

Meeting Minutes
January 14 ,2013

Mayor Lewis called the regular meeting to order at 7:30pm and gave the invocation. Commissioners present were Harold Meacombs, Danny Alford, Cherrye Davis, Dale Bachmann, and J.W. McClenny. Several guests attended.

Mayor Lewis opened the floor for Public Comment. Robert Johnson requested the status of the Bailey Middlesex Park and the W. Hanes Park improvements. Betty Ellis expressed concerns over the internet sweepstakes Supreme Court ruling and how it affects Middlesex. Eric Holt thanked the Sanitation Department for their hard work and requested his cans be placed back on his lot after pickup. Mayor Lewis thanked the speakers and closed the session.

The December meeting minutes were unanimously approved in a motion by Commissioner McClenny and seconded by Commissioner Alford.

Commissioner Bachmann requested to add contract discussion to the Closed Session. Commissioner Alford moved to approve the amended agenda. Commissioner Bachmann seconded the motion and it passed unanimously.

Clerk Lambert reviewed the December financials, which were unanimously approved in a motion by Meacombs and seconded by Commissioner McClenny.

Commissioner Bachmann reported that the South Oak Street water line and taps have been completed on one side of the street. Weather and the holidays resulted in delays, but the entire street will be completely redone as time permits.

Library renovations are completed, but chairs are needed. Mayor Lewis added that he and Dale will visit federal and state surplus for chairs.

Mayor Lewis gave the following updates:

- (1) The slide and parts for W. Hanes Park are here and will be installed when time permits.
- (2) Playground equipment has been received for the Wellness Park and also must be installed.
- (3) Phase 1 for the Bailey Middlesex Park was extended for one year. Playground equipment has also been ordered. Another \$250,000 has been approved for Phase II. Work will resume in April. Phase 1 will be completed before any of Phase II will begin.
- (4) Sweepstakes is illegal as ruled by the Supreme Court. Mayor Lewis confirmed he would contact the Attorney General for further input and

if there is any way possible, he will find something that will work for Middlesex.

- (5) The water line extension to the Free Will Baptist Children's Home is underway, with 800 feet installed today.
- (6) A permit was issued to build a new house on Creech Road, off Selma Road. Construction should begin soon, with a good possibility of two more new home constructions to follow.

Mayor Lewis presented the town attorney's recommendation with regard to charging for administrative or research fees as follows:

Administrative records or research requests above the normal scope of any employee's job duties, or any request that requires more than thirty (30) minutes to complete, will be billed at the actual cost to the town.

"Actual cost to the town" represents the salary plus benefits of the employee performing the work. In addition, the current per copy and fax rate established by the Town Board will apply.

Commissioner Bachmann moved to adopt the administrative/research fee as presented. His motion was seconded by Commissioner Alford and passed unanimously.

Amanjit Paintel, with the Public Water Supply Section of NC DENR, moved some money between line items for the project budget for the Free Will Baptist Children's Home. The amended project budget is as follows:

<u>WATER FUND EXPENDITURES:</u>		<u>INCREASE</u>	<u>DECREASE</u>
42-810-3700	Closing Fee		8000
42-810-3000	Legal, Adv, & Administration	4965	
42-810-5500	Permits	955	
42-810-8700	Contingency	<u>2080</u>	<u>0</u>
	TOTALS	8000	8000

The budget amendment was unanimously approved in a motion by Commissioner McClenny, which was seconded by Commissioner Meacombs.

Commissioner Meacombs moved to adopt Resolution #R1094 approving the required three year update (2012)to the 10-year Nash County Solid Waste Management Plan. Commissioner Davis seconded the motion and it passed unanimously.

Section 4-1-21 of Title 4, Chapter 1 in the Water System Ordinance states that deposits on file must equal the current amount set by the Board before ser-

vice is reactivated when an account has been cut off three times in a twelve month period. After a brief discussion, Commission Bachmann moved to change "three times in a twelve month period" to read "two times in a twelve month period and this also applies to returned checks or drafts". Bachmann's motion was seconded by Commissioner Alford and passed unanimously.

Mayor Lewis requested the Board to amend the Personnel Policy to include the town's uniform and shoe purchase policy. Commissioner Meacombs moved to add the following to the personnel policy under Article VI. Employee Benefits:

Section 10: Required Uniforms/Shoes

All Police Officers and Utility personnel are required to wear uniforms, which serves as notification to citizens and all the public they are employed by the town. All Utility Department personnel are required to wear steel-toe shoes for safety reasons.

The town covers the cost of uniforms at 100%. The town will give a \$100 allowance per year for shoes for each Full Time Police Officer and all Utility Department employees. The town will give a \$50 allowance per year for Reserve Police Officers.

Meacombs' motion was seconded by Commissioner McClenny and passed unanimously.

John Anthony, Anthony & Tabb PA, the town's independent auditor, presented the audited financial statements for fiscal year ending June 30, 2012, which have been approved by the Local Government Commission. He gave the town a clean audit opinion and added that the statements give a fair representation of the town's financial condition, adding that the town had a good year. Cash assets remained about the same as last fiscal year and he said the town continues to remain in good financial condition.

The property tax collection rate of 95.77% for real estate is slightly less than the state average. Mayor Lewis advised that effective with the 2012 tax billing, Nash County will bill and collect all town taxes, allowing Clerk Lambert time to work on other projects. John added that effective April 2013, all vehicle taxes will be collected at NCDMV before a tag will be issued and should improve the vehicle tax collection rate.

The General Fund had a net loss of \$59,787 versus \$174,000 last fiscal year. The Water & Sewer Fund operating income had a small loss \$9,531, which includes \$156,534 depreciation. John pointed out that the town's General Fund reserve decreased \$234,000 over the last two years which is attributed to improvement projects and paving Powell Bill streets.

John added that we should be receiving a letter from the Local Government Commission within the next few weeks with any comments they may have regarding these statements. John commended the town staff for their diligence in the record keeping and staying within budget.

Commissioner Alford moved to go into Closed Session under G.S.143-318.11(a)(6) to discuss a personnel matter and under G.S.143-318.11(a)(5) for contract discussion.

Back in Open Session, Commissioner Meacombs moved, at the Police Chief's request, to suspend Officer Crystal Daughtry without pay for disciplinary reasons and to place her on probation for six months..

Being no further business, Commissioner McClenny moved to adjourn.



Jennifer Lambert, Clerk

Mayor Lu Harvey Lewis, Jr.
Commissioners
Harold Meacombs
Danny Alford
Dale Bachmann
Cherrye Davis
J.W. McClenny