

September 13, 2010
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 Commissioner Luke Robinson, Dale Bachmann and J.W. McClenny. Commissioners Harold Meacombs and Fred Hough were absent. Police Chief Charles Ferrell, Gillistine Pearce, Beulah Pearce-Perry, and Vennie Brock were also present.

Mayor Lewis opened the floor for the public comment session. Gillistine Pearce had a question regarding her July and August water bill in regard to a leak adjustment. She stated she received an adjustment for water portion, but not for the sewer portion. She also said her August 30 bill did not reflect an adjustment. She added that she did not understand the adjustment because the water did not go into the sewer system. Mayor Lewis clarified that her adjustment was for the sewer portion of the bill and that her bills were adjusted down to her 2,000 gallon average, and added that the town does not adjust the water portion for leaks. Clerk Lambert advised her that the August bill shows the total gallons that passed through the meter, and the adjustments are processed after the bills are printed and that she has processed the adjustment. Mrs. Pearce added that she misunderstood, because she thought the water was adjusted and not the sewer. She also requested that the town do something about the terrible mosquito problem around her house. Mayor Lewis advised her that no one is currently licensed to spray, so someone will have to attend school and received a certification. Mayor Lewis thanked Mrs. Pearce for her input and for her attendance.

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

Commissioner McClenny requested to add Item b. Street Paving under Old Business. The amended agenda was approved in a motion by Commissioner Bachmann, seconded by Commissioner Robinson, and carried unanimously.

Clerk Lambert reviewed the August financial statements and they were accepted as correct in a unanimous motion by Commissioner McClenny and seconded by Commissioner Robinson. Commissioner Bachmann asked if enough funds were available to open another reserve CD for sewer debt service. Clerk Lambert stated that she would review with Mayor Lewis and try to open a CD for \$15-20,000 if the excess was available.

Chief Ferrell reported that part time officer Will Wheeler had completed training and was now ready to work alone, and part time Samuel Cabrera is close to completing his training. Ferrell also advised that he has another interested part time candidate that he is investigating.

After a brief discussion regarding price comparisons for a light bar for Scott Pollard's car, and replacing side lights for Sammy Drake's car, Mayor Lewis added he is continuing to check on state contract pricing to get the best deal.

Commissioner McClenny advised the Board that Dale Brown Roofing has faxed his certificate of insurance coverage and he will contact him to see when he can begin the roofing work for the town hall and the two rental buildings.

Mayor Lewis advised that Joe Bailey will start ditch cutting along the railroad track behind Jimmy Griffin's and Trans Mini Mart, and the ditch at the Wellness Park. He also advised that he is looking closely at the cemetery grass and making adjustments to the grass cutting schedule as necessary to keep the cemetery looking satisfactory.

Mayor Lewis asked Clerk Lambert to explain "Other Post Employment Benefits Study (OPEB)", which is required to be included in the town's audit for fiscal year ending June 30, 2010, which John Anthony is currently completing. Lambert explained that this rule, passed by the Governmental and Accounting Standards Board (GASB) for the state, requires that Phase III municipalities (small towns) comply effective June 30, 2010. The study is to determine potential liability of the town for payment of health insurance costs for employees with thirty (30) years of service and at least age 55. The town's policy is to pay for health insurance for these employees until they reach age 65, when they will be eligible for Medicare. The cost for a consulting firm contracted through the League of Municipalities at a reduced rate is approximately \$1,800. The needed information to complete the study has already been gathered, and Mayor Lewis is checking the instructions and worksheets to see if he can complete the study. If not, the town will have to pay the \$1,800 for the required study.

A contract between Sonoco Recycling, the town's recycling contractor, and the town was presented for approval. Mayor Lewis advised that town attorney Liz Fairman has reviewed the contract and had no questions. Commissioner Bachmann questioned if the town could get out of the contract before the three year period mentioned in the contract. Mayor Lewis added that he would verify and get an answer before signing. Commissioner Bachmann moved to approve the Sonoco Contract, once it has been verified the contract can be terminated before the three year contract term expires. Commissioner Robinson seconded and the motion carried unanimously.

Mayor Lewis advised that Walnut Street needs paving throughout town, Elm Street, South Spruce, Chestnut from Pamlico to the end, extend Colonial Drive to the end, and Manning Street from Wilson to Schoolhouse Road. He advised the Board that he will get a bid sheet together this week because any paving needs to be scheduled while the weather permits.

DOT notified Mayor Lewis they are changing the traffic pattern at Selma Road and Wilson Street. Selma Road will "T" into Wilson and it will be a stop sign. Wilson Street will be straight through. Mayor Lewis also added that he has not received any word on the Possum Street Railroad Crossing signal installation project.

