

**MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON OCTOBER 3, 2016 AT 7:00 P.M. IN THE COUNCIL CHAMBER AT MIDWAY TOWN HALL, 426 GUMTREE ROAD, MIDWAY, NORTH CAROLINA**

**CALL TO ORDER**

Mayor John Byrum called the meeting to order and welcomed everyone present.

Associate Pastor Jonathan Goodman of First Baptist Church, 404 Welcome-Arcadia Road, Lexington, N.C. gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

Councilors present were: Jackie Edwards, Keith Leonard, Mike McAlpine, Robin Moon, and Todd Nifong. Absent: None. Interim Town Manager Gary Looper, Town Attorney Jim Lanik, Town Clerk Linda Hunt and Administrative Assistant Tammy Robertson were present.

Each Councilor had been furnished an agenda prior to the meeting.

No members of press were in attendance.

Mayor Byrum recognized the members of Boy Scout Troop 207 and Troop leaders who were in attendance. Assistant Troop Leader Gil Hill told the Council the scouts are working toward their citizenship and communication merit badges.

Mayor Byrum also recognized members of the Midway Planning and Zoning Board in attendance.

**APPROVAL OF MINUTES**

On motion by Councilwoman Jackie Edwards, seconded by Councilor Todd Nifong, Council voted unanimously to approve the minutes of the August 25, 2016 Town Council Special meeting as presented.

On motion by Councilor Keith Leonard, seconded by Councilor Robin Moon, Council voted unanimously to approve the minutes of the September 1, 2016 Town Council Special meeting as presented.

On motion by Councilor Todd Nifong, seconded by Mayor Pro Tem Mike McAlpine, Council voted unanimously to approve the minutes of the September 6, 2016 Town Council regular meeting as presented.

**PUBLIC ADDRESS**

Mr. Raymond Leak of 261 Spry Road in Midway appeared before Council to ask when he could expect the code violation issues to be resolved on the property located at 213 Spry Road that adjoins his property. Town Manager Gary Looper responded that the property has been mowed and advised Mr. Leak that Benchmark has addressed the other issues with the property owners who were not aware of the conditions in the back yard. The property owners have been given one week to rectify the issue.

**ADOPT AGENDA**

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Todd Nifong, Council voted unanimously to adopt the agenda as presented.

**PROCLAMATION**

**DAVIDSON COUNTY YOUNG MARINES – RED RIBBON WEEK – OCTOBER 23 -31, 2016**

Mayor Byrum proclaimed October 23-31, 2016 as Red Ribbon Week in the Town of Midway and encouraged all of its citizens to join him in this special observance.

**REGULAR BUSINESS**

**TOWN PARK UPDATE**

Mayor Pro Tem Mike McAlpine presented the following update on the progress of construction of the Midway Town Park:

- Brad Coe of Coe Forestry and Surveying has finished the park elevations and topography for grading the park in preparation for construction.
- To set up a meeting with Heritage Oaks Farms to remove the remaining trees and moving them into holding beds to be sold or used in the park landscape. This is to be completed within the next four months. These areas that are cleared will need to be reseeded.
- A joint meeting with Brad Coe and John Grey with The Wooten Company was held last week to discuss erosion plans and sewer extension. An updated General Services Agreement with The Wooten Company will be presented for approval at the next Town Council regular meeting on November 7, 2016.
- Begin work on applying for grants that may be available to the Town for park construction.
- A master plan will be presented that includes the initial 9-acre park and future development of the property.

Mayor Pro Tem Mike McAlpine requested a consensus from Council on moving forward with setting up a meeting with Heritage Oaks Farms regarding removal of the remaining trees and moving them into holding beds to be sold or used in the park landscape. Following discussion, it was the consensus of Council to move forward with the meeting with Heritage Oaks as outlined.

