

MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON MAY 4, 2026, AT 7:00 P.M. IN THE COUNCIL CHAMBER AT MIDWAY TOWN HALL, 426 GUMTREE ROAD, MIDWAY, NORTH CAROLINA

INVOCATION AND PLEDGE OF ALLGIANCE

Senior Paster Josh Sands with Zion Church Thomasville gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

CALL TO ORDER

Mayor John Byrum called the meeting to order.

Councilors present were: John Byrum, Mike McAlpine, Keith Leonard, Robin Moon and Jackie Edwards. Absent: Berkley Alcorn. Town Manager Brock Hall, Town Clerk Ree Goodson, Finance Officer Linda Hunt and Town Attorney Jim Lanik were present. Absent: None.

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

APPROVAL OF MINUTES

On motion by Councilor Jackie Edwards, seconded by Councilor Robin Moon, Council voted unanimously to approve the minutes of the March 19, 2026 Budget Work Session meeting.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Keith Leonard, Council voted unanimously to approve the minutes of the April 6, 2026 Town Council Regular meeting.

PUBLIC ADDRESS

Mona Hardiman – 213 Meadow Trail Lexington, NC 27295 – Ms. Hardiman said she is a longtime resident of the Town of Midway for the past 35 years and expressed concern about the impact of ongoing Transco and Duke Energy pipeline work on several neighborhoods, including Enterprise Road, Country Lane, and Old Hwy 52. Ms. Hardiman described the heavy equipment noise and land disturbance as disruptive to the character of the community.

Jeff Hardiman – 213 Meadow Trail Lexington, NC 27295 - Mr. Hardiman shared the same concerns and directed the Council's attention specifically to the deteriorating condition of their residential cul-de-sac road, which is being used as a primary access route for heavy construction vehicles including tractor-trailers, log trucks, and water trucks. Mr. Hardiman asked what recourse would be available for road repairs once the project is completed.

David Beverly – 129 Hebron Church Road Winston Salem, NC 27107 pastor and president of Beverly Renovations and Beverly Restoration Services, inquired about the process for using a residentially zoned (RA-3) property on Crook Road as a business office while maintaining its residential appearance. Mayor John Byrum directed him to Davidson County Planning Director Lee Crook, who was present at the meeting, to discuss the appropriate pathway forward.

Mayor John Byrum acknowledged their comments and indicated that Council and staff would be available to meet with them after the formal meeting.

ADOPT AGENDA

Mayor Pro Tem Mike McAlpine said the agenda needed to be amended to add the addition of a text amendment action item regarding Section 3.08 of the Core Commercial Overlay District (CCOD) and to add an item to Closed Session in accordance with N.C.G.S. 143-318.11(a)(5) to discuss matters pertaining to the acquisition of real property.

On motion by Mayor Pro Tem Mike McAcAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to adopt the amended agenda.

PUBLIC HEARINGS

REQUEST BY JOSEPH G. THOMAS TO REZONE PROPERTY LOCATED IN MIDWAY TOWNSHIP, TAX MAP 12, LOT 71 CONTAINING 0.46 ACRES MORE OR LESS. SAID PROPERTY IS LOCATED ON THE WEST SIDE OF OLD US HWY 52 APPROXIMATELY 0.16 MILES NORTH OF HICKORY TREE ROAD INTERSECTION. REZONING IS REQUESTED TO CHANGE FROM THAT OF CS – COMMUNITY SHOPPING DISTRICT TO THAT OF OI – OFFICE & INSTITUTIONAL DISTRICT

Davidson County Planning Director Lee Crook presented the rezoning request and introduced Davidson County Planning Officer Matthew Bruff. Mr. Crook said Mr. Bruff is the new County Planning staff member assigned to the western portion of the Town of Midway. Mr. Crook provided an overview of the property's location.

Joseph G. Thomas, the property owner, explained that he originally purchased the property from Larry Whicker, who had used it as a business office. Mr. Thomas stated after his construction company outgrew the space, he began leasing it to various tenants. Mr. Thomas stated the current use is a short-term Airbnb rental which triggered a zoning violation notice, prompting the rezoning request.

Mr. Thomas expressed his desire to continue leasing to his current Airbnb tenant if the rezoning were approved. Mr. Thomas also noted an interest in how any future changes to the Town's short-term rental ordinance might affect his situation.

Mr. Crook then presented staff's recommendation and read the full staff analysis into the record. Mr. Crook said staff noted that the structure predates 1954 and had been used as a residence until it was converted to commercial office use consistent with the CS zoning, at which point it lost its legal nonconforming residential status. Because residences are not permitted under CS zoning, the current Airbnb use regulated as a residential use under the Town of Midway Zoning Ordinance is not permissible.

