

August 13, 2007

On August 13, 2007 the Middlesex Governing Body met in regular session in the Conference Room of the Town Hall at 10232 South Nash Street at 7:30 p.m. Members present were Mayor Lewis, Commissioners Fred Hough, Harold Meacombs, Luke Robinson, Derek Bissette and Basco Lewis. The guest list is attached and are part of these minutes.

The first item of business was to open the floor for a Public Hearing on a request from Melba Hales to change the town's zoning map for property located at the entrance of Stoney Hill Church Road from Residential/Agricultural (RA) to Commercial Business (C2). There were no comments made on the issue and the hearing was closed at 7:31 p.m.

The second item of business was to open the floor for a Public Hearing to hear a request from Bob Walters for a Special Use Permit to allow a Highway Commercial (C2) Use in a Light Industrial (L1) Zone located on East Finch Avenue and Quincy Lane. Citizen Dale Bachmann spoke in favor of the request. Being no other citizens commented in reference to the request, Mayor Lewis closed the hearing at 7:32 p.m.

Mayor Lewis then opened the regular scheduled meeting with an invocation and thanked the public for their attendance.

The minutes of the previous meeting were accepted as correct in a motion made by Commissioner Hough, seconded by Commissioner Robinson and carried unanimously.

Commissioner Meacombs moved to adopt the agenda with the following additions: under Old Business, Item k: Approval for Hardware/software upgrade for the town hall, Item l. Hollywood Cemetery-Seal Coat North Side driveway, and under New Business, Item d. Approval of Centennial Committee purchases, and Item e. Sewer service line problem-contractor issue. Meacombs' motion to accept the amended agenda was seconded by Commissioner Hough and carried unanimously.

The clerk presented the Financial Statements for the previous month and they were accepted as correct in a motion by Commissioner Robinson, seconded by Commissioner Lewis, and carried unanimously.

The Chief of Police was not present to give his report due to an illness, however the board reviewed his report and those of Utility Director Jeff Waddell and Librarian Robert Stamper.

Mrs. Cherrye Davis, Chairperson for the Centennial Committee advised that forty (40) banners had been purchased and will be installed by September. The Committee is working on a CD and DVD of old pictures narrated by the Mayor, and plans to have a booth at Fireman's Day to sell Christmas ornaments. A birthday celebration will be held January 25<sup>th</sup>, 2008

at the Middlesex Baptist Church Family Life Center. On May 17<sup>th</sup>, the Committee will hold a street festival with vendor booths and an antique car show.

The Beautification Committee, represented by Dale Bachmann, stated that landscaping would begin around the "Welcome to Middlesex" signs next month.

After reviewing the Planning Board's recommendation, Commissioner Hough moved to amend the rezoning of Melba Hales property on Stoney Hill Church Road from RA to C2. His motion was seconded by Commissioner Robinson and carried unanimously.

Commissioner Bissette moved to issue Bob Walters a Special Use Permit to allow him to operate a Commercial Use in a Light Industrial Zone at Quincy Street and Hwy 264 Alt. West for a Dollar General store provided the following conditions are met:

- (1) Proof of property ownership of the site for which the special use permit is granted.
- (2) All aspects of site development, construction, and operations shall be in accordance and compliance with town ordinances and meet all conditions for issuance of a zoning permit.
- (3) Petitioner shall agree to and allow annexation of the property by the Town. Petitioner shall request and initiate annexation proceedings within 30 days of obtaining ownership of the property. Should the petition for annexation be denied by the Town, through no fault of the Petitioner, the Petitioner shall still be allowed to connect to the Town's water and wastewater distribution systems as provided for in (4) below.
- (4) Any and all costs for any extension of and/or access to the Town's water and wastewater distribution and collection systems to the property shall be the responsibility of the Petitioner as approved by the town engineer.

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

Administrator Joyner recommended the following changes to the Personnel Policy Manual; Section 12, Overtime Pay Provisions; **Employees Subject to FLSA**; Page 14.

#### **Paragraph #1**

Non-exempt employees will be paid at a straight time rate for hours up to the FLSA established limit for their position as follows:

Regular Employees: 80 hours in a 14 day period

Public Safety (Law Enforcement): 84 hours in a 14 day period

#### **Paragraph #2**

No Change

### Paragraph #3

Whenever practicable, departments will schedule time off on an hour for hour basis within the applicable 14 day work period for non-exempt employees. When time off within the work period cannot be granted, the employee shall be paid for that time at the end of the work period in which it is accrued in accordance with the FLSA. Non exempt employees will normally be granted time off for compensatory time in lieu of pay.

