

September 14, 2009

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 7:30p.m. and gave the invocation. Members present were Commissioners Harold Meacombs, Luke Robinson, Derek Bissette, and J.W. McClenny. Commissioner Fred Hough was absent. Sergeant Dennis Murray and Officer Joey Webb were present and Vennie Brock was the only guest.

Mayor Lewis opened the floor for public comment. There were no comments and Mayor Lewis closed the session.

The August minutes were approved in a motion by Commissioner Robinson, seconded by Commissioner McClenny and carried unanimously.

Administrator Bissette requested to add discussion of a police matter to the agenda under Item 8 Closed Session, and under New Business, Item 7, add (e) reappoint a representative to the Down East HOME Consortium, also under New Business add a tax discovery for Queen O'Neal and a release for Sheila Garcia. Commissioner Meacombs moved to approve the agenda with the requested changes. His motion was seconded by Commissioner Robinson and carried unanimously.

In a motion by Commissioner Meacombs, seconded by Commissioner Bissette, and carried unanimously, the August financial statements were accepted as correct.

Chief Ferrell had community service workers to paint the stairway in the police department, and added that a new door was installed to the exercise room and that a new door was needed for the records room. He advised that Sergeant Murray is scheduled for intoxylizer training as required for the Governors Highway Safety Program. The town was advised that we did not receive the COPS grant for another officer and that only 50 grants were given in North Carolina. Ferrell asked the status of the hiring of a fifth officer and the Board added they would discuss it later.

The Utility Staff has installed over 25 new drive-by meters and training is scheduled for October 20th and 21st. They are placing wheels on carts as time allows and will try to finish the recycle carts first due to the October 1st disposal ban. A letter will be sent to the citizens within the next two weeks advising items to be recycled, and a brochure will be sent in English and Spanish. Administrator Bissette added that she will be ordering refrigerator magnets for all citizens regarding recycling and they will be covered by grant funds. We will begin picking

up recyclables twice a month, and Jeff Waddell, the Utility Director, will pick the best day according to the department's work schedule.

An energy audit was performed last week on all town buildings by two specialists in the field. Bissette stated that once she received the report from the required audit (maybe by the end of September), she could continue the grant application process for the Energy Conservation Grant.

Town Attorney Liz Fairman has the contracts for the Well Construction Project and as soon as we receive these, the drilling can begin.

Mayor Lewis advised the Board that funding for the Bailey-Middlesex Park Project has been approved, but it is not official until November 1st when the contract is signed.

Administrator Bissette presented quotes for new tile/carpet in the town hall building from A & B Carpet. One other company took measurements but never came back with quotes. The total project cost is \$6,406.57 and \$6,000 is in the current year budget for the project. Commissioner McClenny suggested we table the matter until we resolve the issues of high humidity problems in the building and everyone agreed.

Clerk Lambert explained that some police officers questioned their vacation accrual and they thought it conflicted with the wording in the personnel policy, so she asked the Board to clarify the policy wording to reflect the correct intent of the Board. Law enforcement officers work 84 hours in a two week cycle so they currently accrue vacation and sick leave based on the 84 hour schedule and general employees who work 80 hours in a two week pay cycle accrue leave based on an 80 hour schedule. The Board determined this to be correct. However, the personnel manual lists the number of **days** accrued depending on years employed. This wording was confusing and perhaps misleading to the officers. Commissioner McClenny moved to change the policy to be reworded to list exactly the number of hours which would be accrued for both general and law enforcement employees, according to their work schedule (8 hour day or 12 hour day) for both vacation in Section 7 and sick leave accruals in Section 13 and to delete Section 15 "Leave Prorated". His motion was seconded by Commissioner Bissette and carried unanimously.

During the process of entering the new utility rate structure adopted at the August 10th meeting, several questions arose. Clerk Lambert asked if all users on one meter should be billed the accessibility fee or if only one fee should be billed. After a brief discussion about how these accounts had been billed in the past and that they previously each paid a minimum 2,000 gallon bill, the entire Board agreed that each and every user would be billed the access fee. It was

also agreed by all that water customers outside town currently paying double rates for usage per gallon only be charged one accessibility fee. Everyone agreed to leave the water standby fee as is at \$5.50 per month. This fee is charged to businesses with sprinkler systems that may use unmetered water during a fire and this was setup many years ago, probably because we do not have access to a meter large enough to measure the usage.

Commissioner Robinson moved to appoint Mayor Lewis as the Middlesex representative to the Down East HOME Consortium. His motion was seconded by Commissioner Meacombs and carried unanimously.

