

**MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON APRIL 3, 2023  
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.

Pastor David Hedrick of Promise Baptist Church in Thomasville gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

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

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

There were no members of the press in attendance.

**APPROVAL OF MINUTES**

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Robin Moon, Council voted unanimously to approve the minutes of the February 23, 2023 Vision Session as presented.

On motion by Councilor Jackie Edwards, seconded by Councilor Keith Leonard, Council voted unanimously to approve the minutes of the March 6, 2023 regular meeting as presented.

**PUBLIC ADDRESS**

Ms. Doresa Niles of 183 Meado Lee Lane in Midway addressed Council to ask for the Town's help with getting her neighbors who live in front of her to clean up their yard which is piled high with stuff. There are also old unlicensed cars on the property. Ms. Niles told the Council the neighbor inherited the house from her mother and the property has been in disarray for the past three or four years. The mother died in 2017. Ms. Niles said it saddened her to have to complain about her neighbors.

Town Manager Tammy Michael advised Ms. Niles that the Town is aware of the situation and is working to get it resolved. The house is still in the name of the deceased and there are delinquent taxes due on the property. Delinquent tax signs have been posted. Ms. Michael said the Town has been tracking this problem since September 2021 and is currently waiting to see how the tax collection is resolved. Ms. Michael encouraged Ms. Niles to stay in touch with her and she would keep Ms. Niles updated.

**ADOPT AGENDA**

On motion by Councilor Robin Moon, seconded by Councilor Berkley Alcorn, 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 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, 2023. The total contract amount is \$8,500, which includes the audit fee of \$6,500 and the additional fee of \$2,000 for the American Rescue Plan (ARP) funds.

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

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to approve the audit contract with Eddie Carrick CPA, PC to audit the account of the Town for year ending June 30, 2023 in the amount of \$8,500.

**GRANT REQUEST – OAK GROVE MIDDLE SCHOOL – ZERO-TURN LAWNMOWER**

Oak Grove Middle School Principal Dan Shamblen and Athletic Director B. J. Harris were present.

In her memo to Town Council, Town Manager Tammy Michael states that Town Council supports local schools and their endeavor to educate students mentally and physically to become well-rounded intellectual and physically fit youth. Each year during the budget process, the Council approves and allocates grant monies for requests and awards if requirements are met by the requesting agency. For fiscal year 2022-2023, Town Council allotted \$12,000 in the annual budget for grant requests. As of December 2022, no grants awards have been requested.

Oak Grove Middle School Athletic Director B.J. Harris has submitted a grant request in the amount of \$11,021.00 for the purchase of a zero-turn lawnmower. The mower will be used to maintain the ballfields and relieve service demands on their current mower. According to the grant application, Oak Grove Middle borrows the high school's mower when theirs is out of service.

Oak Grove Middle School was appropriated \$1,560.71 in the 2022-2023 fiscal budget year for supplies and materials for ground improvements in the athletic program budget. The previous fiscal year budget 2021-2022 appropriation was \$1,443.49.

Athletic Director B J. Harris told Council he appreciates all the help the Town has provided the school in the past, most recently with funding for the school's batting cage which has just been finished up. Mr. Harris said that Oak Grove Middle School is now asking for help with the purchase of a zero-turn lawnmower. The current mower is 12 years old, and it breaks down often. He advised that the school's head custodian has researched and selected a good commercial zero-turn lawn mower to purchase.

Principal Shamblen said that one of the challenges the school faces is raising funds for something like a lawnmower. He explained that the school's PTSO only supports using funds for instruction and the funds the school gets from the state is restricted on how it can be spent. He said the school is investing in a lot of parts and labor working on the very old mower. The mower takes a lot of wear and tear due to the size and condition of the property. Principal Shamblen said he would be appreciative of any help the Council can give towards the purchase of the lawn mower. He said he is striving to maintain excellence at the school.

Mayor Pro Tem Mike McAlpine asked if it is the responsibility of the individual school to keep up the facilities when it comes to funding for general maintenance. Principal Shamblen responded that everyday

repairs are taken care of by the school district, but it would be the school's responsibility to buy a mower. The school district gives the school a custodian allowance as set out on the application. He said it is a fair amount, but it is not enough when you consider a school the size of Oak Grove Middle. As an example, if a boiler breaks down, the school district would take care of that, not the school. General maintenance and upkeep of the outside is the school's responsibility. Another example is that the school has a floor scrubber that cleans the inside of the school consisting of 144,000 square feet. That floor scrubber was purchased by the school district because it is for cleaning the inside of the school. He said he did not know where that line was drawn between the upkeep of the inside and outside, but it is there.

Mayor Pro Tem McAlpine asked if the school has any other possible outside funding sources or grants. Principal Shamblen said they had contacted the Town of Wallburg but were told the request would not be considered because the school is not geographically in their community. He said the yearbook sales will raise a few thousand dollars that goes into the general fund, and he has freedom to spend that money. However, oftentimes he uses that money to buy lunch or a treat for staff which is much needed. He said it is hard to accrue enough money to buy a mower when you are trying to do other things as well.

Councilor Robin Moon introduced himself as a retired teacher from Forsyth County. He said Forsyth County School has a grounds maintenance department and he asked if Davidson County does not have that. Principal Shamblen explained that the former principal at Oak Grove High School had explored contracting out the mowing, but it was cost prohibitive with the size of that property. The cost of that would leave custodial staff so small that they would not be able to keep the facility clean on the inside.

