

Meeting Minutes
11-14-2011

Mayor Lewis called the regular meeting to order at 7:30 p.m. and gave the invocation. Members present were Commissioners Harold Meacombs, Fred Hough, Dale Bachmann and J.W. McClenny. Commissioner Luke Robinson was absent. Police Chief Dennis Murray and Officer Vennie Brock were present. Guests attending were Danny Alford and Edna Mount.

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

The October minutes were approved unanimously in a motion by Commissioner McClenny and seconded by Commissioner Meacombs.

In a motion by Commissioner Bachmann, seconded by Commissioner McClenny, the agenda was unanimously approved.

Commissioner Hough moved to accept the October Financial Statements as correct. His motion was seconded by Commissioner Meacombs and passed unanimously.

Police Chief Dennis Murray reported that the use of Spring Hope's speed trailer has slowed traffic in town. The police department received a Traffic Safety Award Plaque, which Murray showed the Board, and advised that Middlesex was ranked third place in the state for traffic safety. The Board commended the department for a job well done.

Commissioner Bachmann advised that the Utility Department staff will be concentrating on finding sewer infiltration, adding that our wastewater flow to Raleigh increases from 80,000 gallons a day to as much as 250,000 gallons a day when it rains.

Mayor Lewis met with the person interested in the Powell Clinic Building and her representative and once drawings are received, he will get prices to accommodate the dental office and call a special meeting.

The new clinic at the Middlesex Corporate Center should be completed by the end of November. WilMed will turn the Powell Clinic name over to Nash Hospitals on November 28th and they will move to the Corporate Center in December.

The Bailey Middlesex Park Phase 1 soil work and seeding is complete. Further work will probably be on hold until the spring.

Commissioner McClenny advised that a surveyor has checked the town's property lines at the cemetery and will prepare a correct map at a later date. The surveyor also measured the land to square off the cemetery so the Board could decide on an offer to approach the landowner regarding purchasing the tract.

Commissioner Hough moved to adopt Resolution R2011-1074 naming Mayor Lewis and Jennifer Lambert as authorized agents for the town to file the application for disaster assistance from FEMA for Hurricane Irene cleanup and other costs. The application requested reimbursement for \$11,000 . His motion was seconded by Commissioner McClenny and carried unanimously. The Resolution is attached and are part of this set of minutes.

Clerk Lambert explained that the Government Records Branch of the NC Department of Cultural Resources requires the town to have a disposal and retention policy for computer backups. Lambert presented the plan, which includes purchase of another external hard drive, which will allow the town to store an off site backup. The cost is approximately \$100. Commissioner McClenny moved to adopt the Computer Backup Disposal and Retention Policy as presented and to purchase the external hard drive for off site backups. Commissioner Bachmann seconded and the motion carried unanimously.

Police Chief Dennis Murray requested the Board to change the town policy to purchase shoes for part time police officers. He explained that shoes are part of the uniform and part time officers that are not officers for another agency, do not have the black patent uniform shoes he requires his officers to wear. He added that shoes complete the uniform and the professional appearance.

The current policy provides one pair of steel-toed shoes up to \$100 a year for utility department workers, but no shoes for part time police officers. Commissioner Hough moved to allow each part time officer \$50 for black patent shoes each year and all full time and part time employees are allowed one pair of shoes per year. His motion was seconded by Commissioner Meacombs and carried unanimously.

Commissioner Bachmann moved to amend **Article V, Conditions of Employment, Section 2. Political Activity (f)** of the town's personnel policy to delete the first sentence that reads "No full or part time employee shall be a candidate for nomination or election to office under the Town Charter". This statement is not in the Town Charter and NC General Statutes allow employees to serve as elected officials if the population is 5,000 or less. Bachmann's motion was seconded by Commissioner Meacombs. The motion passed with three affirmative votes, with Commissioner Hough being the one dissenting vote.

Clerk Lambert presented the following tax discoveries received from Nash County:

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|--|------|---------|
| (1) Theresa Brueckner-mobile home: | 2009 | \$17.42 |
| (2) Jose Luis Rubio Moran-mobile home: | 2010 | \$29.94 |
| (3) Agripino Sevilla Monroy-mobile home: | 2010 | \$46.10 |

All tax discoveries were approved unanimously in a motion by Commissioner Meacombs and seconded by Commissioner McClenny.

Clerk Lambert presented a letter from David Flack disputing interest charges totaling \$36.75 on his 2010 real estate taxes. His letter asked that he not be liable for a clerical error, stating he never received his original bill, the delinquent notice, or the advertising notice. Lambert explained that the original bill, the delinquent notice and the advertising notice were mailed to Mr. Flack to the address supplied by the Nash County Tax Office and no mailed has been returned to the town as undeliverable. Mr. Flack stated he did receive his 2011 tax bill in July. Commissioner McClenny moved that Mr. Flack's request be denied and the interest charges remain due to the town. Commissioner Bachmann seconded and the motion passed unanimously.

The following budget amendments were unanimously passed in a motion by Commissioner Meacombs and seconded by Commissioner Bachmann.

