewis, Jr.
Commissioners:
Harold Meacombs
Fred Hough
Luke Robinson
Derek Bissette
Basco Lewis