

May 9, 2005

The Middlesex Governing Body held a Public Hearing at 7:30 p.m. in the Conference Room of the town hall to discuss the proposed one-mile extension of the Extra Territorial Jurisdiction (ETJ) of the Town. Approximately 10 guests were present. Mayor Pro Tem Harold Meacombs opened the hearing.

Town Administrator Peggy Bissette referred to the map on the back wall showing the ETJ extension and the color-coded zones. Planning Chairman Lu Harvey Lewis explained to the audience that Middlesex had requested permission from Nash County to extend its' ETJ to the full one mile jurisdiction allowed. Lewis noted that the extension follows property lines, so the jurisdiction is actually less than one mile in some places. Bissette stated that the biggest difference that those citizens in the ETJ would be that they would come to the Middlesex Town Hall first to get a zoning permit for any addition or changes on their property and then to Nash County for the building permits. The ETJ extension will be effective May 19, 2005 if adopted by the Board. Bissette added that another change in mobile home zones was if you replace a mobile home, the new home must be no older than five (5) years from the date of manufacture.

Constance Corbett, Chairperson of the Board of Adjustments, commended the Planning Board on their decision to extend the ETJ to the full one mile.

Ron Pate asked what effect this change would have on property taxes. Planning Chairman Lewis stated that this change was for planning purposes; not an annexation, and there would be no effect on property taxes. The question was also presented if the area would be annexed in the future. Chairman Lewis stated that annexation was possible at some point in the time but was not the intention in the near future.

Francise Scott questioned where the "B" zones were. Administrator Bissette stated that if she was referring to business zones they are along Finch Avenue up to Fawn Industries and the downtown area.

Being no further questions, Mayor Pro Tem Meacombs closed the Public Hearing.

Mayor Pro Tem Meacombs called the regular scheduled meeting to order at 7:40 p.m. Members present were Commissioners Fred Hough, Luke Robinson, Derek Bissette and Basco Lewis.

Commissioner Robinson moved to approve the minutes of the previous meetings as correct. Commissioner Lewis seconded and the motion carried unanimously.

Commissioner Hough moved to accept the April Financial Statements as correct. Commissioner Robinson seconded the motion and it carried unanimously.

Utility Director Jeff Waddell stated that the painting of the water tower was completed last Thursday (May 5, 2005) and the inspector has been notified. The water tank will be back in operation as soon as the bacteria sample has been tested.

Police Chief Charles Ferrell stated that his department is down to two full time officers, (himself and Dennis Murray) and he has been filling in with part time staff. He requested that the Board hire part time Officer Steve Glover as full time.

Administrator Peggy Bissette stated that the ditch work completed by Harris Perry looked good. Norfolk Southern Railroad Representative Bill Biddix advised Bissette that the railroad right of way is off limits to pedestrians except at a bona fide railroad crossing and the town does not have Norfolk Southern's permission to put a tile or other object in the ditch for pedestrians to cross. Commissioner Bissette verified through Bissette and Jeff Waddell that the town left the ditch open and that it was to remain open.

Attorney Liz Fairman recommended to the Board by letter not to enter into any employment contracts with any employees, and that the contract Chief Ferrell has used in the past is unenforceable. No action was taken on this subject.

Bissette advised the Board that after several months of working with DENR, they have amended our permit for Well #4 deleting many of the original monitoring requirements, which is a big cost savings to the town.

Braswell Construction in Rocky Mount stated that he would make two six inch taps to the water lines on South Oak Street around the end of May to solve the brown water problem on the dead end street.

Administrator Bissette requested that the Town Board relieve her of the Town/Zoning Administrator duties effective July 1, 2005 and let her remain as part time assistant to the Town Clerk. After some discussion regarding hiring a full time or part time person, Commissioner Bissette moved to advertise for a part time Town Administrator to begin with 24 hours per week, stating that once in place, the town may recognize the need for more or less than 24 hours per week. Commissioner Hough seconded and it carried unanimously.

