

Meeting Minutes
May 14, 2012

Mayor Lewis opened a Public Hearing for questions regarding leasing a town owned building located at 11180 W. Finch Ave (Old Powell Clinic) to Crystal Finnegan, DDS, PA, DBA Middlesex Family Dental for the purpose of providing dental care. There were no comments or questions and the hearing was closed.

The regularly scheduled meeting was called to order. Members present were Commissioners Harold Meacombs, Danny Alford, Cherrye Davis, and J.W. McClenny. Commissioner Dale Bachmann was absent. The only guests were Vennie Brock and Edna Mount.

Mayor Lewis opened the floor for Public Comment. There were no comments and the session was closed.

The April minutes were approved unanimously in a motion by Commissioner Alford seconded by Commissioner McClenny.

Under New Business, item 9. (i) Approve the draft Water System Management Plan, was deleted from the agenda. The amended agenda was unanimously approved in a motion by Commissioner Meacombs and seconded by Commissioner Davis.

Clerk Lambert reviewed the April financial statements and they were unanimously approved in a motion by Commissioner Meacombs and seconded by Commissioner McClenny.

Chief Dennis Murray advised the Board that the wiring harness in the Dodge Charger is being repaired by Leith Ford in Wendell, and should be ready Wednesday. The 2001 Crown Vic has been inspected and Dennis has requested NC DMV to find out why we were not notified the inspection was due because our tags are permanent.

The town's medical building renovation is almost ready to be leased for the dental practice, which will open to see patients on June 5, 2012. The tile installation and painting are almost finished.

Commissioner Meacombs moved to rescind the following motion from the September 10, 2007 minutes in order to correct the town's Personnel Policy:

09/10/2007 Minutes of record, Page 1004a

Article VI, Employee Benefits, Section 5. Retirement System:

Change wording from: "Each employee who is expected to work for the Town more than 1,000 hours annually shall join the North Carolina Local Governmental Employees' Retirement System when eligible as a condition of employment."

Change wording to: "Each employee who is expected to work for the Town full time shall join the North Carolina Local Governmental Employees' Retirement System when eligible as a condition of employment."

Meacombs' motion was seconded by Commissioner Alford and carried unanimously. The September 2007 motion was rescinded because the wording in the original Personnel Policy adopted in July 1, 2005 was correct. To clarify, the correct wording from the LGERS Manual reads: "each employee who is expected to work more than 1,000 hours annually shall join the North Carolina Local Government Retirement System when eligible as a condition of employment."

Commissioner Meacombs moved to affirm a telephone vote to award a \$17,300 bid from SAC Construction for clearing, grading, and graveling Jones Street from East Hanes Avenue to the existing Jones Street. The two other bids were Cozart Construction \$26,000 and Finch Construction \$28,000. Commissioner Alford seconded the motion and it passed unanimously. Clerk Lambert noted that this project will be paid with Powell Bill funds.

Commissioner Alford moved to approve Resolution R2012-1083 authorizing the lease of town property located at 11180 E. Finch Avenue to Crystal Finnegan, DDS, PA, DBA Middlesex Family Dental pursuant to the terms and conditions set forth in the executed lease. The motion was seconded by Commissioner Davis and passed unanimously.

The amended sewer acreage and nitrogen reduction fees effective July 1, 2011, just received from the City of Raleigh last week, were adopted in a motion by Commissioner Meacombs, seconded by Commissioner McClenny, and carried unanimously. Per the town's sewer treatment contract with Raleigh, we must charge rates at least equal to Raleigh's rates.

The following 2011-2012 budget amendment passed unanimously in a motion by Commissioner McClenny, and seconded by Commissioner Meacombs:

<u>GENERAL FUND EXPENDITURES:</u>		<u>INCREASE</u>	<u>DECREASE</u>
<u>Police Dept.</u>			
10-510-0200	Salaries	12,000.00	
10-510-0500	FICA Employers	920.00	
10-510-0700	Retirement	850.00	
10-510-0900	401K	<u>600.00</u>	
		14,370.00	
<u>GENERAL FUND REVENUES:</u>			
10-390-0100	General Fund Bal Approp.	14,370.00	

GENERAL FUND REVENUES:

10-360-0300	Restricted-Medical Facility	23,010.00	
10-390-0100	General Fund Balance Approp.		23,010.00

GENERAL FUND REVENUES:

10-373-0500	FEMA Reimbursement-Hurricane Irene	11,305.00	
10-390-0100	General Fund Balance Approp.		11,305.00

A 2010 property tax release for two jet ski's not stored within the town limits for Bradford Turnage in the amount of \$16.89 was approved unanimously in a motion by Commissioner Alford and seconded by Commissioner Meacombs.

