

**MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON JUNE 3, 2024,
AT 7:00 P.M. IN THE COUNCIL CHAMBER AT MIDWAY TOWN HALL, 426 GUMTREE
ROAD, MIDWAY, NORTH CAROLINA**

INVOCATION AND PLEDGE OF ALLGIANCE

Levi Gates, graduate of Word of Life Bible Institute and Missionary to the Dominican Republic, gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

CALL TO ORDER

Mayor Pro Tem Mike McAlpine called the meeting to order.

Councilors present were: Mike McAlpine, Keith Leonard, Jackie Edwards, Robin Moon and Berkley Alcorn. Town Manager Tammy Michael, Town Clerk Linda Hunt, Deputy Clerk Ree Smith and Attorney Jim Lanik were present. Absent: Mayor John Byrum.

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 Councilor Jackie Edwards, seconded by Councilor Robin Moon, Council voted unanimously to approve the minutes of the May 6, 2024 Regular Town Council meeting as presented.

PUBLIC ADDRESS

Blake Zobrist of 1355 Country Lane in Winston-Salem, NC stated on Monday night shots were fired from a passing car on Country Lane. He said he called 911 and that no one came out and no one called him back from the Davidson County Sheriff's Department. Mr. Zobrist said he has been coming and speaking to Council for almost two years about the concerns in his neighborhood and nothing has been done. Even though he did the right thing by calling 911, no one came out or responded to his call. He questioned where the law is for Midway. He stated that if he needs to be the one to protect himself, just tell him and he will. He said he is calling the Council out on this and asked what needs to be done to get everyone's attention.

Robert Brunson of 1401 Country Lane in Winston-Salem, NC stated people want to move to North Carolina to get away from crazy places. Now gunshots are fired in his neighborhood, and he called 911. Mr. Brunson said he watched his cameras for about an hour and a half but never saw a police officer come out to check about the gunshots. He said Midway is a desirable place to live. He is from South Carolina and wanted to move his family somewhere else that was safe. He looked at Winston-Salem but decided Midway was the safest place. Mr. Brunson stated the Town Council has a lot to do with that. He said that Midway is a nice place to live, and he thinks it is very important to keep it that way by setting an example that this kind of behavior will not be tolerated here.

Mayor Pro Tem Mike McAlpine told Mr. Zobrist and Mr. Brunson that Council appreciates their comments and apologized for the police not coming out when 911 was called. He said he would personally contact someone about this situation.

ADOPT AGENDA

Mayor Pro Tem Mike McAlpine asked that the contract with Chris Sink Hauling and Grading, Inc. be added as item 2. Under VII. REGULAR BUSINESS.

Councilor Keith Leonard asked that a Closed Session be added following VIII. TOWN MANAGER'S REPORTS to discuss matters pertaining to personnel in accordance with N.C.G.S. 143-318.11(a)(6).

On motion by Councilor Keith Leonard, seconded by Councilor Jackie Edwards, Council voted unanimously to adopt the agenda as amended.

PUBLIC HEARINGS

PUBLIC HEARING – PROPOSED BUDGET FOR FISCAL YEAR 2024-2025 – BUDGET ORDINANCE NO. 24-03

At the May 6, 2024, Town Council meeting, Town Manager Tammy Michael presented the proposed budget for the Town of Midway for Fiscal Year 2024-2025 in the amount of \$3,557,250. Town Council called for a public hearing to be held on Monday, June 3, 2024, at 7:00p.m. at Town Hall to receive citizen input on the proposed budget.

The proposed tax rate remains unchanged at five cents (.05) per \$100 valuation.

The public hearing was advertised in The Dispatch on May 21, 2024, as required by law.

Mayor Pro-Tem Mike McAlpine opened the public hearing.

There being no one wishing to speak, Mayor Pro Tem Mike McAlpine closed the public hearing.

On motion by Councilor Jackie Edwards, seconded by Councilor Berkley Alcorn, Council voted unanimously to adopt Budget Ordinance No. 24-03 adopting the Budget for the Town of Midway General Fund for Fiscal Year beginning July 1, 2024 and ending June 30, 2025.

