

October 10, 2005

The Middlesex Governing Body held its regular scheduled meeting in the Conference Room at the town hall. Mayor Lewis called the meeting to order at 7:30 p.m. and gave the invocation. Members present were Commissioners Basco Lewis, Derek Bissette, and Harold Meacombs. Commissioner Fred Hough and Luke Robinson were absent. Guests were Deonia Eatmon, Hattie Thomas, Pauline Hinnant, John Barnes, Vennie Brock, Reid Hartzoge with Time Warner, Catharine Price with Action Audits, LLC, Stephanie Creech with Wilson Daily Times, and Ken Murchison with the Spring Hope Enterprise.

Mayor Lewis asked if anyone had anything to add to the agenda. Library Chairperson Cherrye Davis requested to add two appointments to the Library Board. Town Administrator Gordon Joyner requested to add (1) the Planning Board recommendation to approve the final plat map for the Southern Crossing Subdivision on Stokes Road, and (2) review a proposed resolution to approve the \$4,000 settlement with NC DENR for a sewer spill in March of 2004.

Commissioner Meacombs moved to approve the agenda including the above-mentioned additions. His motion was seconded by Commissioner Bissette which carried unanimously.

Commissioner Meacombs moved to approve the minutes of the previous meeting. Commissioner Lewis seconded the motion which carried unanimously.

Catharine Rice with Action Audits, LLC, addressed the Board regarding the transfer of bankrupt Adelphia to Time Warner. She summarized Time Warner's past inability to meet customer service needs satisfactorily and make promised upgrades, in addition to the opinion of analysts regarding Time Warner's financial capabilities. Ms. Rice stated that Time Warner would not put promises in writing and encouraged the Board to join with Nash County and other municipalities to adopt the Resolution denying the transfer of the cable franchise. Mayor Lewis thanked Ms. Rice for the presentation.

Commissioner Bissette moved to adopt the Resolution denying the transfer of the Adelphia Cable Franchise to Time Warner. Commissioner Meacombs seconded and the motion carried unanimously.

Commissioner Lewis moved to accept the September Financial Statements as presented by the Clerk. His motion was seconded by Commissioner Meacombs and carried unanimously.

Due to the resignation of Larry Daniel and health problems of Wilhemenia Smith and Naomi Powell, Commissioner Bisette moved to appoint Sue Strickland and Barbara Nell Strickland to the Library Board. His motion was seconded by Commissioner Meacombs and it carried unanimously.

Commissioner Meacombs moved to approve the final plat map of Southern Crossing Subdivision as recommended by the Planning Board. Commissioner Bisette seconded the motion and it carried unanimously.

Due to the absences of Commissioners Robinson and Hough, the Board agreed to table the Lease Agreement for the police canine officer and the request to transfer accumulated employee sick leave from another government agency until the November meeting when all commissioners could have input.

Commissioner Meacombs move to amend Chapter 5, Section 6-5-3 of the Town's Animal Ordinance as recommended by Administrator Joyner and reviewed by Liz Fairman to address tampering with animal traps and/or cages. His motion was seconded by Commissioner Bisette and it carried unanimously.

Administrator Joyner advised the Board that the Utility Department is continuing to install the driveway tiles on S. Elm Street to solve the drainage problems. Ms. Deonia Eatmon thanked the Board for their action and stated that the recent rain water did not stand in her yard.

After a brief discussion regarding the hiring of independent contractors, Commissioner Bisette moved to adopt a policy to require all independent contractors to have liability and workers compensation insurance and to provide proof to the town before a job is started. Commissioner Meacombs seconded the motion and it carried unanimously.

Commissioner Meacombs moved to award the fencing project at the Well #4 site on East Finch Avenue to Moye Fencing Company at a cost of \$5,280, which includes fencing the entire well site perimeter with 11.5 gauge wire fencing. The motion was seconded by Commissioner Bisette and carried unanimously.

After quotes were presented to repair the roof at the park restroom facilities, Commissioner Meacombs moved to hire Donnie's Home Improvements to repair the roof on the park restrooms at a price of \$1,250, which is to include taking off the old roof, increasing the pitch and replacing shingles with tin roofing material. Commissioner Bisette seconded the motion and it carried unanimously.

After reviewing two quotes for removing two trees breaking up the sidewalks on West Hanes Avenue (one large pine in front of Mildred Daniel's house and one large maple in front of Barbara Daniel's house), Commissioner Bisette moved to award Reliable Tree Service the tree cutting project for \$900 , which does not include clean-up. His motion was seconded by Commissioner Meacombs and it carried unanimously.

Commissioner Bissette moved to adopt a resolution to approve a \$4,000 final settlement for fines to NC Department of Environmental and Natural Resources for a sewer spill which occurred in March 2004 at sewer pump station #8. Commissioner Meacombs seconded the motion and it carried unanimously.

Commissioner Bissette moved to release 2005 property taxes for Marvin Brad Turnage for \$12.00 for dogs that are located outside the city limits. Commissioner Lewis seconded the motion and it carried unanimously.

Commissioner Meacombs moved to adopt an ordinance requiring all property owners to display address numbers on all improved property by December 31, 2005. Commissioner Bissette seconded the motion and it carried unanimously.

Joyner advised the Board that the IRS mileage reimbursement rate increased to 48.5 cents per mile effective 9-1-2005 through December 31, 2005.

As a result of the audit, several questions were raised as to how the Town Board would like to handle the Library finances. Also, Mr. Joyner recommended that the Library Board change the Library bylaws to reflect that the Library is a department of the town as stated by our auditor and legal counsel. Commissioner Meacombs moved to treat the Library as a department of the town and requested Joyner to work with the Library Board Chairman and the auditor to resolve any issues and report back to the Board at the November meeting.

Budget amendments recommended by auditor John Anthony to move a portion of the audit fees from the General fund to the Water and Sewer fund, and also to move legal fees and fines associated with a sewer spill to the Sewer fund from the General fund, were tabled until November when John Anthony will be present to answer any related questions.

Quotes presented on the sidewalk rehabilitation project were tabled until the next meeting in order to clarify some inconsistencies in the quotes.

Commissioner Bissette moved to approve Constance Corbett's request for the closing of West Hanes Avenue from Nash Street to Manning Street for the annual "Christmas in Middlesex" celebration pursuant to DOT approval. Commissioner Lewis seconded the motion and it carried unanimously.

After a brief discussion regarding accumulated vacation balances earned prior to July 1, 2005 when the new policy was implemented, Commissioner Bissette moved to pay Charles Ferrell, Jeff Waddell, and Shawn Pond for the accumulated hours over the new policy limit of 5 days. The motion was seconded by Commissioner Meacombs and it carried unanimously.

Commissioner Bissette moved to approve the following sewer adjustments:

- (1) Artistic Touch (Steve Stancil) from \$132.00 to \$24.00
- (2) Estelle Brantley (Doc Boykin) from \$312.00 to \$36.00
- (3) Kim Clarke from \$204.00 from \$72.00
- (4) Willie Johnson from \$72.00 to \$24.00
- (5) Dale Boyles from \$108.00 to \$48.00
- (6) Barbara Allen from \$96.00 to \$24.00
- (7) Jerry Daniel's rental from \$516.00 to \$60.00

Commissioner Meacombs seconded the motion and it carried unanimously.

Being no further business, Commissioner Meacombs moved to adjourn the meeting.

Jennifer Lambert
Town Clerk

Mayor Luther H. Lewis, Jr.
Commissioners
Harold Meacombs
Derek Bissette
Basco Lewis