

March 14, 2011  
Meeting Minutes

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 7:30 p.m. and gave the invocation. Members present were Commissioners Harold Meacombs, Fred Hough, Luke Robinson, Dale Bachmann, and J.W. McClenny. The guest list is attached and are part of these minutes.

Mayor Lewis opened the floor for a public hearing for a petition received from Nash County requesting annexation of six parcels totaling 228.73 acres located in the Middlesex Corporate Center zoned Light Industrial. There were no public comments and the hearing was closed.

Mayor Lewis opened the floor for the public comment session. Minister Edna Mount asked if Officer Hillery Thompson was still employed by the town and Mayor Lewis answered "yes". There were no further comments and the session was closed.

Commissioner Robinson moved to approve the February minutes as presented. His motion was seconded by Commissioner Hough and carried unanimously.

Commissioner Bachmann requested to add Item (h) under New Business, to discuss mutual aid for the police department. The amended agenda was approved in a motion by Commissioner Bachmann, seconded by Commissioner Robinson, and carried unanimously.

Mayor Lewis welcomed Wyatt McGhee, Upper Coastal Council of Governments. Mr. McGhee assisted Nash County with the three year update to the Solid Waste Management Plan and gave a briefing on the plan. The advantage to Middlesex and the other municipalities is they don't have to pay for their own plan. Mr. McGhee reviewed the current practices for collection and disposal of solid waste for accuracy and comments. Nash County will look into seeking grant funds and coordinate with towns for disposal/recycling of electronic goods. Towns could collect and take to the nearest convenience center. Mr. McGhee added that Nash County would be looking into accepting other items like tires, used oil, batteries and other items banned from landfills at the nearest convenience center for a charge of \$16 per household because the county cannot get funds from the state for these items. Citizens could take items directly to the convenience center. Commissioner Bachmann said he would like to have further discussions with the county regarding a \$16 per household fee, adding that the taxpayers of Middlesex do not get a lot from the county for their tax

dollars and the service should be at no charge. Mr. McGhee stated the details would have to be worked out with Nash County at a later date. He requested the Board to adopt the Resolution of Adoption of the Solid Waste Management Plan Update and Mayor Lewis thanked Mr. McGhee for his informative presentation.

Clerk Lambert reviewed the February financial statements and there were no questions. The financial statements were accepted as correct in a unanimous motion by Commissioner Robinson, which was seconded by Commissioner McClenny.

Commissioner Dale Bachmann advised that the aerator for Well#4 is over-pumping and we need to purchase a variable speed motor which will cost approximately \$7,000, including installation, to correct the VOC contaminants problem. He added that Well#4 pump burned up and had to be replaced at an estimated cost of \$6,300. He also reported a delay at Well#5 due to Progress Energy software changes and the electrical is scheduled to be connected the first week in April.

Mayor Lewis advised the Board that we met with Chris Tripp regarding the town's website, which has a lot of outdated information on it. Chris has temporarily taken the website down will fix the software so we can update the site in-house for \$800, including training for town hall personnel. We also addressed our concerns over responsiveness to our calls and emails and we feel this issue has been resolved. Chris is getting prices for a server upgrade for the police department.

Mayor Lewis advised the Board that the water and sewer at the Middlesex Corporate Center, if added, would be paid for by grants and Nash County and Nash County Manager Bob Murphy is preparing an agreement to this effect. Commissioner McClenny moved to adopt the annexation ordinance effective immediately. His motion was seconded by Commissioner Robinson and carried unanimously.

DOT advised the town several months ago that they wanted to close Old Possum Road and the Board chose not to close the road because it had just been paved and widened. Mayor Lewis presented a Municipal Agreement for railway crossing signals and gates to be installed at an estimated cost of \$159,000 , with the town paying 10% or \$15,900 and an annual maintenance fee of \$1532. Commissioner Bachmann moved to table until further review to have someone come explain and answer questions. His motion died for lack of a second. Commissioner Meacombs moved to pursue the Municipal Agreement and the Board would review the final contract figures. Commissioner Robinson seconded and the vote was four in favor and Commissioner Bachmann voting no.

Commissioner Meacombs moved to adopt the Solid Waste Management Plan as presented. Commissioner Hough seconded and the motion carried unanimously.

Angela Hough, owner of Angela's Closet, has notified the town that she will be terminating her lease agreement for the town's rental building on March 31, 2011 and Helen Manning has expressed that she wishes to open a consignment shop on April 1, 2011. Mrs. Manning requested that the rent remain at \$150 per month for a six month lease. Commissioner McClenny moved to lease the town's rental building at 10220 S. Nash Street to Helen Manning for \$150 per month for six months. The motion was seconded by Commissioner Robinson and carried unanimously.

Mayor Lewis presented a response to the Local Government Commission concerning the annual dual appointment of Clerk Jennifer Lambert as Finance Officer and Tax Collector. The letter summarized that the requested dual bonds of \$75,000 bond each was maintained and that the town has an internal accounting control policy. Commissioner Bachmann moved to adopt the Internal Accounting Control Policy as presented. Commissioner McClenny seconded the motion and it carried unanimously.

There was a very lengthy discussion regarding Commissioner Bachmann's request to add a \$50 fee for bulk yard waste pickup. Clarification as to when this bulk fee would apply would be in situations where the backhoe and two employees were needed to clear the yard debris. The offenders are usually the same citizens. The were concerns aired about this being administered fairly. Commissioner Bachmann moved to put a \$50 bulk yard waste fee effective May 1, 2011 and the fee would be imposed if more than one person has to go out and the use of the backhoe. Commissioner Bachmann's motion died for lack of a second.

Mayor Lewis asked that each Board member read carefully the letter from Vance Holloman, NC Local Government Commission, stating that we need to increase our water and sewer rates to cover operating costs and be eligible for future grant funding.

Commissioner Dale Bachmann said he has a problem with the town taxpayers paying for answering too many mutual aid calls. Also, he said all mutual aid agreements should be approved by the Town Board, and they had not in the past. In the past, the Chief of Police handled all mutual aid agreements. He requested that we look at our policy and set some guidelines.

Commissioner Robinson moved to go into Closed Session under G.S.143-318.11(a)(6) to discuss a personnel matter in the police department.

Back in Open Session, Commissioner Meacombs moved to start the process to obtain a Police Chief and advertise with a deadline of April 11<sup>th</sup>. Commissioner Hough seconded and the motion carried unanimously.

Being no further business, Commissioner Bachmann moved to adjourn.

Jennifer Lambert  
Clerk

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