**TOWN MANAGER'S REPORTS**

**MONTHLY FINANCIAL REPORT**

Interim Town Manager Gary Loofer provided Council with monthly financial reports for September, 2016 as follows:

**September 30, 2016**

Total Income	\$275,321	17.4% of overall budget
Total Expenses	\$217,124	13.7% of overall budget

For information only.

**REMINDER – ETHICS FOR LOCAL ELECTED OFFICIALS WEBINAR**

North Carolina Session Law 2009-403 requires the members of the governing boards of all cities, counties, local board of education, unified governments, sanitary districts, and consolidated city-counties in North Carolina to receive a minim of two hours of ethics education with 12 months of being elected or appointed to the board, and within 12 months of each subsequent re-election or reappointment.

Mayor John Byrum and Councilors Mike McAlpine and Todd Nifong who were elected and sworn into office on December 7, 2015, along with Councilor Jackie Edwards who was appointed March 7, 2016 to fill the vacant seat on Town Council are required to take the ethics training. Ms. Hunt advised that the Ethics Training Webinar offered through the UNC School of Government would need to be completed by October 31, 2016. Verification of Training forms must be turned into the Town Clerk upon completion of the training.

For information only.

**STREET PAVING NEEDS – FISCAL YEAR 2016-2017 – N. C. DEPARTMENT OF TRANSPORTATION**

Town Manager Gary Looper presented a needs assessment of roads in Midway that are in need of repair. At this time, Mr. Looper is not aware of how the Department of Transportation will prioritize the following roads for maintenance.

Hickory Tree Road Area

Cale Bradley Court  
Havenwood Drive  
Fred Sink Road (first 300 feet)

Hartman Road Area

Frances Lane  
Sinkland Drive  
Midpines Drive

Country Lane Area

Jones Road  
Grace Lane  
Noralin Drive

Old Hwy 52 Area; South of Hickory Tree Road

West Drive  
Woods Lane  
Woods Court  
Tower Circle

Gumtree Road Area

Hebron Church Road  
Bobby Willard Road

Mayor Byrum thanked Council for their input in identifying troubled roads in Midway in need of repair.

For information only.

**RECESS TO CLOSED SESSION**

On motion by Councilor Todd Nifong, seconded by Councilor Robin Moon, Council voted unanimously to recess to closed session in accordance with N.C.G.S. 143-318.11(a)(3)(4) and (6) to discuss matters pertaining to attorney-client privilege, economic development and personnel.

(Mayor Byrum called for a ten-minute recess.)

**RECONVENE TO OPEN SESSION**

On motion by Councilor Todd Nifong, seconded by Councilor Keith Leonard, Council voted unanimously to reconvene to open session.

After reconvening to open session, the Employee Agreement between the Town of Midway and Gary Looper for the appointment and employment of Gary Looper as the Town Manager was added to the agenda.

Councilor Todd Nifong made a motion to approve the one-year Employment Agreement with Gary Looper for the Town Manager position effective October 2, 2016 under the terms and conditions as set forth in said contract as amended. Councilor Robin Moon seconded the motion.

Under discussion, Mayor Pro Tem Mike McAlpine made the following statement: “Gary, you have done a good job as interim manager, but as I have compared other municipalities according the North Carolina League of Municipalities, the salary is outside the parameters for a town our size, number of employees and overhead that we have in our town. I cannot support this salary and contract.”

Mayor Byrum called for a vote on the motion.

By a 3-2 split vote, Council voted to approve the one-year Employment Agreement with Gary Looper effective October 2, 2016. Voting in favor were: Councilors Todd Nifong, Robin Moon and Keith Leonard. Voting against were: Mayor Pro Tem Mike McAlpine and Councilor Jackie Edwards.

**ADJOURNMENT**

On motion by Councilwoman Jackie Edwards, seconded by Councilor Todd Nifong, Council voted unanimously to adjourn the meeting at 8:40 p.m.

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John E. Byrum, Mayor

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Linda A. Hunt, Town Clerk