

March 8, 2010

The Middlesex Governing Body met in regular session in the Conference Room of the Town Hall. Mayor Luther H. Lewis, Jr. called the meeting to order at 7:30p.m. and gave the invocation. Members present were Commissioners Harold Meacombs, Fred Hough, Luke Robinson, and J.W. McClenny. The guest list is attached and are part of the minutes.

Mayor Lewis then opened the floor for public comment session. Being no public questions or comments, Mayor Lewis closed the session.

The February minutes were approved as correct in a motion by Commissioner Hough, seconded by Commissioner Robinson, and carried unanimously.

Jennifer Bland, who was unable to attend to address the Board regarding Girl Scout Week, was represented by Claudia Vaughn. Ms. Vaughn requested the Board to proclaim March 7-13, 2010 as Girl Scout Week in Middlesex. Commissioner McClenny moved to adopt Resolution R2010-1045 proclaiming March 7th – 13th as Girl Scout Week in Middlesex supporting the development of Girl Scouts. Commissioner Hough seconded the motion and it carried unanimously. Ms. Vaughn, Girl Scouts A.J. Bachmann, and Lacy Montague presented the Town Board with three boxes of Girl Scout cookies. Mayor Lewis thanked the Girl Scouts for attending.

Ellen Rose Godwin addressed the Board regarding concerns over the town's flower cleanup policy at the cemetery. She stated she was upset that her flowers had been removed when she visited the cemetery on February 12th and flowers were missing at her daddy's and aunt's grave, adding that they were removed with no notices being sent or a sign at the cemetery stating the policy. She had checked with Evergreen in Wilson and advised that they remove poinsettias two weeks before Valentines Day and never remove flowers other than this unless they are very old and faded. Evergreen also had a place that they stored flowers/frames they picked to be reclaimed if someone wanted frames/flowers back. Commissioner McClenny asked Ms. Godwin what her opinion was regarding the town picking up the flowers. Ms. Godwin asked that whatever the Board decides to please put a sign at the cemetery stating the policy. Mayor Lewis thanked Ms. Godwin for her input.

Mayor Lewis requested to remove Item 7a. under Old Business, review Interlocal Agreement for the Bailey Middlesex Community Park because it is still under review by the Committee and then must go to the attorney. Commissioner Meacombs approved the amended agenda. His motion was seconded by Commissioner McClenny and carried unanimously.

In a motion by Commissioner McClenny, seconded by Commissioner Robinson, and carried unanimously, the February financial statements were accepted as correct as presented by Clerk Lambert.

Chief Ferrell advised that two part time police applicants did not make the grade due to their background investigations and that the department is down to two part time officers that can be scheduled to work.

Administrator Peggy Bissette advised that thirty new digital meters were installed since the February meeting. The well house design plan is complete and Engineer Michael Acquesta will be bringing the plan on Wednesday, March 10th. Also, Bissette advised that the Energy Assistance Grant was not awarded because the joint application submitted by the Upper Coastal Council of Governments was received too late for consideration.

Administrator Bissette advised the Board that Raleigh increased rates in December 2009 for treating the town's wastewater. This was a second scheduled increase, the first one in May 2009 and the second in December 2009. Bissette presented a chart showing the breakdown of costs for this fiscal year and added that she has addressed the problem of overages of BOD and TSS limits by requesting the Utility Director to have the lift stations pumped out to see if this will bring down the levels.

The following budget amendment was approved in a motion by Commissioner Robinson, seconded by Commissioner McClenny and carried unanimously:

	<u>INCREASE</u>
Water fund bal appropriations:	5300
Water Expenditures:	
Contracted services	5000
Training	300

Administrator Bissette explained that this amendment covers increased costs for mandated training and water repairs completed by R.D. Braswell on West Hanes and South Walnut Street.

A list of utility accounts cut off for nonpayment since July 2009 with a balance left owing under \$50, and therefore uncollectible by the debt setoff program, was presented to the Board for review and discussion. Administrator Bissette recommended a \$50 deposit increase from \$200 to \$250, which should cover all these accounts which will have to be written off to bad debts. Clerk Lambert advised that as a result of increasing the deposit in the past, bad debts

written off had decreased over \$2,500 since 2007. She also informed the Board that over \$4,400 in bad debts were still in the NC Debt Setoff Program and that \$546.38 was received in February paying off four accounts. After a brief discussion, the majority of the Board was not in favor of increasing the deposit.

Administrator Bissette advised the Board that the cutoff policy set by the Board at the February meeting of \$25.00 for the first cutoff, \$35.00 for the second cutoff, and \$50.00 for the third cutoff and every cutoff thereafter could not be handled by Logics software. Logics sorts all unpaid accounts and charges the across the board amount and does not have the capability to recognize if an account has been cutoff one, two, three or more times. She requested that the Board review this further since the new policy would create a good deal of extra manual work for the office staff. After some questions and discussion about the cutoff process, Commissioner Meacombs rescinded his motion from the February 8th meeting and moved to leave the policy as is at \$25.00 each cutoff. Commissioner Hough seconded the motion and it carried unanimously.

At the request of Commissioner McClenny, Administrator Bissette presented the Zebulon Town Cemetery flower cleanup policy and they remove all wilted, impaired, or unsightly floral arrangements or containers that have outlived their purpose. There was some discussion about this being a judgment call on the part of the person cleaning the cemetery and also some discussion about a place to keep flowers/frames that have been removed by the town or the wind has blown off the grave.