Commissioner Bissette moved to approved the following discoveries and releases as presented by the Clerk:

Discoveries:

- (1) 2009 Personal Property Taxes-Compass Group Vending for machinery omitted by Nash County in the amount of \$21.88
- (2) Joyce Howard unregistered 1989 Chevrolet truck for years 2006, 2007, and 2008 in the amounts of \$17.09, \$14.15, and \$11.74 respectively
- (3) 2009 Personal Property for Fawn Plastics in the amount of \$65.45
- (4) 2009 Discovery for Queen Stancil O'Neal in the amount of \$7.31

Releases:

- (1) Rogers Lodge-2009 Property Exempt totaling \$113.52
- (2) Provocan Mini Food Mart-2008 personal taxes totaling \$21.47
- (3) 2009 Release for Sheila Garcia in the amount of \$19.30

Commissioner Robinson seconded Bissette's motion and it carried unanimously.

Mayor Lewis pointed out that the town was notified by letter that beer and wine tax revenues for 2009-2010 would be only one third of the previous year, which was \$3,929.60.

Administrator Bissette recommended the town participate in the Statewide Emergency Management Mutual Aid Agreement, adding that it was a good thing to have in place in case of hurricanes, tornadoes, or other emergencies. Commissioner McClenny moved to approve the Statewide Emergency Management Mutual Aid Agreement. Commissioner Robinson seconded and the motion carried unanimously.

Commissioner Robinson moved to lease the town's building located at 10220 S. Nash Street to Angela Turner for a period of six months beginning September 1, 2009 for \$150 a month to operate Angela's Closet, a consignment shop. Seconded by Commissioner Bissette, the motion carried unanimously.

Administrator Bissette added that she had already discussed the lease with each member of the Governing Body but needed a formal motion for the record.

The Board reviewed a letter from Johnnie Strickland requesting a sewer adjustment for a water hose left running. Commissioner Bissette moved to amend the sewer adjustment policy under Item (B) Excesses Not Impacting Wastewater Volume Qualifying Conditions/Criteria to delete the condition “was not due to negligence or misuse”. His motion was seconded by Commissioner Meacombs and carried unanimously. Under the amended policy, Mr. Strickland would receive an adjustment.

Mayor Lewis brought to the Board’s attention an email from the League of Municipalities advising that the 2009 General Assembly passed legislation mandating ethics training. This training must be completed within twelve months after being elected, appointed, or re-elected.

Administrator Bissette requested that the Governing Body take a look at several areas in the town hall with moisture problems and discuss what kind of action needs to be taken. There has been a damp, musty smell in the building for several months, especially coming from the air conditioning vents. Additional leaks have appeared in the conference room ceiling in the past two months. The sheetrock is damp and coming apart in places and a soap dispenser fell off the wall and there was mold behind it in the hallway bathroom. Bissette asked that the building be checked for safety. Mayor Lewis asked Bissette to get some prices to check the building and identify problems and to call each Commissioner to discuss. Commissioner McClenny also requested her to contact the roofing company again that had promised to repair the roof under warranty, and to hold off on any carpet and tile until problems were identified and resolved.

Commissioner Robinson moved to approve the following requested 2009-2010 budget amendments:

<u>General Fund:</u>	<u>Increase</u>
<u>Expenditures:</u>	
10-530-6001 Contribution to Fire Dept	2,488.64
<u>Revenues:</u>	
10-390-0100 Gen. Fund Balance Approp.	2,488.64
<u>Expenditures:</u>	
Parks & Recreation	
10-590-1300 Utilities	400.00
<u>Revenues:</u>	
10-390-0100 Gen Fund Balance Approp.	400.00

<u>Water & Sewer Operations:</u>		<u>Increase</u>
<u>Sewer Expenditures:</u>		
30-800-4500	Contracted Services	2,838.34
30-800-5500	Permits	110.00
<u>Sewer Revenues:</u>		
30-375-9800	Sewer Contingency Approp.	2948.34

Commissioner Bissette seconded the motion and it carried unanimously.

Future Graphics has expressed interest in the Fawn Industries building and asked Administrator Bissette to address the Board regarding possible tax incentives. Bissette said she explained that we were a very small town and we need all of our tax dollars to operate. After a brief discussion, the Board did not feel it could offer any tax incentives to Future Graphics. Mayor Lewis said he would contact John Gessiman with Carolina Gateways Partnership for any possible help they might give them to come to Middlesex.

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 and to review the Town Administrator applications. His motion was seconded by Commissioner McClenny and carried unanimously.

Back in Open Session, Commissioner McClenny moved to suspend Officer Steve Glover for one day without pay. Commissioner Robinson seconded and it carried unanimously.

Commissioner Robinson moved to run the Town Administrator ad again, in another newspaper to the east of Middlesex this time, not online with ***The News and Observer***, and to get prices for ads and give to Mayor Lewis. Commissioner Bissette seconded and it carried unanimously.

After discussion on Chief Ferrell's request for the status of hiring the fifth police officer, no action was taken at this time.

Being no further business, Commissioner Meacombs moved to adjourn.

Jennifer Lambert
Clerk

Mayor Luther H. Lewis, Jr.
Commissioners
Harold Meacombs
Luke Robinson
Derek Bissette
J.W. McClenny