Planning Board Chairman Lewis and Town Administrator Bissette noted three requested changes to the proposed ETJ on the zoning map. Two tracts were requested by property owners to be changed from "Industrial" to "RA" because the landowner had purchased the land specifically to build a home and an area was changed from "RMH II" to "RA" because of some really large, nice homes that already exist in the area that cannot be seen from 264 Alternate. Lewis pointed out these changes and the Board asked Bissette to make the changes on the map so there would be no question when the map is adopted.

Commissioner Hough moved to adopt the following ordinance and ETJ map as shown to the Board and as approved by Nash County. Commissioner Robinson seconded the motion and it was carried unanimously.

Ordinance # _____

ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE
TOWN OF MIDDLESEX

BE IT ORDAINED by the Board of Commissioners of the Town of Middlesex:

Section 1. That the Zoning Ordinance of the Town of Middlesex, as amended, be further amended by amending Article 1, Section 104 entitled "Jurisdiction" to redefine the boundaries of the area's within the town's zoning jurisdiction as shown on a map identifying the proper zones for inside the city limits as well as in the Extra Territorial Jurisdiction. This map includes the additional areas to be released by Nash County on May 19,2005.

See map, hereinafter known as the May 2005 Zoning Map of the Town of Middlesex and its Extra Territorial Jurisdiction. A copy will be placed on the wall of the Town Hall for public inspection.

Section 2.

a) All ordinances or clauses of ordinances in conflict herewith are hereby repealed.

b) This ordinance shall become effective on May 19,2005 when the Zoning Jurisdiction is released by Nash County to the Town of Middlesex. This ordinance was introduced and adopted on May 09,2005.

Attest:

Mayor

Town Clerk

The Board agreed to hold a Public Hearing on the proposed 2005-2006 budget on May 25, 2005 at 7:30 p.m. in the Conference Room of the Town Hall to give the citizens a chance for input on the budget. A workshop to finalize the budget and the personnel policy will follow the hearing.

After a long discussion regarding the billing of water, sewer and sanitation for more than one user on the same meter, Commissioner Bissette moved to charge for only what goes through the meter. Due to questions by many regarding specific situations in town, the motion failed for lack of a second. Commissioner Hough stated that he wanted to make sure we clear any doubts. The majority was in agreement that the motion needed to be clarified further to avoid confusion later. The Board was also in agreement that an ordinance needed to be adopted so that in the future, all multi-unit dwellings must have separate meters. The Board agreed to table the matter until the budget workshop on May 25th, 2005.

Commissioner Robinson moved to accept the resignation of Police Officer Brandon Lane. His motion was seconded by Commissioner Lewis and was carried unanimously.

Commissioner Robinson moved to approve the following sewer adjustments.

1. Ronald Williams from \$312.00 to \$24.75.
2. Mazel Williams from \$96.00 to \$24.00.

The motion was seconded by Commissioner Lewis and it carried unanimously.

Commissioner Bissette moved to pay Harris Perry Bulldozer Service's invoice for \$11,300.00 for ditch work and Venture Business System's invoice for \$3,600 for the digital copier for the town hall. Commissioner Robinson seconded the motion and it carried unanimously.

Commissioner Robinson moved to go into Closed Session to discuss a litigation matter to which Attorney Liz Fairman needs a reply and to interview Steve Glover for a full time Police Officer's position.

Back in Open Session, Commissioner Robinson moved to hire Steve Glover as a full time Police Officer at a salary of \$26,700 per year. His motion was seconded by Commissioner Hough and it carried unanimously.

Being no further business, Mayor Pro Tem Meacombs moved to adjourn.

Jennifer Lambert
Town Clerk

Mayor Pro Tem Harold Meacombs
Commissioners
Fred Hough
Luke Robinson
Derek Bissette
Basco Lewis