

MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON MAY 2, 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 to the first Town Council meeting being held in the new Town Hall.

Councilor Jackie Edwards introduced former Mayor George Byrum who gave the invocation and led in the Pledge of Allegiance.

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

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

No members of press were in attendance.

APPROVAL OF MINUTES

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Todd Nifong, Council voted unanimously to approve the minutes of the March 31, 2016 Town Council Special Meeting as presented.

On motion by Councilor Todd Nifong, seconded by Councilor Jackie Edwards, Council voted unanimously to approve the minutes of the April 4, 2016 Town Council regular meeting as presented.

PUBLIC ADDRESS

There were none.

OPENING REMARKS

At this time, Mayor John Byrum acknowledged the presence of several members of the Planning and Zoning Board, first Mayor George Byrum and former Mayor Norman Wilkes.

Mayor Byrum said he wanted to take this time to acknowledge the contribution of those who have put so much effort and work into the project for the new Town Hall. Mayor Byrum acknowledged the work of Planning Board member James Wayne Smith, Councilor Jackie Edwards and Councilor Todd Nifong, commenting about the number of hours these individuals put into the project as well as the dependability and the wonderful attitude with which they approached the project. Mayor Byrum also commented about the exceptional job by the general contractor, Frank Thomas. Mayor Byrum said he looks forward to a more formal recognition of these contributions in the near future but he wanted to take the time now to thank everyone and give some acknowledgement of their contributions.

Mayor Byrum concluded his remarks by asking Councilor Todd Nifong if he had some words he would like to say tonight. Councilor Nifong commented that it had been an "interesting ride." He said he echoes the Mayor's sentiments regarding James Wayne Smith and Jackie Edwards and personally thanks them for their hard work in helping to make the new Town Hall a realization. Councilor Nifong said he would like to publicly thank the general contractor, Frank Thomas, as well. He also recognized his wife, Tammy, who was in the audience and thanked her for all of her support and help throughout this project. Councilor Nifong thanked the Mayor and Town Council for all of their support and encouragement and officially presented the Mayor with the keys to his office and Council with their keys to the building.

ADOPT AGENDA

On motion by Councilor Robin Moon, seconded by Councilor Keith Leonard, Council voted unanimously to adopt the agenda as presented.

PROCLAMATION

NATIONAL DAY OF PRAYER 2016

Mayor John Byrum read a proclamation proclaiming Thursday, May 5, 2016, to be designated as “A Day of Prayer in the Town of Midway” and encourage the citizens of Midway to observe the day in ways appropriate to its importance and significance.

**PROCLAMATION
NATIONAL DAY OF PRAYER
2016**

WHEREAS, civic prayers and national days of prayer have a long and venerable history in our constitutional republic dating back to the First Continental Congress in 1775; and,

WHEREAS, the Declaration of Independence, our first statement as Americans of national purpose and identity, made “the Laws of Nature and Nature’s God” the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and,

WHEREAS, the Supreme Court has affirmed the right of state legislatures to open their sessions with prayer, and the Supreme Court and the United States Congress themselves begin each day with prayer, and,

WHEREAS, in 1988 legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and,

WHEREAS, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and,

WHEREAS, it is fitting and proper to give thanks to God by observing a day of prayer in the Town of Midway when all may acknowledge our blessings and express gratitude for them, while recognizing the needs for strengthening religious and moral values in our state and nation; and,

WHEREAS, the 65th Annual National Day of Prayer will take place on Thursday, May 5, 2016 where millions will unite in prayer at thousands of events from coast to coast; and

WHEREAS, the theme for 2016 is “WAKE UP AMERICA.”

NOW, THEREFORE, I, Mayor John E. Byrum, do hereby proclaim Thursday, May 5, 2016, to be designated as “A Day of Prayer in the Town of Midway” and encourage the citizens of Midway to observe the day in ways appropriate to its importance and significance.

Proclaimed this the 2nd day of May, 2016.

REGULAR BUSINESS

AUTHORIZATION FOR TOWN MANAGER TO AWARD CONTRACTS – N.C.G.S. § 143-129. PROCEDURES FOR LETTING OF PUBLIC CONTRACTS AND N.C.G.S. § 143-131. WHEN COUNTIES, CITIES, TOWNS AND OTHER SUBDIVISIONS MAY LET CONTRACTS ON INFORMAL BIDS.