Commissioner Hough questioned the current policy stating that the Board did not set the policy. Administrator Bissette advised that she understood from discussions in the meeting the Board discussed problems with grass cutting and cleaning the cemetery that she was asked to resolve these problems. She then typed a proposed policy and mailed the policy to Commissioner McClenny, the cemetery commissioner, which he approved with a correction to the spelling of "mother" and the policy was reviewed with Jeff Waddell, Utility Director and put it in place. Bissette stated she was trying to solve a problem that the Board has asked her to resolve, and did not intend to do something the Board did not want her to do. Commissioner Hough asked if we had a place to keep flowers/frames picked up and Commissioner McClenny added that we could fence in a small area next to the woods behind a pile of extra dirt to accommodate this request.

Administrator Bissette added that the Town of Bailey has a sign at the cemetery entrance stating the pickup times. Commissioner McClenny suggested erecting a sign stating "The Town of Middlesex will not be responsible for any flowers". Commissioner Hough wanted to try one year not picking up any flowers and see how it goes and then look at the situation again.

After more discussion, Commissioner McClenny moved to have a clean up day the first Monday in March and the first Monday in October and purchase two signs, one at each cemetery entrance stating "The Town of Middlesex will have cemetery cleanup on the first Monday in March and the first Monday in October". His motion was seconded by Commissioner Robinson and it carried unanimously.

Mayor Lewis advised the Board that the Planning Board met on Thursday, February 25th and would like to present a recommendation to the Board at a Public Hearing to amend the definition for Commercial Amusement Buildings. The town received a request for an Internet Sweepstakes business at 11516 East Finch Avenue and the ordinances did not specifically address this type of business. Mayor Lewis commented that the Legislature is going to review the matter in the upcoming short session. Commissioner Meacombs moved to hold a Public Hearing for the purpose of hearing the proposed amendment to the Zoning Ordinance on Monday, April 12th at 7:30 pm and the regular scheduled town meeting will follow.

Bill Durham asked several months ago for the Board to appoint a replacement for him. Mayor Lewis asked the Board to consider and talk to anyone they thought would be willing to serve as an in town member and keep him posted.

Mayor Lewis said he checked into excavation for the Planer Mill bird roost problem. Even if a bushwacker could cut the thick overgrown bamboo, it would grow back. An excavator would be \$100 an hour and Mayor Lewis will have someone to look at the site and see approximately how many hours it would take to complete the job. He will also get property owner Exum Lewis's opinion on what should be done. Administrator Bissette asked Mayor Lewis if the town should be responsible for all the costs or if the property owner would be asked to pay. Mayor Lewis stated he did not think we could ask the property owner to pay for the cost of clearing and that he would ask Exum if he would be willing to pay half of the cost.

In a brief discussion regarding the vacation accumulation carryover policy, Mayor Lewis stated that employees should make every effort to take the vacation granted and his opinion is the policy should be left as is. The consensus of the Board was to leave the policy as is so no action was taken.

A Budget Workshop was set for Monday, April 19th at 7:30 pm in the Conference Room in the town hall to begin discussing the 2010-2011 budget. Mayor Lewis asked Administrator Bissette to present a budget with no salary increases. He added that the Board would hold a separate Closed Session

Workshop at another time to discuss salaries with no one in attendance but the Board members.

Property tax releases received from Nash County as follows were approved in a motion by Commission Meacombs, seconded by Commissioner Robinson and carried unanimously:

- (1) 2009 Property Tax Release for Compass Group Vending for a duplicate discovery totaling \$21.88
- (2) Release for David Joenk:
 - (a) 2006 taxes in the amount of \$98.09
 - (b) 2007 taxes in the amount of \$77.78
 - (c) 2008 taxes in the amount of \$67.19

Mayor Lewis then reviewed a letter received on March 1st from the Local Government Commission advising the town that water and sewer revenues do not provide sufficient resources to cover the cost of providing services to the customers and cash flow from operations was not sufficient to cover services and related debt service payments. The letter also stated that it appears the town did not sufficiently budget for its debt service payments.

A reply was mailed on March 2nd advising that water and sewer rates were increased effective September 1st, 2009, the scheduled debt services payments were properly budgeted, and that The Board of Commissioners voted to transfer \$100,000 from the General Fund to the Water and Sewer Fund to pay off two debts in advance.

Mayor Lewis advised the Board that the finishing mower we currently have needs wheel repairs totaling around \$1,100 for parts only. Prices for a new heavy duty commercial finishing mower ranges from \$1,400 to \$1,700 for mowers similar to the present mower. Since grass cutting time is just around the corner, a decision needs to be made to repair the old mower or purchase a new mower. Administrator Bissette said she would check state contract prices.

Commissioner Hough asked if the mower had been taken apart and checked and Dale Bachmann said it is apart and has been checked thoroughly and needs a lot of repairs. Commissioner Meacombs moved to purchase a new heavy duty finishing mower not to exceed \$2,000. Commissioner Hough seconded and the motion passed unanimously.

Being no further business, Commissioner Meacombs moved to adjourn.

Jennifer Lambert
Clerk

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