

November 14, 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, Luke Robinson and Harold Meacombs. Commissioner Fred Hough was absent. Mayor Lewis welcomed the guests (guest list attached) and gave the invocation.

Mayor Lewis opened the floor for the public comment session. Bobby Stanley, Isaac Lewis, and Exum Lewis addressed the Board due to being denied a permit from the town to place double wide mobile homes in the Southwinds Subdivision. (Southwinds Subdivision is in a Residential Agriculture [RA] Zone, which allowed mobile homes until May 10, 2004 when the zoning ordinance was amended). Isaac Lewis stated that when the Town Board approved the subdivision, it was their intent to place double wide and modular homes and the Board knew the intent because the matter was specifically discussed. They also stated that they knew nothing of the change to the zoning ordinance to allow mobile homes only in mobile home zones until they came to the town hall to apply for a permit. Mr. Lewis advised that they have always done more than the town required with regard to paving of streets, curbing and guttering in their developments. They feel the fair thing for the town to do would be to allow double wide homes in Southwinds and stated they have invested \$300,000 in infrastructure. They agreed to brick underpinning on all homes, double wide and modular homes. The Board asked Administrator Joyner to contact the attorney and to try to find a legal and fair compromise for all parties and try to get an answer to Mr. Stanley within one week.

The agenda was amended to review the town's policy of one adjustment per twelve-month period for a water leak due to a citizen's request for a second adjustment within a 12-month period and to delete the proposal for the park toilet door replacement due to lack of response for bids. Commissioner Robinson moved to make the requested changes to the agenda. His motion was seconded by Commissioner Meacombs and it carried unanimously.

Commissioner Robinson moved to approve the minutes of the previous meeting. Commissioner Bissette seconded the motion which carried unanimously.

John Anthony reviewed the Financial Statements for fiscal year 2004-2005 and gave the town a good clean audit opinion. He advised that the town remains in good, sound financial condition and both the General Fund and the Water and Sewer Funds were in good financial condition. The tax collection rate was over 98%, which is very good and the records were in excellent condition. Mayor Lewis and the Board thanked Mr. Anthony for his presentation.

Oliver Bass with the N.C. Division of Community Assistance reviewed the process for updating the town's Land Use Plan. The complete process will take 12-18 months to complete and the committee chosen by the Board will schedule monthly meetings, with the first meeting most likely held in January 2006. Mayor Lewis thanked Mr. Bass for his overview.

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

Chief Ferrell advised the Board that he sent a letter to a property owner regarding a problem with loitering and trespassing at a vacant lot and he had one part time officer resign.

With a shortage of help in the Public Works Department and a high insurance rate for workers compensation insurance for sanitation workers, Commissioner Bissette requested Administrator Joyner to get cost figures together for contracting the town's sanitation services and report his findings at the December meeting.

Commissioner Meacombs moved to turn on the Christmas lights the first Monday after Thanksgiving. Commissioner Robinson seconded and the motion carried unanimously.

Commissioner Meacombs requested Administrator Joyner to investigate and report at the December meeting if sick leave transferred to Middlesex from another governmental agency could be blocked from use by the employee and added to the employee's retirement time upon retirement from the town.

Commissioner Bissette moved to approve the following budget amendments:

GENERAL FUND

10-390-0100	FUND BAL APPROP	(3,500.00)
10-420-1000.	AUDIT	(3,500.00)

WATER FUND EXPENSE

30-810-3800	LEGAL	500.00
30-810-1000	AUDIT REPORT	2,050.00
30-810-5000	FINES & FEES	500.00

SEWER FUND EXPENSE

30-800-3800	LEGAL	3,500.00
30-800-1000	AUDIT REPORT	2,050.00

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30-800-5000	FINES & FEES	4,500.00
WATER FUND REVENUE		
30-370-9000	FUND BAL APPRO.	3,050.00
SEWER FUND REVENUE		
30-375-9800	FUND BAL APPRO.	10,050.00

Commissioner Robinson seconded the motion and it carried unanimously.

After a brief discussion regarding Library finances, Commissioner Robinson moved to transfer \$10,000 from the Library CD to the town's General Fund to cover expenditures above the appropriated \$4,000 by the town and \$11,000 by Nash County and that any capital expenditures go before the Board for approval and will be deducted from the \$20,000 remaining in the Library CD. Commissioner Bissette seconded and the motion carried unanimously.

After reviewing proposals for the sidewalk rehabilitation project, Commissioner Meacombs moved to accept Hinton Construction's bid of \$16,800 to complete both the priority #1 and #2 locations. His motions was seconded by Commission Robinson and it carried unanimously.

Commissioner Bissette moved to adopt the Absentee Voting Resolution. His motion was seconded by Commissioner Robinson and it carried unanimously.

Commissioner Robinson moved to release taxes in the amount of \$8.66 billed to Rachel Mitchell as notified by the Nash County Tax Office. The motion was seconded by Commissioner Meacombs and it carried unanimously.

As recommended by Administrator Joyner, Commissioner Robinson moved to add three (3) street lights; one on Buck Deans Road near the city limits, one on Opossum Road just before the railroad tracks, and one on South Chestnut Street near Pamlico Street. Joyner noted the cost would be approximately \$10 per light per month for a total of \$360 annual recurring cost to the town. The motion was seconded by Commissioner Lewis and it carried unanimously.

The proposal for installation of concrete pads for the park picnic shelters was tabled until the Board could see the concrete work on the sidewalk project and to recheck the proposals due to the increasing cost of concrete.

Commissioner Meacombs move to accept the resignation of part time Police Officer Jarrett Umstead. Commissioner Robinson seconded the motion and it carried unanimously.

There was a brief discussion of the town's sewer adjustment policy due to a request from a citizen for a second adjustment within a twelve (12) month period. The Board was in agreement to leave the policy as is, granting only one sewer adjustment per twelve-month period.

Commissioner Meacombs moved to approve the following sewer adjustments:

- (1) Premia Drewery from \$576.00 to \$36.00
- (2) Betsy Boykin (Beverly Scarberry) from \$60.00 to \$24.00
- (3) Katina Marshman from \$228.00 to \$48.00

Commissioner Robinson seconded the motion and it carried unanimously.

Commissioner Meacombs moved to go into Closed Session under G.S. 143-318.11 (a) (6) to conduct two performance evaluations. His motion was seconded by Commissioner Robinson and it carried unanimously.

Once back in Open Session, Commissioner Robinson moved to terminate part time Utility Worker Rashawn Wingate. Commissioner Bissette seconded the motion and it carried unanimously.

After a request by Administrator Joyner to hire a backup person for Utilities Director Jeff Waddell, Commissioner Meacombs moved to modify an existing position of Public Works/Utilities Worker to a level of Assistant Director, at a salary of \$10.50 per hour, salary grade 21. Commissioner Robinson seconded the motion and it carried unanimously.

After a brief discussion on zoning code enforcement procedures, Commissioner Meacombs moved that after the Town Administrator's submittal of two letters for non-compliance are mailed with no action taken, the matter would then be presented to the Town Board before proceeding with a hearing. Commissioner Robinson 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
Luke Robinson
Derek Bissette
Basco Lewis