

**Middlesex Governing Body
Meeting Agenda
March 14, 2016 – 7:30pm
10232 S. Nash Street**

1. Call the meeting to order and give the invocation.
 2. Approve the February 2016 minutes **Pages 1 – 4**
 3. Approve the agenda
 4. Reports:
 - a. Clerk **Pages 5 – 48**
 - b. Police Chief **Pages 49 – 52**
 - c. Public Works **Page 53**
 - d. Library **Page 54**
 - e. Mayor
 - f. Commissioners
 5. Old Business:
 - a. Southern Bank Sewer Loan Update
 - b. Town Swimming Pool **Pages 55 – 56**
 6. New Business:
 - a. 2015-2016 Budget Amendments **Page 57**
 - b. Certified copies of public records
 - c. Cemetery-grave openings cost
 - d. Vacancy in Utility Department
 - e. 2016-2017 Budget requests due April 1, 2016
 - f. Schedule Budget Workshop for April 11, 2016 meeting
 - g. Rules for the public attending town meetings **Page 58**
 7. Public Comment Session
 8. Closed Session as allowed by G.S.143-318.11(a)(6) for an employee performance evaluation
- ADDED TO CLOSED SESSION:**
Discuss a Reserve applicant for the police dept.
9. Adjourn

Middlesex Governing Body Meeting Minutes
March 14, 2016

Mayor Lewis called the regular meeting to order at 7:30 p.m. and gave the invocation. Members present were Commissioners Harold Meacombs, Danny Alford, Cherrye Davis, Ann Lewis, and J.W. McClenny. Approximately eight guests attended.

The February 2016 minutes were approved unanimously in a motion by Commissioner Davis, which was seconded by Commissioner Lewis.

Mayor Lewis requested to add to the agenda a Closed Session as allowed by G.S.143-318.11(a)(6) for a personnel matter in the Police Department. The amended meeting agenda was unanimously approved in a motion by Commissioner McClenny and seconded by Commissioner Davis.

Clerk Lambert presented the February 2016 financials and they were unanimously approved in a motion by Commissioner Meacombs and seconded by Commissioner McClenny.

Lambert also presented a memo to the Governing Body regarding recent accusations in the Wilson Times and accusations by Becky Strickland in the Spring Hope Enterprise. Attached emails proved that Lambert did not refuse to release public records to Wilson Times reporter Rochelle Moore. Moore would not complete the public records request required by town policy. In the past, WRAL and Spring Hope Enterprise filled out requests with no problem. Lambert explained that she treats everyone the same with regard to any record requests. The Spring Hope Enterprise stated that Becky Strickland sent out a flurry of emails referring to the emergency meeting held February 12, 2016 stating it was not properly advertised and the usual notice was not posted on the window. Special emergency meetings are not required to be advertised. Notices were sent by email to everyone with a request on file, including Ms. Strickland. Every open meetings law was followed and Lambert noted that she went above the required notification. A copy of the email and the meeting notification that was posted on the town's bulletin board, the town window, and the town's website was included in the agenda packet. Lambert said she felt she needed to set the record straight to the Board and publicly and to share to truth.

The Utilities Department discovered a big infiltration problem on Schoolhouse Road and fixed the problem. This should make a big difference in the amount of sewer going to Raleigh to be treated.

Mayor Lewis commented that there has been a recent flurry of activity of people asking for places in town to open a business so this is a good sign.

The town closed on the \$150,000 loan from Southern Bank for the sewer lift station overhaul and inflow project. A check for \$122,892.39 for work completed has

been deposited to pay the outstanding invoices and the balance of \$27,107.61 is in an escrow account. As more work is completed and the town presents these invoices, the escrow funds will be released to pay the bills. Some of the remaining loan proceeds will be used to work on sewer infiltration.

Some inquiries have been received regarding the opening of the swimming pool. Financial spreadsheets presented indicate a \$13,500 loss since the pool was purchased in June 2013. Mayor Lewis advised there are containers of chlorine and sticks left from last season. Commissioner Alford asked if we know how many taxpayers use the pool. Clerk Lambert replied that only two taxpayers had a \$250 season pass last season, but we have no way of knowing about the \$40 passes at the pool. Most of the season passes were citizens in surrounding towns. Almost all of the \$40 passes are purchased at the pool. Commissioner Meacombs stated that tax dollars keep it going and it would be nice if passes were free to the taxpayer, but in that case, the losses would be even greater. Commissioner Davis added the pool is a good amenity to attract some people to town. After a brief discussion about the pool hours, the matter was tabled until the April meeting.

The following 2015-2016 Budget Amendment was approved unanimously in a motion by Commissioner McClenny and seconded by Commissioner Lewis:

<u>GENERAL FUND EXPENDITURES:</u>		<u>INCREASE</u>	<u>DECREASE</u>
<u>Tax Collection:</u>			
10-460-4500	Nash Co Collection Fee	1,000.00	
10-460-4501	Vehicle Tax Collection Fee	500.00	

<u>GENERAL FUND REVENUES:</u>		
10-310-0100	Prior Year Taxes	1,500.00

****Budgeted Tax Collection Fees paid to Nash County based on Tax Scroll Estimate***

<u>GENERAL FUND REVENUES:</u>		
<u>Legal:</u>		
10-470-3800	Professional Service	1,500.00

<u>GENERAL FUND REVENUES:</u>		
10-310-0100	Prior Year Taxes	1,500.00

****Legal research & advice 2-8 through 2-26-2016 regarding allegations made by Becky Strickland against employee carried this over original budget***

Clerk Lambert noted the invoice from Fields & Cooper, PLLC for the recent legal research and consultations totaled \$2,940. No fund balance was needed for these amendments.