Town Attorney Jim Lanik explained that North Carolina General Statutes (N.C.G.S. § 143-129 and § 143-131) permit the local governing board to delegate to the Town Manager the authority to execute and award contracts up to \$30,000. The Town Manager shall comply with the requirements of these Articles that would otherwise apply to the governing body.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to grant Interim Town Manager Gary Looper the authority to execute and award contracts up to \$30,000 in accordance in N.C.G. S. §143-129 and N.C.G.S. § 143-131.

SET DATE FOR BUDGET WORK SESSION

Mayor John Byrum said the Council needs to determine a date that is suitable for everyone for a budget work session. Several dates were mentioned for consideration.

On motion by Councilor Todd Nifong, seconded by Councilor Keith Leonard, Council voted unanimously to set Monday, May 16, 2016 as the date for the budget work session to be held at Town Hall located at 426 Gumtree Road in Midway beginning at 6:00 p.m.

SET DATE FOR SPECIAL MEETING – PRESENTATION OF PROPOSED BUDGET FOR FISCAL YEAR 2016-2017

Interim Town Manager Gary Looper recommended Council set a date for a Special Meeting of the Town Council for the presentation of the Proposed Budget for Fiscal Year 2016-2017.

On motion by Councilor Keith Leonard, seconded by Councilor Jackie Edwards, Council voted unanimously to set a Special Meeting for the Presentation of the Proposed Budget for Fiscal Year 2016-2017 on Monday, May 23, 2016, to be held at Town Hall located at 426 Gumtree Road in Midway beginning at 6:00 p.m.

TOWN MANAGER'S REPORTS

IMPENDING PROCESS OF DISPOSAL OF PERSONAL PROPERTY

Interim Town Manager Gary Looper briefed Council on five methods as outlined in the North Carolina General Statutes 160A-266 for the disposal of personal property belonging to the Town. Under in N.C.G.S. § 160A-266(b), private negotiation and sale may be used only with respect to personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of similar items. In accordance with N.C.G.S. 160A-266(c), a city council may adopt regulations prescribing procedures for disposing of personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items in substitution for the requirements of this Article. The regulations shall be designed to secure for the city fair market value for all property disposed of and to accomplish the disposal efficiently and economically. The regulations may, but need not, require published notice, and may provide for either public or private exchanges or sales. The Council may authorize one or more city officials to declare surplus any personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items, to set its fair market value, and to convey title to the property for the Town in accord with the regulations. A city official authorized under this section to dispose of property shall keep a record

of all property sold under this section and that record shall generally describe the property sold or exchanged, to whom it was sold, or with whom exchanged, and the amount of the amount of money or other consideration received for each sale or exchange. N.C.G.S. 160A-266(d) states a city may discard any personal property that (i) is determined to have no value; (ii) remains unsold or unclaimed after the city has exhausted efforts to sell the property using any applicable procedure under this Article; or (iii) poses a potential threat to the public health or safety.

Town Council directed Interim Town Manager Gary Looper to take inventory of the remaining personal property at the old Town Hall located at 125 Gumtree Road and to make a recommended designation whether to keep the item, sale of the item, or disposal of the item at the landfill. Mr. Looper will e-mail the inventory list to Council once it is completed after which Town Council will determine how to dispose of the personal property.

For information only.

TOWN HALL CLOSED MONDAY, MAY 30, 2016 – MEMORIAL DAY HOLIDAY

Interim Town Manager Gary Looper stated that in accordance with the adopted 2016 Holiday Schedule, Town Hall will be closed on Monday, May 30, 2016 in observance of Memorial Day.

For information only.

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

RECESS TO CLOSED SESSION

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Todd Nifong, Council voted unanimously to convene to Closed Session in accordance with N.C.G.S. 143-318.11(a)(3)(6) for matters pertaining to attorney-client privilege and personnel.

RECONVENE TO OPEN SESSION

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

After returning to open session, Mayor Byrum entertained a motion to approve the Interim Town Manager's contract. On motion by Councilor Todd Nifong, seconded by Councilor Jackie Edwards, Council voted unanimously to approve the contract with Gary Looper to serve as Interim Town Manager for six months as presented.

ADJOURNMENT

On motion by Councilor Keith Leonard seconded by Councilor Robin Moon, Council voted unanimously to adjourn the meeting at 8:21 p.m.

John E. Byrum, Mayor

Linda A. Hunt, Town Clerk