

August 8, 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 J.W. McClenny, Luke Robinson, Dale Bachmann, Harold Meacombs, and Fred Hough. Police Chief Dennis Murray, Officers Scott Pollard and Vennie Brock were present. Guests were Edna Mount, Gloria and Ronnie Hicks, Danny Alford and Helen Manning.

Mayor Lewis opened the floor for the Public Comment Session. Helen Manning, owner of Four Seasons Consignment, advised the Board that she would like to terminate her six-month lease for the building at 10220 S. Nash Street effective August 31. She advised that she had someone interested in buying her inventory and leasing the building that she was planning to bring to the town meeting. However, she added, when she came to town hall to advise that she was terminating the lease, Commissioner Dale Bachmann told her that the town was planning to renovate before leasing the building to anyone else. She then called the interested party and advised them. She continued that she would lose \$3,500 and she could not afford that, so we would remain in business. Mayor Lewis advised that the item would need to be added to the agenda for discussion.

The July 11, 2011 meeting minutes were approved unanimously in a motion by Commissioner Robinson and seconded by Commissioner McClenny.

Mayor Lewis requested to add item (h) under New Business to discuss the Four Seasons Consignment lease and delete Item 8.a. Adopt Nash County Transportation Plan, which will be rescheduled. The amended agenda was approved unanimously in a motion by Commissioner Bachmann and seconded by Commissioner Robinson.

Clerk Lambert handed out the July Financial Statements, which were not included in the agenda packet because she was out the majority of the week due to health issues. In summary, the General Fund lost \$45,223.73 due to normal July expenses such the annual property, liability, workers comp insurance, yearly software maintenance and membership fees. Income in the Water Fund was \$2,121.71 and \$15,904.23 in the Sewer Fund. She added that 2011 property taxes were billed and mailed. Lambert requested the Board to review the financials and call her with any questions they may have.

As requested at the July meeting, Police Chief Dennis Murray reported to the Board regarding the bent rims and overheating issues with one of the Crown Vic's. After investigation, he stated that the bent rims were probably the result of hitting a pothole, and you had to get down with a flashlight to be able to see the

problem. The radiator was not stopped up, but tall grass in between the radiator and condenser was flushed out, most likely picked up from the side of the road.

Chief Murray requested that the Board approve the purchase of software for computers through American Law Enforcement Network, or ALEN, which enables fast wireless access for officers on the road to NCIC, NLETS, and State CJIS information. Modems will become obsolete within 12-18 months, and if one breaks, you will not be able buy a new one, since networks are now switching to air cards. There is a one-time software license fee of \$395 per laptop for four laptops (\$1,580), and a \$30 monthly fee per laptop (\$120 a month for four). The cost of the two air cards will be \$76 per month from Verizon. We are currently paying Verizon \$168 for three air cards, so after we make the change, the cost to the town for air cards would actually be less. Murray advised the town we would no longer have to pay the DCI fee of \$576 per year. Commissioner Meacombs moved to purchase the ALEN software and air card system as presented. His motion was seconded by Commissioner Robinson and carried unanimously.

Chief Murray also advised that he would be holding a department meeting on Friday, August 12, 2011 at 7:00 p.m. He stated he would be holding a meeting once every two months instead of every month as previously discussed.

Mayor Lewis advised the Board that the town has \$1,845.75 in grant funds available to purchase soft body armor (bulletproof vests). The town could purchase four (4) vests at \$544 each or \$2,176. Vests are only guaranteed five years and the six we have are near five years old. The town's match is \$325 and we would have to purchase the vests and request reimbursement. Commissioner McClenny moved to purchase vests and to amend the 2011-2012 budget accordingly. The motion was seconded by Commissioner Meacombs and carried unanimously.

Commissioner Bachmann advised the Board that he is trying to resolve the flow meter problem at the Mudcat Stadium pump. He has arranged to get a meter on loan to test and find exactly how much the meter is measuring incorrectly and hopes to test Thursday (August 11)

Two quotes were presented to construct a fence at the rear of the town shop at the alley behind Woodruff's Tire to store generators and assist with access in emergencies. Seegar's Fence quoted \$1,143 and Moyer Fence quoted \$1,272 for a fence with a 16-foot double gate, 6 feet tall with barbwire at the top. Commissioner McClenny moved to purchase the fence from Seegar's Fence at \$1,143. Commissioner Robinson seconded and the motion carried unanimously.