<u>GENERAL FUND EXPENDITURES:</u>		<u>INCREASE</u>
<u>Administration:</u>		
10-420-5300	Dues & Subscriptions	1,000.00
<u>Sanitation:</u>		
10-580-3100	Auto Supplies	5,000.00
<u>GENERAL FUND REVENUES:</u>		
10-390-1000	Gen. Fund Bal. Approp.	6,000.00

*\$1,000 Fee to join Brownsfield Coalition approved at the October meeting

*Sanitation Auto Supplies-4 dump truck tires, 4 trash truck tires, and gas-extra trips recycling every week. (Need 2 more tires for trash truck).

<u>METER & WELL CAPITAL PROJECT EXPENDITURES</u>		<u>10-31-2011 FINAL BUDGET</u>
<u>ACCOUNT #</u>	<u>DESCRIPTION</u>	
<u>Meter Replacement:</u>		
40-750-3300	METERS & METER INSPECTIONS	98,040.00
40-750-4500	CONTRACTED SERVICES	3,000.00

Well Construction & Well Enhancement:

40-760-1000	PER, EA	17,600.00
40-760-4300	TEST WELL	23,730.00
40-760-4305	WELL HOUSE/PUMP/WATER LINE	125,505.00
40-760-2000	ENGINEER DESIGN	10,850.00
40-760-2001	CONSTRUCTION INSPECT & ADMIN	2,360.00
40-760-2002	GRANT ADMINISTRATION	-
40-760-4500	CONTRACTED SERVICES	700.00
40-760-5600	SURVEY	3,600.00
40-760-3800	LEGAL, FISCAL, ADMIN, PERMITS	1,360.00
40-760-8800	WELL # 4, TESTING & ENHANCEMENT	92,200.00
40-760-8700	CONTINGENCY	-
TOTAL PROJECT EXPENDITURES		378,945.00

<u>METER & WELL CAPITAL PROJECT REVENUES</u>		10/31/2011 FINAL BUDGET
40-370-9000	MIDDLESEX LOCAL SHARE	109,267.00
40-370-3000	BANK INTEREST EARNED	21.00
40-370-6400	NC RURAL CENTER GRANT	269,657.00
TOTAL PROJECT REVENUES		378,945.00

Mayor Lewis pointed out that the town's insurance limit requirements for bodily injury or death for street closure permit applications in the town code of ordinances is out of date. He noted that the Christmas –N- Middlesex event carried \$1,000,000 liability per occurrence for bodily injury or death last year. Commissioner Hough moved to amend **Title 3, Chapter 1 Streets & Sidewalks, Section 3-1-21, Insurance** of the town code of ordinance to change the liability insurance requirement for bodily injury or death from the current \$300,000 per occurrence to \$1,000,000 (one million) per occurrence. Commissioner Bachmann seconded and the motion passed unanimously.

The Board reviewed a proposed Burial/Entombment Authorization, which would serve a dual purpose to avoid confusion when opening grave spaces decreasing the town's liability, and the form will provide the necessary information to update the cemetery database so our information will be as accurate as possible. The authorization would be completed, signed, and witnessed each time a grave is to be opened.

Clerk Lambert also presented proposed amendments to **Chapter 3 Cemeteries** in the Town Code of Ordinances. Commissioner McClenny moved to adopt the Burial/Entombment Authorization, which will be completed each time a grave is to be opened, and to amend **Chapter 3 Cemeteries** as follows:

Section 3-3-2 Lot charges

The costs of lots in the cemetery shall be established by the board and are subject to change.

Section 3-3-3 Burial authorizations.

Burial authorizations may be obtained at the town hall or forwarded electronically. There is no charge for the burial authorization.

Section 3-3-4 Opening of Graves

All graves shall be opened by a town employee. Opening fees are established by the Board of Commissioners and are subject to change.

Section 3-3-5 Planting of trees, etc., prohibited

No person shall plant any tree, shrub, flower, grass or other plant of any kind on or around any grave space in the cemetery, or erect memorials or place gravel or concrete upon any grave space, specifically due to maintenance reasons.

Section 3-3-6 Cutting of trees and shrubs

The pruning or cutting of all trees and shrubbery is hereby prohibited unless completed under the immediate supervision of a town employee.

Section 3-3-7 Grading, Landscaping and Improvements

All grading, landscaping and improvements of every kind shall be completed under the immediate supervision of a town employee.

Commissioner Bachmann seconded the motion and it passed unanimously. Clerk Lambert advised that a copy of the cemetery ordinance and the cemetery cleanup policy will be given to each person completing the burial authorization.

The Board reviewed a Contract for Metered Bulk Water purchases. We now have two 2 inch meters that we use for measuring bulk water purchases at fire hydrants. Commissioner Bachmann recommended we have the contract completed and signed, giving contact information, with the person agreeing to pay \$100 deposit for the meter, \$15.00 per thousand gallons for water used, and to be responsible for all costs for replacement of the meter in the event it is damaged or stolen. The deposit will be refunded after the meter is returned in the good condition. Commissioner McClenny moved to approve the Contract for Metered Bulk Water charging \$100 deposit for the meter and \$15.00 per thousand gallons of water. The motion was seconded and passed unanimously.

Being no further business, Commissioner Meacombs moved to adjourn.

Jennifer Lambert
Town Clerk

Mayor Luther H. Lewis, Jr.
Commissioners
Harold Meacombs
Fred Hough
Dale Bachmann
J.W. McClenny