**TOWN OF MIDWAY, NC
BUDGET ORDINANCE NO. 24-03**

**BUDGET ORDINANCE FOR THE TOWN OF MIDWAY GENERAL FUND
FOR FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025**

BE IT ORDAINED by the Town Council of the Town of Midway, North Carolina, at a regular meeting on the 3RD day of June, 2024 at 7:00 p.m. that the following departmental expenditures and anticipated fund revenues, together with certain restrictions, are adopted.

Section 1.

General Fund Appropriations

The following amounts are hereby appropriated in General Fund for operation of the Town government and its activities for the fiscal year beginning July 1, 2024 and ending June 30, 2025.

Governing Board	\$ 54,400
Administration	558,850
Public Safety	80,000
Public Works – Utilities & Services	574,600
Public Works – Town Park	2,235,000
Planning & Zoning	38,400
Cultural, Recreation, Economic Development	16,000
Total Appropriations	\$ 3,557,250

Section II.

Anticipated General Fund Revenue

The following revenues are estimated to be available in the General Fund for the fiscal year beginning July 1, 2024 and ending June 30, 2025.

Ad Valorem Taxes	
Taxes – Ad Valorem - Current	\$ 188,000.00
Taxes – Ad Valorem - Prior	3,700.00
Taxes – Ad Valorem – Motor Vehicles (DMV)	20,000.00
Penalties & Interest	1,300.00
Refunds/Discounts	(2,100.00)
Sales Tax	1,600,000
Solid Waste Tax	3,500
ABC Revenue	20,000
Utility/Franchise Taxes	130,000
Investment Earnings	125,000
Pavilion Rental	10,000
Gazebo Rental	1,000
Fund Balance Appropriated	1,456,850
Total General Fund Revenues	\$ 3,557,250

Section III.

Ad Valorem Taxes

It is estimated that the total valuation of property for the purpose of taxation is \$359,806,070 and the estimated collection rate is 96%. There is hereby levied a tax at the rate of five (.05) cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2024 for the purpose of raising revenues listed as “Ad Valorem Tax – Current Year” in Section II. General Fund Revenues of this Ordinance.

Section IV.

Finance Officer Transfer Authority

The Finance Officer is hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- a. May transfer amounts up to \$5,000 between objects of expenditures within a department or between departments of the same fund with a report being submitted at the next regularly scheduled meeting of the Town Council.
- b. May not transfer any amount between fund accounts nor from contingency appropriations without prior approval of the Town Council.
- c. That the Town Council shall receive written request for authorization of funds to other agencies.
- d. That the Finance Officer provides a monthly report of expenditures and revenues.

Section V.

Budget Ordinance Copies

Copies of the Budget Ordinance shall be furnished to the Finance Officer, the Budget Officer, and the Tax Supervisor of this Town for their direction in carrying out of their duties.

ADOPTED this the 3rd day of June, 2024.

PUBLIC HEARING - FEE SCHEDULE FOR FISCAL YEAR 2024-2025 – ORDINANCE. 24-04

At the May 6, 2024 regular Town Council meeting, Town Manager Tammy Michael presented a proposed fee schedule for Fiscal Year 2024-2025 that was developed during the budget process. Town Council called for a public hearing to be held on Monday, June 3, 2024, at 7:00 p.m. at Town Hall to receive citizen input on the proposed fee schedule. Included in the fee schedule are administration fees, Town Park rental fees, and sewer fees.

The public hearing was advertised in The Dispatch on May 21, 2024 as required by law.

Mayor Pro Tem Mike McAlpine opened the public hearing.

There being no one wishing to speak, Mayor Pro Tem McAlpine closed the public hearing.

On motion by Councilor Keith Leonard, seconded by Councilor Robin Moon, Council voted unanimously to adopt Ordinance No. 24-04 setting the Fee Schedule for Fiscal Year 2024-2025 as presented.

ORDINANCE NO. 24-04

FEE SCHEDULE FOR FISCAL YEAR 2024-2025

BE IT ORDAINED by the Town Council of the Town of Midway, North Carolina that this schedule of fees is hereby approved for the Town of Midway's operations for the Fiscal Year beginning July 1, 2024 and ending June 30, 2025.

Town of Midway Schedule of Fees 2024-2025

Administration

Returned Check Fee	\$25.00
Copies – Per Page	\$0.10

Town Park Rental Fees*

Pavilion – ¼ for three-hour block	\$100.00
Pavilion – ½ for three-hour block	\$250.00
Pavilion – Full pavilion for three-hour block	\$500.00
Gazebo – Three-hour block	\$100.00

*All reservations require a refundable deposit equal to rental fee.