Commissioner Bachmann asked Board members to think about increasing the \$200 water deposit for customers who are turned off repeatedly because they accumulate high water bills, and if they move, the town loses money. Examples will be presented at the September meeting.

As an FYI, a letter from Nash County was presented stating the town's request for \$13,500 in library funds for fiscal year 2011-2012 was approved.

In an effort to clarify the town ordinance with regard to adjustments for annual swimming pools fill ups, the Board discussed if the 3,000-gallon limit applies. Problems have occurred when customers do not notify the town personnel before pools are filled, and confirm the size of the pool being filled. After some discussion, it was agreed that the 3,000-gallon excess consumption qualification would not apply to the annual swimming pool filling. Commissioner Meacombs moved to amend **Section 4-2-17 Leaks** to read " **All adjustments shall be calculated on the basis of the consumer's most recent twelve month average except annual pool filling**", and under Item (B) Excesses Not Impacting Wastewater Volume, Qualifying Conditions/Criteria, to amend as follows: "

- was 3,000 gallons greater than the most recent twelve-month average and applies to all adjustments, **except annual pool filling**.
- was due to an annual filling of an existing or newly installed swimming pool. (Adjustments for this purpose shall be limited to one in any twelve month period and the size of the pool must be confirmed by town personnel. Adjustments must be at least 1,000 gallons and will be given in 1,000-gallon increments only).

Commissioner Robinson seconded the motion and it carried unanimously.

Commissioner Meacombs moved to confirm the telephone vote to purchase a 2006 Crown Vic from Eastern Carolina Auto for \$5,500. His motion was seconded by Commissioner Bachmann and carried unanimously.

In a motion by Commissioner Meacombs, seconded by Dale Bachmann the Board unanimously approved to sell the Chevrolet Caprice and the purchase another Crown Vic. Mayor Lewis said he would be looking and would get back with the Board.

A request from Watkins Chapel Baptist Church to conduct Vacation Bible School five Saturday's in June 2012 was tabled until they contact us again. (They never called back to confirm the request after their Board meeting).

Tax discoveries as follows were approved unanimously in a motion by Commissioner Bachmann and seconded by Commissioner McClenny: Doralida Dominquez Hernandez 2009 tax \$12.10; and 2010 tax \$13.20.

The Board unanimously adopted a Lyme Disease Awareness Resolution by a motion made by Commissioner Meacombs and seconded by Commissioner McClenny.

As an FYI, a letter from the NC Local Government Commission was presented to the Board advising that new legislation requiring all projects \$1 million or more to be pre-approved by a newly created Joint Legislative Committee on Local Government.

After a brief review of **Section 2. Political Activity**, Commissioner McClenny moved to delete item f), which states, "No full or part-time employee shall be a candidate for nomination or election to office under the Town Charter. Temporary or volunteer employees (see definition in Article 1, Section 8) are not covered under this exclusion and are eligible for nomination or election to such office." North Carolina General Statutes allow municipalities with a population of less than 5,000 to have elected officials serve as employees; however, this statement has been in the town personnel policy since it was adopted effective July 1, 2005. The reference to the Town Charter is inaccurate. No mention of this subject could be found in the Town Charter. There was a brief discussion on Commissioner McClenny's motion, he asked that the motion be withdrawn, and the discussion tabled for further review and discussion and everyone agreed.

Mayor Lewis advised the Board that Helen Manning's six-month lease at the consignment shop would expire October 1, 2011. After some discussion, the Board expressed to Helen they were willing to work with her if she wanted to sell, and asked her to inform Clerk Lambert of her decision so the Board could interview the potential lessee at the September 12 meeting and make a decision to lease or renew Helen's lease.

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

Back in Open Session, and with no further business to discuss, Commissioner McClenny moved to adjourn.

Jennifer Lambert, Clerk

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