

**MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON MARCH 10, 2014
AT 7:00 P.M. IN THE MEETING ROOM AT THE MIDWAY FIRE AND RESCUE BUILDING,
228 MIDWAY SCHOOL ROAD, MIDWAY, NORTH CAROLINA**

Due to inclement weather, the regular Town Council meeting was cancelled and rescheduled for Monday, March 10, 2014. Proper notification was given.

CALL TO ORDER

Mayor Norman Wilkes called the meeting to order and welcomed everyone present.

Councilor Robin Moon gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

Councilors present were: Mike McAlpine, John Byrum, Keith Leonard, Robin Moon, and Todd Nifong. Absent: None. Town Manager Ryan Ross, Town Attorney Jim Lanik, and Town Clerk Linda Hunt were present.

Others: North Carolina State Senator Stan Bingham.

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

No members of press were in attendance.

APPROVAL OF MINUTES

On motion by Councilor John Byrum, seconded by Councilor Todd Nifong, Council voted unanimously to approve the minutes of the February 3, 2014 Town Council regular meeting as presented.

PUBLIC ADDRESS

Mr. Raymond Leak of 261 Spry Road in Midway addressed Council to report there is an abandoned house that is falling in which is located behind his house. In addition, Mr. Leak reported that someone is dumping trash behind the abandoned house and he requested the Town to rid the areas behind his house of the problems.

Town Manager Ryan Ross advised Mr. Leak that letters have been sent to the owners of the property about the rapidly deteriorating condition of the house but so far, no response has been received from the owners. Mr. Ross stated the taxes on the property are still being paid. Regarding the trash being dumped behind the house, Mr. Ross said it appears to be construction debris. Letters have been sent on that matter as well.

Senator Stan Bingham suggested that only someone official should go through the trash in an effort to see who might be dumping trash on that site.

ADOPT AGENDA

Town Manager Ryan Ross asked the agenda be amended to add an Item 3. Approval of Contract with Rick Zebra Designs for Development of a Custom Website for the Town of Midway under VII. REGULAR BUSINESS.

Mayor Pro Tem Mike McAlpine asked the agenda be amended to add an Item 4. Brush Clean-Up from Ice Storm under VII. REGULAR BUSINESS.

On motion by Councilor Byrum, seconded by Councilor Nifong, Council voted unanimously to adopt the agenda as amended.

OPENING REMARKS BY MAYOR

Mayor Norman Wilkes recognized State Senator Stan Bingham who was in the audience and asked Senator Bingham if he would like to make any comments.

Senator Bingham said it is always a pleasure to be in Midway, especially since he played a part of getting the Town incorporated. Senator Bingham updated Council on the progress of getting the funding for the high-mast lighting at the interchange of US Highway 52 at Hickory Tree Road, stating it looks very promising.

Council thanked Senator Bingham for his work on getting the lights for Midway.

REGULAR BUSINESS

ACCEPT AUDIT FOR YEAR ENDED JUNE 30, 2013

At the February 3, 2014 Town Council meeting, Mr. Eddie Carrick of Eddie Carrick, CPA, PC presented the Independent Auditor's Report for fiscal year ended June 30, 2013. Mr. Carrick reported the Town received a "clean" opinion. A "clean" or unqualified opinion states that the financial statements present a fair and accurate picture of the Town and comply with generally accepted accounting principles.

On motion by Councilor Moon, seconded by Councilor Byrum, Council voted unanimously to accept the Audit Report for Year Ended June 30, 2013 prepared by Town Auditor Eddie Carrick of Eddie Carrick, CPA, PC.

REMOVAL OF PLANNING BOARD MEMBER FOR CAUSE

Subsection (e) of Section One: Appointment and Organization of the Planning and Zoning Board/Board of Adjustment of the Ordinance Establishing the Planning and Zoning Board/Board of Adjustment states: *Members of the boards may receive compensation for service as provided from time to time by town council policy. A member may be removed from the boards by the member's respective appointing authority if the members fails to attend four (4) regular meetings in a calendar year, misses three (3) or more consecutive meetings or for other cause.*"

On February 26, 2013, the Planning and Zoning Board adopted a set of Rules of Procedure for the Town of Midway Planning Board. Section III. Rules of Conduct for Members, subsections A. and B. reads:

- A. *Members of the Board may be removed for cause, including violations of the rules stated below.*
- B. *In order for the Board to carry out its duties and responsibilities, it is necessary for all members to attend the meetings. If any regular member is absent for three (3) consecutive regular meetings (unexcused) for four (4) meetings in a calendar year (unexcused), the Chairperson may notify the Town Council of such absences and request that the member be removed from the Board and that a replacement be made.*

Planning and Zoning Board/Board of Adjustment Chairperson Charles Waddell advised Council that Board member Lynn Griggs has missed three (3) consecutive meetings unexcused and requested Mr. Griggs be removed from the Board and a replacement made. The three unexcused consecutive missed were: November 26, 2013, January 30, 2014, and February 26, 2014. (Note: No Board meeting was held in December 2013.)

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Nifong, Council voted unanimously to remove Lynn Griggs from the Planning and Zoning Board/Board of Adjustment for cause: missing three (3) consecutive meetings unexcused, which is in violation of the Town of Midway Ordinance Establishing the Planning and Zoning Board/Board of Adjustment and in violation of the Rules of Procedure for the Town of Midway Planning Board. Removal from the Board is effective immediately.

APPROVAL OF CONTRACT WITH RICK ZEBRA DESIGNS FOR DEVELOPMENT OF A CUSTOM WEBSITE FOR THE TOWN OF MIDWAY

Town Manager Ryan Ross reported the current website development contract with Beacon Technologies, Inc. expires March 15, 2014 and Beacon Technologies have been given the required thirty (30) days notice that the Town will not renew the contract.

A local website development company, Rick Zebra Designs LLP (RZD), 1063 Kindley Road, Thomasville, NC, has submitted a proposal to develop a completely custom website for the Town of Midway. The goal for the website would be to provide the Town a current HTML5 website with an accompanying JQuery Mobile website in order to create a better online experience for users, prospective investors and business owners. The design process consists of four (4) phases: Concept, Wireframe, Finalization, and Implementation. In the concept phase, RZD will outline the basic flow by creating a site-map and that text and images for the website. In the wireframe phase, RZD will create digital artwork for the outlined webpages and integrate the images and text into the website. In the finalization phase, RZD will enable interactive functionality like forms and e-mails, test and change any content to make sure that the website is in perfect operating order. RZD will then test the website on RZD's testing server and will provide a link via e-mail to the Town Manager. In the implementation phase, RZD will point the domain name server to Simply Digital and then upload the website thus completing the project.

Cost projection is based on the number of pages at \$300 per page.

Town Manager Ryan Ross stated Town Attorney Jim Lanik has reviewed and made some necessary changes to the contract submitted by RZD.

On motion by Councilor Nifong, seconded by Councilor Leonard, Council voted unanimously to approve the proposal submitted by Rick Zebra Designs, LLP. The contract is subject to final approval of the Town Attorney.

BRUSH CLEAN-UP FROM ICE STORM

This item was added to the agenda at the request of Mayor Pro Tem Mike McAlpine.

Mayor Pro Tem Mike McAlpine stated he would like to see the Town consider offering some type of assistance to Midway residents who are trying to clean up the massive amount of debris of limbs and trees that fell in people's yards during the recent severe ice storm. Mr. McAlpine said he felt sure the removal of the debris is an overwhelming task for residents who suffered the most damage. He reported he had talked with an individual who owns a private landfill about the possibility of allowing Midway residents to dump their storm debris at his landfill. The owner of the landfill agreed to the request at a nominal cost to the Town.

Mayor Wilkes expressed his concern about people not having the means to get the debris to the landfill.

Discussion followed regarding the need to assist residents with removal of the debris. Several options were discussed, including hiring a contractor to do the actual pick-up of the debris; however, Council did not reach an agreement on the options.

Discussion only. No action taken.

TOWN MANAGER'S REPORTS

SET DATE FOR TOWN COUNCIL BUDGET WORKSHOP

It was the consensus of Council to schedule the Town Council Budget Workshop on Monday, April 14, 2014 beginning at 6:30 p.m. at Town Hall, 125 Gumtree Road in Midway.

ADJOURNMENT

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Nifong, Council voted unanimously to adjourn the meeting.

Norman L. Wilkes, Mayor

Linda A. Hunt, Town Clerk