Sewer Fees

Zoning Designation	Tap Fee	Sq. Footage Fee	Acreage Fee	Residential Capital Recovery Fee
Residential	\$1,500.00	\$0.00	\$0.00	\$3,500.00
Commercial and Industrial	\$4,000.00	\$0.75/sq. ft.*	\$3,000.00	\$0.00

*The square footage fee shall be calculated using the subarea totals as shown on the Davidson County tax appraisal card for the relevant property.

Adopted this 3rd day of June 2024.

REGULAR BUSINESS

AUDIT CONTRACT – FISCAL YEAR 2023-2024– TONY BREWER, 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 certified public accountant.

Mr. Tony Brewer has submitted an Engagement Letter and a proposed contract between Tony Brewer CPA, PC and the Town of Midway to audit the accounts of the Town of Midway for year ending June 30, 2024. The contract includes fees in the amount of \$7,000 for the regular audit plus an additional \$2,000 for the audit for the American Rescue Plan funds (APR) for a total of \$9,000.

Town Attorney Jim Lanik has reviewed and approved the engagement letter and the contract with Tony Brewer, CPA, PC.

On motion by Councilor Keith Leonard, seconded by Councilor Jackie Edwards, Council voted unanimously to approve the Engagement Letter with Tony Brewer, CPA, PC as presented.

On motion by Councilor Jackie Edwards, seconded by Councilor Robin Moon, Council voted unanimously to approve the Audit Contract with Tony Brewer, CPA, PC in the amount of \$9,000 as presented.

CONTRACT AND PROPOSAL - CHRIS SINK HAULING AND GRADING, INC.

This item was added to the agenda.

Mayor Pro Tem Mike McAlpine stated that Town Manager Tammy Michael is approved to spend up to \$10,000 on special projects without prior Council approval; however, if there is an immediate need for services that exceeds that amount, there should be a contract in place to handle that need.

Town Attorney Jim Lanik noted the following changes would be needed to the Independent Contractor's Agreement: (1) Projects under \$10,000 may be approved by the Town Manager and anything over that amount would need Council's approval and (2) Contract is for "On Call" Projects as described on Exhibit A.

Mr. Lanik will make the suggested changes to the contract and forward it to the Town Clerk for execution.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Keith Leonard, Council voted unanimously to approve the contract with Chris Sink Hauling and Grading, Inc. with the changes as recommended by Town Attorney Jim Lanik.

Chris Sink
Hauling & Grading
777 Harvey Teague Road
Winston-Salem, NC 27107
Phone 336-769-1860/Cell 336-399-6762

Proposal

May 28, 2024

Town of Midway
426 Gumtree Road
Winston-Salem, NC 27107

Scope of work:

- Heavy & light grading work
- Finish grading work
- Hauling

Hourly rates:

- | | |
|--------------------------|-------------------|
| • Trackhoe & Trackloader | \$200.00 per hour |
| • Skidsteer work | \$175.00 per hour |
| • Dumptrucks | \$125.00 per hour |
| • Tractor work | \$125.00 per hour |
| • Pan work | \$175.00 per hour |

Acceptance of proposal

TOWN MANAGER'S REPORT

SET DATE FOR VISION SESSION

On motion by Councilor Keith Leonard, seconded by Berkley Alcorn, Council voted unanimously to set Tuesday, June 11, 2024 at 9:00am for the Vision Session to be held at Town Hall, 426 Gumtree Road in Midway.

TOWN PARK UPDATE

- Large grill installed. Expecting the additional two small grills by mid-June.
- Bulletin/Message board installed. Rules to be posted on the bulletin board to be both in English and Spanish.
- Rental revenue and deposit refund report located in FYI section of agenda packet.
- New parking lot – No updates – Town Manager Tammy Michael said Brad Coe will be meeting with NCDEQ to get the final permit for the new parking lot.

Town Manager Tammy Michael stated Danny Mizell informed her that the park staff inspects the park equipment, but he feels for liability reasons it needs to be a licensed inspector. Ms. Michael stated Thomas Marshburn Director of Davidson County Parks and Recreation will do the first inspection. Mr. Mizell said that Jeff Garrett, the new park employee, was an engineer with PPG for over 30 years and he has volunteered to take a course to get certified training for inspections.