Clerk Lambert advised the Board she had been receiving requests to certify public records. After a discussion and recommendation from Town Attorney, Elizabeth

Fairman, a stamp was purchased at a cost of \$43.39. The current copy cost is \$.20 per page for public records. Lambert asked the Board if certified copies would be the same cost as a non-certified copy. Commissioner Alford said he feels the town should absorb the cost of the stamp and the extra time to certify records. Everyone agreed to leave the copy cost as is at \$.20 for all copies.

Mayor Lewis advised the Board that town personnel have been using an excavator and paying the machine's owner \$100 per grave to open graves. The owner wants to sell the machine and is asking \$20,000. The owner will have someone come get the machine. It is not feasible for the town to buy the machine, and most graves are too close to open using the town's backhoe, Mayor Lewis found someone who will open the graves for \$250 per grave. This is an increase in costs of \$150 per grave. Due to this increase, Commissioner Alford moved to increase \$150 on grave openings. Commissioner Lewis seconded and the vote was unanimous.

Garrett Strickland, a Seasonal Utility Worker, has jobs with two fire departments now and will have little time to work the town. For the time being, he will remain on the roster. With grass cutting season already here, Mayor Lewis and James Liles, Utility Supervisor, recommended to post and hire someone as soon as possible. An ad would run through March 31st and Mayor Lewis recommended to include a salary range of \$9 - \$10 per hour depending on experience. The schedule would be a minimum of three days per week not to exceed 1,000 hours in a calendar year. Also, if the new hire proves to be a good employee, Lewis and Liles recommends they be hired full time July 1 or later. Both Mayor Lewis and Liles stated there is a lot going on and more help is needed in the Utility Department. Everyone agreed the ad should read that the position has the possibility of becoming full time. Commissioner Alford moved to advertise for a Seasonal Utility Worker not to exceed 1,000 hours in a calendar year, working three days a week at a salary range of \$9 to \$10 per hour depending on qualifications. Commissioner Meacombs seconded and the motion passed unanimously.

Mayor Lewis advised everyone that budget time is near and any budget requests to be included in the 2016-2017 budget are due April 1, 2016.

Commissioner Meacombs moved to schedule a budget workshop at the April 11, 2016 regular meeting after all normal business is concluded. Commissioner McClenny seconded and the motion passed unanimously.

Town Attorney Elizabeth Fairman recommended the Town Board adopt rules for all members of the public attending Town of Middlesex town council meetings. Mayor Lewis read aloud the rules received from the attorney. Rules for public hearings were listed, and well as rules for public comment periods, and rules for all other town business. Commissioner Davis moved to adopt the "Rules for all members of the public attending the Town of Middlesex Town Council Meeting". Her motion was seconded by Commissioner Alford and passed unanimously. The adopted rules are as follows:

**RULES FOR ALL MEMBERS OF THE PUBLIC
ATTENDING THE TOWN OF MIDDLESEX TOWN COUNCIL MEETING**

Public Hearing-

Limit comments to the subject of the public hearing

Public Comment Period-

Limit comments to 3 minutes

Speakers must use decorum, ie proper behavior that shows respect and good manners

Criticism is allowed but insults and personal attacks are not allowed.

All other business-

No comments allowed

No questions allowed

No interruptions of any sort allowed

Should any of the above rules be violated the speaker will be given a warning

A second violation will result in speaker being asked to leave the podium or leave the meeting

Failure to leave the meeting when so directed by the presiding officer is a misdemeanor §143-318.17 and the police will remove and may arrest the speaker

Mayor Lewis opened the floor for the public comment session. Robert Johnson and Edna Mount addressed the Board about various concerns. Ms. Mount called out an employee by name and Mayor Lewis called her out of order. Ms. Mount continued to talk over Mayor Lewis and he asked her to sit down because her three minute time limit had passed.

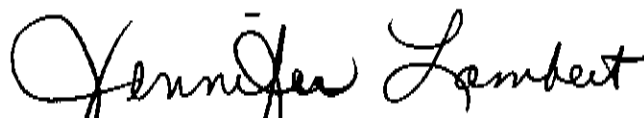
Commissioner Meacombs moved to go into Closed Session as allowed by G.S.143-318.11(a)(6) to discuss an employee performance and a personnel matter in the Police Department. Commissioner Davis seconded and the motion passed unanimously.

Back in Open Session, Commissioner Meacombs moved to increase Walt Manning's salary \$.50 per hour retroactive to January 1, 2016. The motion was seconded by Commissioner McClenny and passed unanimously.

Commissioner Meacombs moved to take Jamie Cummings off the Reserve Police Officer list and add him to the Auxiliary roster. Commissioner Alford seconded and the motion passed unanimously.

Commissioner Meacombs moved to hire Tristan Stallings as a Reserve Police Officer at \$11.00 per hour effective the date he takes the oath of office. Commissioner Davis seconded and the motion passed unanimously.

With no further business, Commissioner Lewis moved to adjourn. Commissioner McClenny seconded and the motion passed unanimously.


Jennifer Lambert, Clerk

Mayor Luther H. Lewis, Jr.
Commissioners
Harold Meacombs
Danny Alford
Cherrye Davis
Ann Lewis
J.W. McClenny