#### Delete the following remaining language of the paragraph:

Compensatory time will be accrued at a time-and-a-half rate. If the compensatory time is not granted the employee must be paid for all hours that exceed the FLSA maximum accumulation as shown below or at the time of separation all accumulated time shall be paid. Employees are required to take compensatory time (if the total of comp time is near the maximum allowed under FLSA laws) before using vacation or sick leave.

Regular Employees: 240 hours (160 regular straight time hours)

Public Safety (Law Enforcement): 480 hours (320 straight time hours)

### Paragraph #4

Delete

Joyner advised the Board that he had implemented a form to be completed by the department heads and turned in to him along with the timecards every pay period for all comp time earned and the reason and would continue to closely monitor all hours worked over regular schedules. Commissioner Bissette moved to approve the revision as presented. The motion was seconded by Commissioner Meacombs and it carried unanimously.

After a brief discussion regarding purchase of a new dump truck, the Board requested the clerk to research the purchase with partial funds from the Powell Bill, the bookkeeping involved, and the report findings at the September meeting.

Commissioner Bissette moved to pay one half the cost, or \$250, to remove a tree located at Arnold Brown's home that died as a result of work completed during the sewer rehab project. His motion was seconded by Commissioner Robinson and carried unanimously.

Commissioner Robinson moved to adopt acreages fees as listed below in accordance with the Raleigh Wastewater Contract:

<b>RESIDENTIAL ACREAGE FEE:</b>	700.00	PER ACRE	(Raleigh-\$294 per dwelling)
<b>NON RESIDENTIAL: CHARGED BY METER SIZE</b>			
3/4" METER			1,442.00
1" METER			2,401.00
1 1/2" METER			4,779.00
2" METER			7,642.00
4" METER			20,025.00
6" METER			45,836.00
8" METER			73,312.00

Commissioner Meacombs moved to charge a \$100 flat fee per occurrence for grass cutting on abandoned lots. Commissioner Bisette seconded the motion and it carried unanimously. This fee is in addition to the any civil penalties charged for ordinance violations.

A motion to build a restroom and shower in the existing Public Works facility at an estimated cost of \$1,000 was made by Commissioner Meacombs, seconded by Commissioner Robinson and carried unanimously. The Board also asked Joyner to get quotes to repair the leaking roof and two overhead doors and present quotes at the September meeting.

Commissioner Hough moved to approve payment of \$700 for additional paving for road cuts resulting from water and sewer repairs. The motion was seconded by Commissioner Meacombs and it carried unanimously.

Commissioner Meacombs moved to approve the purchase of the computer hardware and financials software upgrade for the town hall, which was appropriated in the budget. Commissioner Bisette seconded the motion and it carried unanimously.

Commissioner Hough moved to release the 1996 unpaid property taxes. His motion was seconded by Commissioner Meacombs and it carried unanimously.

Commissioner Bisette moved to approve the following budget amendment as the result of an additional \$277 contribution due to the Fire Department:

<u>PUBLIC SAFETY:</u>		<u>INCREASE</u>
10-530-6001	Contribution to Fire Dept.	277.00
10-310-0000	Tax Collections	277.00

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

The Board was presented with the Draft Middlesex Land Use Plan for review and input at the September meeting, at which time they will set a date for a public hearing on the matter.

Commissioner Meacombs moved to approve an expenditure of \$4,600 requested by the Centennial Committee for banners for the Town Centennial Program. His motion was seconded by Commissioner Robinson and carried unanimously.

Commissioner Bisette moved to approve an expenditure of \$1,400 by the Centennial Committee for 200 Christmas ornaments (to be sold for the Centennial Program). Commissioner Hough seconded and it carried unanimously.

After a brief discussion regarding a sewer service line problem at the Mary Helon Hales' residence, Commissioner Robinson moved to pay for and take the necessary steps to fix the sewer backup problem, and for Joyner to investigate and determine the responsible party. The motion was seconded by Commissioner Bisette and it carried unanimously.

Commissioner Hough moved to go into Closed Session under G.S.143-318.11(a)(6) for two employee evaluations. The Clerk was excused from the Closed Session.

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

Jennifer Lambert  
Clerk

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