Attorney Jim Lanik stated he has done research for the Council about the Automatic External Defibrillator (AED) machines that Kevin Leonard spoke to the Council about at the May 6, 2024 Council meeting for the Town Park. Mr. Lanik said he thinks there needs to be training before someone uses the AED machine. He said the company that the AED is purchased from can normally schedule a training class. The Red Cross has classes on how to use AED machines. He said if and when the Town purchases an AED machine, there should be some training on the device for staff.

MONTHLY FINANCIAL REPORT

Town Manager Tammy Michael provided Council with monthly financial reports for May 2024 as follows:

May 2024		
Total Income	\$2,196,174	113.1% of overall budget
Total Expenses	\$1,177,819	36.9% of overall budget

BOARD OF ADJUSTMENT UPDATE

Town Manager Tammy Michael gave an update on the Board of Adjustment Meeting that was held on Tuesday, May 28, 2024. At the meeting, the Board of Adjustment approved the following three variances.

1. Midway Animal Clinic – Variance to replace the low brick wall with landscaping and natural vegetation.
2. Neshe Sloan – Side yard setback.
3. Jason Faulkner – Side yard setback.

REMINDER -TOWN HALL WILL BE CLOSED IN OBSERVANCE OF INDEPENDENCE DAY

Town Hall will be closed Thursday, July 4, 2024 in observance of the Fourth of July.

For information only.

THE NEXT TOWN COUNCIL MEETING – MONDAY, JULY 8, 2024

Due to the Fourth of July holiday, the next Town Council meeting will be held on Monday, July 8, 2024.

For information only.

RECOGNITION – RETIREMENT OF TOWN MANAGER TAMMY MICHAEL

Mayor Pro Tem Mike McAlpine stated the Council wishes to recognize Town Manager Tammy Michael on her retirement at the end of June. Mayor John Byrum was unable to be at the meeting and asked Mayor Pro Tem McAlpine to read the following letter he had written to Ms. Michael.

Unfortunately, work has required me to be out of town for the town meeting this month, but I didn't want to miss the opportunity to express my thanks and appreciation for the wonderful and consistent job Tammy Michael has done serving as our Town Manager.

From budget preparation to leading a growing team of personnel, Tammy Michael has embraced every aspect of her job with an open mind and a beautiful willingness to learn and execute well.

Tammy has continually sought feedback and desired to understand others viewpoints. She has always been willing to roll up her sleeves and jump in when directions or the path forward were hazy. Her professionalism didn't waiver.

Tammy, I hope you find great joy in the next phase of your life, spending time doing what makes you happy.

The next Town Manager definitely has big shoes to fill and thank you for leaving the town better than how you found it.

My gratitude is endless.

All the best.

Mayor John Byrum

Mayor Pro Tem McAlpine said he appreciates all of Ms. Michael's work for the Town, especially the budget and the large spreadsheets she provided.

Councilor Jackie Edwards stated she hopes Ms. Michael enjoys her retirement.

Councilor Robin Moon stated he appreciates all Ms. Michael has done for the Town. He said he has enjoyed the updates and her ability to answer all the Council's questions. He stated he knows that it is difficult dealing with numbers all day and all of the other Town business. He said Ms. Michael really has done a good job and he appreciates it.

Council Keith Leonard stated he would like to thank Ms. Michael for being the face of the Town and her years of faithful service. Council appreciates her guidance and knowledge of the budget. He also stated that Council appreciates her overseeing all of the Park construction. Council really appreciates Ms. Michael and wish her well.

Councilor Berkley Alcorn stated he really appreciates her friendship and everything she does. He stated he has called her a thousand times, and she always answers his questions. He said it has been great working with Ms. Michael.

Town Manager Tammy Michael thanked Council for their comments and appreciates all of their support.

RECESS TO CLOSED SESSION

This item was added to the agenda.

On motion by Councilor Jackie Edwards, seconded by Councilor Keith Leonard, Council voted unanimously to enter into Closed Session in accordance with N.C.G.S. 143-318.11(a)(6) to discuss matters pertaining to personnel.

RECONVENE TO OPEN SESSION

On motion by Councilor Berkley Alcorn, seconded by Councilor Robin Moon, Council voted unanimously to enter into Open Session.

ADJOURNMENT

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

John Byrum, Mayor

Ree Smith, Deputy Town Clerk