

February 11, 2008

The Middlesex Governing Body met in regular session in the Conference Room at the Town Hall located at 10232 S. Nash Street. Mayor Lewis called the meeting to order at 7:30 p.m. and gave the invocation.

Commissioners Harold Meacombs, Fred Hough, Luke Robinson, Derek Bissette, and J.W. McClenny were present. Guests were Dr. Michael Acquesta, the town's engineer, Elizabeth Fairman, the town's attorney, and Robert Bartlett of Bartlett Engineering, along with several citizens as shown on the attached guest list.

Mayor Lewis opened the floor for the Public Comment Session. There were no comments/questions from the public and the session was closed.

Commissioner Robinson moved to approve the January 14th and January 31st minutes. His motion was seconded by Commissioner Meacombs and it was carried unanimously.

Town Administrator Peggy Bissette requested to add the Morris Street annexation request to the agenda if time permits. In a motion by Commissioner Bissette and seconded by Commissioner Hough which carried unanimously, the agenda was approved with the one requested addition.

Dr. Michael Acquesta advised the Governing Body that before proceeding with the Water System or the Wellness Park Projects, they must award the engineering contract to Earthtech as required by USDA. He also stated that the Water System project engineering report was written assuming a 100% loan, but if we are awarded any grant funds from the Rural Center, those funds will be applied to the loan. The town should have an answer on the grant by June.

The contracts can be awarded, but the projects will be on hold until the town issues a "Notice to Proceed" letter to Earthtech. Engineering fees must be paid up front according to USDA policy. Revenue bonds will be issued, which must be approved by the Local Government Commission. These bonds will be sold and the town will be reimbursed at that time.

Commissioner Bissette moved to award the Engineering Services Contract for the Water System Project to Earthtech, but delay issuing the "Notice to Proceed" to a later date, when we may know if we will be awarded any grant funds. Commissioner Meacombs seconded the motion and it carried unanimously.

Commissioner Bissette moved to award the Engineering Services Contract for the Wellness Park Project to Earthtech and issue Earthtech a "Notice to Proceed" as soon as possible. Commissioner Meacombs seconded the motion and it carried unanimously.

In a motion made by Commissioner Meacombs and seconded by Commissioner Robinson, the January Financial Statements were unanimously approved.

After a brief discussion regarding Larry Keesler's request for the town to pay royalties to him for future tap-on's for the water pump station to serve Middlesex Estates, the Governing Body tabled the matter until Mr. Keesler submits his final plan.

Administrator Bissette reviewed NC Division of Water Quality (DWQ) violations for August and September of 2007 for the backwash filters at Well#4 on Finch Avenue. Overages in chlorine levels and flow levels have been a problem. Also, the town is in violation because we do not have a certified Physical Chemical Operator 1 and a backup operator, as required by DWQ for the backwash system. Ron Boone with NC DWQ advised Bissette to acquire an operator and backup the very day they spoke in order to avoid fines of up to \$25,000 per day. Bissette found David Ellis of Nashville. David agreed to be the town's certified operator and provide the backup operator for \$75 per trip. He is required to visit once a week. The Board was in agreement until which time Utilities Director Jeff Waddell could obtain the certification.

After communications with Burrell Brock and Dale Crisp with the City of Raleigh regarding sending the backwash water into the sewer system, they will require the town to obtain a pretreatment permit for the backwash system. This means we will still have to do all the testing at least for twelve months. After that, Raleigh agreed to review to see if they will grant us any relief from the testing. Therefore, with this option, we would still be paying all the testing costs and we still must have the certified operators.

The Board was in agreement to try several things. First, leave the backwash water in the pit overnight allowing the chlorine to dissipate. Second, contact DWQ and amend the permit to increase the flow allowed to backwash. Third, Dr. Acquesta will check the piping on the backwash system to see if well water can be used to backwash and perhaps these actions will alleviate the violations.

In a motion by Commissioner Bissette, seconded by Commissioner Meacombs and carried unanimously, the following 2007-2008 Budget Amendments were approved.

WATER EXPENDITURES:

<u>Acct#</u>	<u>Description</u>	<u>Budget Increase</u>
30-810-1600	Maint. Of Equip.	15,000
30-810-2000	Engineering	15,000
30-810-2600	Advertising	500
30-810-3300	Dept. Supplies	4,000
30-810-4500	Contract Services	<u>2,000</u>
	Total Water Exp.	36,500

SEWER EXPENDITURES:

30-800-1600	Maint. Of Equip.	2,000
30-800-4300	Testing	<u>1,000</u>
	Total Sewer Exp.	3,000

REVENUES:

<u>WATER</u>		
30-370-9000	Cont. Fund Bal. Approp.	36,500
<u>SEWER</u>		
30-375-1000	Sewer Interest Earned	3,000

Commissioner Hough moved to authorize the Tax Collector to advertise liens on real property for 2007 unpaid property taxes. Commissioner Robinson seconded the motion and it carried unanimously.

Bissette presented a letter from Mr. Christopher Hampton, Hampton Accounting and Tax Service, requesting a Special Use Permit to operate his business in the old Meeks Grocery building on Claude Lewis Road. Questions arose regarding bathrooms, parking, and two businesses on one meter. The Board was in agreement that Mr. Hampton should have the building inspected by Nash County to advise him about requirements before the town acts on his request. A public hearing would also be required. Administrator Bissette stated she would go look at the building also.

Commissioner Bissette moved to hold a Budget Workshop at 7:30 p.m. on March 17, 2008. Commissioner McClenny seconded the motion and it carried unanimously.

Commissioner Robinson moved to go into Closed Session under G.S.143-318.11(a)(3) to speak with the town attorney on a continuing legal matter. His motion was seconded by Commissioner Hough and carried unanimously.

Back in Open Session, Administrator Bisette requested the Board to exempt several low income residents on Morris Street from paying the double water rates paid for over eight years. The Morris Street residents have requested to be annexed several times in the past. Attempts to complete annexation paperwork have failed due to unknown whereabouts of several heirs to some of the parcels involved. The figures show there would be no cost advantage to the town to annex. Bisette pointed out that the water and sewer lines were paid for by a grant to Nash County over eight years ago and there was no cost the town.

Some of the Board members said that the request might set a precedent and open a can of worms. Bisette pointed out that a very similar situation exists at the Middlesex Elementary School, which is also located outside the town limits, and Nash County paid for the lines, but the town exempted the school from paying double rates. The Board stated they were not aware of the agreement and did not know that the school did not pay double rates. The Board was in agreement that the town should try to annex these residents and the Mayor will speak with Senator A.B. Swindell to possibly present an annexation bill.

Being no further business, Commissioner Meacombs moved to adjourn.

Jennifer Lambert
Clerk

Mayor Luther H. Lewis, Jr.
Commissioners
Harold Meacombs
Fred Hough
Luke Robinson
Derek Bisette
J.W. McClenny