After a brief discussion regarding three Board of Adjustment recommendations, Commissioner McClenny moved to approve two (2) alternate positions, one in-town and one in the ETJ; to appoint Robert Johnson as the in-town alternate member; and, to affirm one year terms for all Board of Adjustment members effective July 1, 2012. His motion was seconded by Commissioner Davis and carried unanimously.

Jeff Waddell requested to be paid for 145 hours of comp time accumulated in previous years. The cost to the town is \$2,353 in salary and benefits. Commissioner Meacombs moved to approve payment to Jeff for 145 hours of comp time in the next pay period. His motion was seconded by Commissioner McClenny and passed unanimously.

A review of the NC DOT Powell Bill Program allocation report shows no excess accumulation and an "O.K." status, due to the town using allocations for street and paving projects about every three years.

Mayor Lewis asked the Board to consider having Nash County collect property taxes for the town, as they do for vehicle taxes. There has been five properties which were sold or title was transferred, with taxes due totaling \$5,656.00, and the Nash County taxes were paid but the town taxes were not. This is the result of the closing/transferring attorneys not calling the town for unpaid taxes. We find out after the fact that the property has been sold or transferred and no one wants to be responsible for paying the taxes. The buyer is unpleasantly surprised when Jennifer contacts them to collect the taxes. She has collected taxes on two of these properties, but continues to work on the other two. The property on 264 Alternate East, which was annexed in 2005 for Larry Keesler (owner Joyce Burrell), has changed ownership four (4) times and no taxes have paid since the property was annexed until last month. Jennifer has been trying to run these down and has recently received a payment and promise of payment in full by June 15, 2012. This situation would not happen if Nash

County billed and collected the town taxes. Mayor Lewis explained that Nash County charges a collection fee of 2%, the same as for vehicles, and the town would have no cost for tax forms, postage, envelopes, etc. He also explained that the fire tax of five cents could be split out on the bill from the fifty cent property tax. The Middlesex taxes would be on the Nash County bill but would be broken out. Everyone agreed that the fire tax should be split out on the bill. Based on the 2011 scroll, the 2% collection fee would have been \$4,753. According to the 2012 estimate, the 2% fee would be approximately \$4,383. Nash County collects taxes for the towns of Castalia, Momeyer, Spring Hope, and Sharpsburg, and has a 96% collection rate for 2011 taxes. Our tax collection rate for 2011 was 94.75%. If approved, Nash County could begin billing and collecting effective July 1, 2012. We would still be responsible for collecting our prior years taxes. Commissioner Alford moved to have Nash County bill and collect taxes for the Town of Middlesex effective July 1, 2012, and to have the fire tax split out on the bill. Commissioner Meacombs seconded the motion and it passed unanimously.

After a brief discussion, Commissioner Meacombs moved to add two (2) auxiliary officers to the police department. Commissioner Alford seconded and the motion carried unanimously.

Commissioner Meacombs moved to go into Closed Session under G.S.143-318.11(a)(6) for several employee performance reviews and under G.S.143-318.11(a)(5) to negotiate the terms of a contract.

Back in Open Session, Commissioner Meacombs moved to accept the lease agreement as presented between the Town of Middlesex and Crystal Finnegan, DDS, PA, DBA Middlesex Family Dental to be executed at a later date. Commissioner Davis seconded, and the motion carried unanimously.

Commissioner Meacombs moved to increase Dennis Murray's salary \$.50 per hour, and Jennifer Lambert 3% effective with the first payroll in July 2012, and increase Crystal Daughtry 3% effective with the first payroll after her anniversary date of August 1, 2012. In the same motion, Meacombs moved to increase the Mayor's salary \$10 per month to \$80, and the Commissioner's salary \$10 per month to \$60. A survey revealed our Board salaries were considerably less than area towns our size. His motion was seconded by Commissioner Alford and the motion passed unanimously.

Commissioner Meacombs moved to hold a special meeting on Thursday, May 24, 2012 at 7:30 pm in the Board Room at the town hall to review the draft 2012-2013 budget and to set a date for the public hearing for the budget. The motion was seconded by Commissioner Alford and passed unanimously.

Commissioner McClenny moved to recess the meeting and reconvene on Wednesday, May 16, 2012 to execute the lease agreement with Crystal Finnegan, DDS, PA, DBA Middlesex Family Dental and continue any necessary 2012-2013 budget discussion. Commissioner Alford seconded and the motion passed unanimously. A copy of the lease agreement is attached and are part of these minutes.

Jennifer Lambert
Town Clerk

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