Councilor Moon asked if Davidson County allots the school a certain amount of money for mowing. Principal Shamblen said the school gets an annual custodial allotment of approximately \$100,000 for salaries for the custodians. If the school were to get an outside company to come in and maintain the school property, it would come out of that money. Mowing is embedded in the custodial account. The school has roughly 3.57 positions of custodial allotment. That is just in wages, and it covers their time in mowing as well. There is a small allotment in the custodial budget for things such as deicer for buses or materials needed for keeping up equipment.

Councilor Jackie Edwards referenced number 10 on the grant application that reads: "Please detail your projected revenues and expenses for the project/program for the coming year, listing all sources of revenue including possible Town funds. Also attach a copy of your organization's current year operating budget and previous two (2) years' budgets and actual results. State your organization's fiscal year end." Councilor Edwards said the budget information required under number 10 of the application has not been provided in order for Council to make a decision.

Principal Shamblen asked Councilor Edwards if she meant for the school to list whatever funds it has in the budget that can be used for the mower. Councilor Edwards responded she meant the whole budget. Principal Shamblen asked if she wants them to include the PRC funds that come from the state. Councilor Edwards said she wanted to see the budget that includes any funds the school receives from whatever resources. She said that is what is needed to make an informed decision on the grant request, not what was provided but what the actual budget is. She said the school has provided some figures but not the budget. Principal Shamblen said that the complicated part of detailing every funding source is that

some of it is restricted and cannot be used for this type of project, but he can still provide that information.

Mayor then asked if there was more information Council needed to make a decision on the grant request.

Mayor Pro Tem Mike McAlpine said the Town does have another grant request in this budget year and he would like an opportunity to see that first.

Principal Shamblen said that their school budget is unique in that it is more like an allotment from different funding sources every year. The school is given PRC money from the state based on their enrollment. For Oak Grove Middle School that is about \$15,000 and the school is mandated to spend it by March 31<sup>st</sup>. If it is not spent by then, the state takes back the remaining funds. Student fee money is \$16 per student and is to be spent on current students. A certain amount can be saved from that but no more than a \$1,000 is the recommended amount. He said most funds are restricted for instruction. The only money that can truly be saved and go into the general fund is the yearbook money. He told Council he would be glad to provide additional information.

Mayor Byrum asked Council if there were other comments or questions regarding the grant request or the school budget. There were none.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Keith Leonard, Council voted unanimously to table the item until the next Town Council regular meeting on May 1, 2023.

**CALL FOR PUBLIC HEARING – AMENDMENT TO SUBDIVISION ORDINANCE NO. 18-02**

The Subdivision Ordinance was last amended in June 2021 with updates to encompass the 160D regulations.

In August 2022, Town staff met with Jesse Day, Planning Director and Dawn Vallieres, Senior Regional Planner with Piedmont Triad Regional Council on Government (PTRCOG,) to discuss the process of updating and revising the current ordinance. Staff met with Ms. Vallieres several times to review the proposed updates prior to submitting them to the Midway Planning and Zoning Board for their review.

At the February and March Planning Board meetings, the proposed changes were reviewed, and additional changes were made along with addressing any questions/concerns from the board.

The Planning Board voted unanimously for the Town Council to review and approve the proposed updates to the Subdivision Ordinance 18-02.

Staff recommends Town Council discuss and call for public hearing to be held at the May 1, 2023 Town Council regular meeting, pending review and approval by Town Attorney, Jim Lanik.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to call for a public hearing to be held at the May 1, 2023 Town Council regular meeting at 7:00 p.m. at Town Hall located at 426 Gumtree Road in Midway, pending review by the Town Attorney.

**TOWN MANAGER'S REPORTS**

**MONTHLY FINANCIAL REPORT**

Town Manager Tammy Michael provided Council with monthly financial reports for March 2023 as follows:

**MARCH 2023**

Total Income	\$1,795,513	104.8% of overall budget
Total Expenses	\$2,397,329	53.1% of overall budget

For information only.

**TOWN PARK UPDATE**

Town Manager gave the following Town Park update:

- Dillon Outdoors is working on the landscaping around the shelter.
- Picnic tables have been delivered.

Mayor Pro Tem Mike McAlpine gave the following report:

- Working on ADA access for gazebo.
- Park Committee reduced park rules from 28 to 13. Staff added three, making it a total of 16 rules.
- Park Committee is working on shelter rules and rental fees. Looking at options for resident vs. non-resident. Town Attorney to review. Working towards both sets of rules to be on Council's May agenda.

For information only.

**SET DATE FOR BUDGET WORK SESSION**

On motion by Councilor Keith Leonard, seconded by Councilor Berkley Alcorn, Council voted unanimously to set Monday, April 17, 2023, at 6:00 p.m. for the Budget Work Session.

Town Manager Tammy Michael told Council that staff would be attending an ARP live webinar on Wednesday, April 5th.

Town Attorney Jim Lanik announced that his associate Evan Lee, who has attended Council meetings in his absence, has taken a position as General Counsel for Cabarrus County.

**ADJOURNMENT**

On motion by Councilor Berkley Alcorn, seconded by Councilor Robin Moon, Council voted unanimously to adjourn the meeting.

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John Byrum, Mayor

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Linda A. Hunt, Town Clerk