

MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON APRIL 1, 2019 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.

Reverend Brian Graham of Faith Church, 1078 Gumtree Road, gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

Councilors present were: John Byrum, Jackie Edwards, Keith Leonard, Mike McAlpine, Todd Nifong and Robin Moon. Absent: None. Town Manager Tammy Michael, Deputy Clerk Tammy Robertson and Town Attorney Jim Lanik were present. Absent: Town Clerk Linda Hunt

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 Jackie Edwards, Council voted unanimously to approve the minutes of the March 4, 2019 Town Council regular meeting as presented.

PUBLIC ADDRESS

Barbara Hayes of 143 Ju Lenor Drive addressed Council with concerns of her neighbor's dogs running freely throughout the neighborhood and continuously barking. She said that neighborhood children are afraid to be outside in fear of being hurt by the dogs. She has called the Humane Society but nothing has been done to remedy the problem. The dogs killed a neighbor's cat in her back yard over the weekend. She also stated that the same neighbors shoot guns frequently and not only is it very loud, but she is afraid of stray bullets. Ms. Hayes would like for Council to consider adopting a Noise Ordinance and a Leash Law Ordinance.

William Fox of 165 Ju Lenor Drive addressed Council regarding loose dogs running through the neighborhood and guns being frequently shot. Mr. Fox said that the dogs attacked his son last year, and just killed his cat over the weekend. The dogs bark constantly and are too loud. The neighborhood children are afraid to play outside for fear of being attacked by the dogs. He has called the Sheriff's Department over the issues. Mr. Fox stated that he would like to resolve the issues in a peaceful manner and asks for Council's help in doing so.

Vickie Schenck of 965 Country Lane addressed Council about concerns she has with gaming facilities in the Town, trash along Old Highway 52, and the appearance of some homes/businesses that have a lot of trash and vehicles at them. She would like to see everything cleaned up to improve the look of the Town.

Chelsea Collins with Legacy Boarding Kennels of 143 Gumtree Road asked Council to consider amending the Town's Zoning Ordinance that currently prohibits commercial kennels from being established in the Core Commercial Overlay District in the Town. Mrs. Collins stated that she would like to build a new office building on the property that would better represent the kennels and the Town.

Richard Walburn of 232 Meadow Trail said that he has new neighbors discharging firearms in the back yard of their home towards other homes in the area. Mr. Walburn has previously called the Sheriff's Department regarding the issue, and that he would like for Council to address the issue of gun safety in the Town.

Ramona Hardiman of 213 Meadow Trail also spoke of the new neighbors firing guns in the neighborhood. Ms. Hardiman stated that the entire neighborhood is scared and that the houses are too close together to have

someone out shooting guns. She would like to see the Town have an ordinance restricting the discharging of firearms in a residential area.

ADOPT AGENDA

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

REGULAR BUSINESS

AUDIT CONTRACT – EDDIE CARRICK CPA, PC

In accordance with North Carolina General Statute 159-34, each unit of local government and public authority shall have its accounts audited as soon as possible after the close of each fiscal year by a certified public accountant.

Mr. Eddie Carrick has submitted a proposed contract between Eddie Carrick CPA, PC and the Town of Midway to audit the accounts of the Town of Midway for year ending June 30, 2019. Mr. Carrick will audit all required legal statements and disclosures required by generally accepted accounting principles (GAAP) and additional required legal statements and disclosures of all funds and/or divisions of the government unit during the period beginning July 1, 2018 and ending June 30, 2019. In consideration of the satisfactory performance of the provisions of this contract, the Town of Midway shall pay to the Auditor, upon approval be the Secretary of the Local Government Commission (LGC), at a cost of \$4,000 for the audit plus \$1,500 for preparation of the annual financial statements for a total contract cost of \$5,500, which is the same amount as the previous year.

Town Attorney Jim Lanik has reviewed and approved the contract as presented.

On motion by Councilor Todd Nifong, seconded by Mayor Pro Tem Mike McAlpine, Council voted unanimously to proceed with the contract with Eddie Carrick, CPA, PC for the year ending June 30, 2019 at a total cost of \$5,500.

TOWN MANAGERS REPORTS

MONTHLY FINANCIAL REPORT

Town Manager Tammy Michael provided Council with monthly financial reports for March 31, 2019 as follows:

MARCH 31, 2019

Total Income	\$ 1,212,294	92.2 % of overall budget
Total Expenses	\$ 519,371	39.5 % of overall budget

For information only.

PUBLIC COMMENT MEETING AT THE APRIL 30, 2019 PLANNING AND ZONING MEETING REGARDING “SKILLED GAMING WORKSHOP”

Town Manager Tammy Michael shared with Council that a copy of the Town’s current Gaming Ordinance was included in their agenda packet for review. Mrs. Michael stated that the April 30, 2019 Planning Board meeting regarding Skilled Gaming Workshop would be a legally advertised meeting for public comment.

For information only.

MIDWAY UNITED METHODIST CHURCH TO HOST A COMMUNITY MEETING WITH THE NC ATTORNEY GENERAL'S OFFICE – SCAMS, FRAUD AND PHONE CALLS – THURSDAY, APRIL 11 AT 6:30 P.M.

Midway United Methodist Church will hold a community meeting on Thursday, April 11, at 6:30 p.m. in the Church's Fellowship Center at 9795 Old US Highway 52 in Midway to hear from the North Carolina Attorney General's Office; Department of Justice regarding scams, fraud and phone calls. All are welcome to attend.

It was the consensus of Council to add the information regarding the community meeting to the Town's website for public notice.

For information only.

REMINDER: BUDGET WORKSHOP – MONDAY, APRIL 15, 2019 AT 6:00 P.M.

Council will hold a Budget Workshop on Monday, April 15, 2019 at 6:00 p.m. at Town Hall

Reminder only.

REMINDER: TOWN HALL CLOSED ON FRIDAY, APRIL 19, 2019 IN OBSERVANCE OF THE EASTER HOLIDAY

Town Hall will be closed on Friday, April 19, 2019 in observance of the Easter Holiday.

Reminder only.

RECESS TO CLOSED SESSION

On motion by Councilor Robin Moon, seconded by Councilor Jackie Edwards, Council voted unanimously to recess to closed session in accordance with N.C.G.S. 143-318.11(a)(3) to discuss matters pertaining to attorney-client privilege.

(Mayor Byrum called for a 5 minute recess)

RECONVENE TO OPEN SESSION

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Keith Leonard, Council voted unanimously to reconvene to open session.

ADJOURNMENT

On motion by Councilor Jackie Edwards, seconded by Councilor Todd Nifong, Council voted unanimously to adjourn the meeting at 8:21 p.m.

John E. Byrum, Mayor

Tammy H. Robertson, Deputy Clerk