Mayor Lewis presented a resolution authorizing him to sign paperwork to apply for a grant/loan for Well #4 Treatment Improvements for the treatment of Volatile Organic Compounds which have contaminated the well. Mayor Lewis advised the Board that when Michael Acquesta, the town's engineer, first began discussing available grants to resolve this issue, it started out as a 100% grant for a water stripping tower and now has turned into a possible 70% loan, 30% grant.

After Mayor Lewis and Commissioner Dale Bachmann visited a Clayton facility which had an alternative bubbler/aerator method in place for removing VOC's from the water, they feel this might be the better option. This is an enclosed system which would fit inside our existing well house, and both are convinced this would be the most efficient, low maintenance, and cost effective method. Mayor Lewis added that he is not in favor of an outside open water stripping tower. Mayor Lewis added that we can apply, but we do not have to accept the grant, and he will not sign any contract documents or move forward until this comes back before the Board members. He and Commissioner Bachmann are still checking with two more engineering firms, who will be visiting our well house, and questioning what's available. Commissioner McClenny moved to adopt the resolution to apply for the grant/loan for Well #4 Treatment Improvements for the treatment of Volatile Organic Compounds. His motion was seconded by Commissioner Robinson and carried unanimously.

Clerk Lambert presented 2010 Property Tax Discoveries as follows:

- (1) Piedmont Coca Cola Bottling - \$24.18
- (2) C-Fu Foundation of the Arts - \$5.50

She explained that C-Fu Foundation of the Arts had filed with Nash County for exemption under a Non-Profit status. After investigation, the Foundation, represented by Chris Finch, stated on their exemption request that this mobile home was a storage facility, which is a non-conforming use within Bryant Mobile

Home Park where it is located. Therefore, Nash County later forwarded the tax discovery. Commissioner Robinson's motion, which was seconded by Commissioner Bachmann to discover these two taxes, passed unanimously.

In the past few months, we have had requests to have water turned on for inspections. The town does not have a policy and this poses a problem when the Utility Department has no advance notice. Mayor Lewis recommends to charge a flat \$50 to cover the cost of the cut on, the cutoff and any administrative time. A proposed form was presented for persons wishing to have water turned on for an inspection, or for similar circumstances when the water is only needed for a brief time. The responsible party must sign the form, include their contact information, give a twenty four (24) hour advance notice, and agree to pay for all fees involved and any water usage, and notify town personnel when the inspection is complete and the water can be turned off. Commissioner Bachmann moved to adopt the water inspection policy and fee as presented. Commissioner Robinson seconded, and the motion carried unanimously.

After a recent situation where town employees discovered a deceased was buried in the wrong grave space many years ago, Clerk Lambert requested the Board to approve a Grave Opening Authorization form to be signed by the rightful owner of the grave plot. Commissioner McClenny stated that we want to make sure we get the right person in the right spot and made a motion the approve the form. His motion was seconded by Commissioner Bachmann and carried unanimously.

After review and a brief discussion, Commissioner Bachmann moved to amend Chapter 7, Weeds and Vegetation Ordinance as follows:

Section 6-7-1 change "a height greater than 24 inches" to "a height greater than 12 inches"

Section 6-7-2 to delete "shall be done at least twice annually, with the first cutting to be done before June 15 and the second cutting to be done before August 15 each year" and add "shall be kept in compliance"

Section 6-7-4 delete the entire paragraph, *and if agreeable with the town attorney*, to replace with " The actual cost of cutting and removing such weeds, grass, or other vegetation by the town shall be added as assessments to the property.

Also, under the same section, add the wording "per lot" in reference to the Board approved flat fee of \$100 and any applicable penalties.

Commissioner Robinson seconded the motion and it carried unanimously.

Mayor Lewis also added with regard to grass cutting, that every two weeks is not often enough for the cemetery grass this year and we have had some complaints. We are adjusting the schedule and are keeping a close check on the grass.

Mayor Lewis advised the Board that Ron Worthington, Venture Business Systems, advised that since the Board voted to purchase a leased Konica Bizhub copier for \$4,500 that he had purchased some brand new Konica Bizhub units in the box and would sell the town one of these new units for \$6,500 plus tax. Commissioner McClenny moved to buy the new Konica at \$6,500 plus tax and to make a budget amendment for the purchase taking the funds from the general fund balance appropriation. His motion was seconded by Commissioner Bachmann and the motion was carried unanimously.

Being no further business, Commissioner Robinson moved to adjourn.

Jennifer Lambert
Clerk

Mayor Luther H. Lewis, Jr.
Commissioners
Luke Robinson
Dale Bachmann
J.W. McClenny