Mr. Crook further cited the Town's Comprehensive Plan future land use map and the CCOD, both of which place this property firmly within the Core Commercial Overlay District, while designating Office and Institutional uses for other areas of the Town. Mr. Crook stated staff respectfully recommended denial, concluding that none of the criteria for a zoning atlas amendment under Article 7, Section 7.1 of the Town's Zoning Ordinance were satisfied. The Midway Planning Board had previously voted 4-0 to recommend denial on March 31, 2026.

In Council discussion, clarification was sought and provided regarding the nonconforming use status of other nearby residential properties within the CS zone. Mr. Crook confirmed that those neighboring residential properties retain their legal nonconforming status because they have continuously been used as residences and have never been converted to commercial use consistent with CS zoning unlike the subject property.

Mayor John Byrum opened the public hearing

There being no one wishing to speak, Mayor John Byrum closed the public hearing.

On motion by Mayor Pro Tem Mike McAlpine, seconded Councilor Robin Moon, Council voted unanimously to adopt the Resolution on Statement of Consistency in accordance with the provisions of North Carolina General Statue 160D-605. The Town Council does hereby find and determine that the requested zoning map amendment is unreasonable and that the adoption of the zoning map amendment is

not in the public interest due to its inconsistency with the comprehensive plan and, as a result, it does not further the goals and objectives of the comprehensive plan.

On motion by Councilor Robin Moon, seconded by Councilor Jackie Edwards, Council voted unanimously to deny the rezoning request for Joseph G. Thomas.

PROPOSED TEXT AMENDMENTS TO SECTION 3.08 OF THE CORE COMMERCIAL OVERLAY DISTRICT (CCOD) OF THE TOWN OF MIDWAY ZONING ORDINANCE

Town Manager Brock Hall stated staff has been working with Town Attorney Jim Lanik to update the verbiage to the Core Commercial Overlay District, Section 3.08 of the Zoning Ordinance. Mr. Hall said staff reviewed with the Board the most recent updates to include moving final approval authority from the Planning Board back to the Town Council. Significant changes in the document are highlighted. Two graphics were removed for clarification purposes. Additional photos from the original Hwy 52 Corridor Plan were included.

Mr. Hall said the Planning Board met on March 31, 2026, and recommended approval of the updated document.

Mayor John Byrum opened the public hearing

There being no one wishing to speak, Mayor John Byrum closed the public hearing.

On motion by Mayor Pro Tem Mike McApline, seconded by Councilor Keith Leonard, Council voted unanimously to approve the changes to Section 3.08 of the Zoning Ordinance for the Core Commercial Overlay District (CCOD).

A complete copy of the Core Commercial Overlay District (CCOD) is available in the Town Clerk's office at Town Hall.

COMMITTEE REPORT

There were none.

PROCLAMATION

Mayor Byrum read the Proclamation declaring Monday, May 25, 2026, as Memorial Day in the Town of Midway, encouraging all residents to observe the day in honor and memory of the men and women who sacrificed their lives in defense of the country.

PROCLAMATION

WHEREAS, for more than two hundred years, Americans have answered the nation's call to duty in the armed forces; and

WHEREAS, thousands of American men and women have given their lives for our country and many thousands more still bear severe disabilities and the scars of war; and

WHEREAS, on May 30, 1868, the first official MEMORIAL DAY (originally named Decoration Day) took place at Arlington National Cemetery, in memory of those who made the supreme sacrifice in defense of our country.

NOW, THEREFORE, BE IT PROCLAIMED, I John Byrum, as Mayor of the Town of Midway do hereby proclaim Monday, May 25, 2026 as

MEMORIAL DAY

in the Town of Midway and encourage all to observe this day in honor and memory of the thousands of American men and women who sacrificed their lives in defense of our country.

This the 4th day of May 2026

REGULAR BUSINESS

LISA GALLIMORE GRUBB – 4 PAWS SPAY AND NEUTER CLINIC

April Crowson, a board member of 4 Paws Spay and Neuter Clinic, addressed the Council on behalf of the nonprofit. Ms. Crowson stated that 4 Paws is the first and only reduced cost spay and neuter option in Davidson County, and highlighted statistics showing North Carolina is among the top five states accounting for 44% of animal euthanization nationally. Ms. Crowson reported that 67% of cats and 44% of dogs brought to the Davidson County shelter in 2025 were euthanized.

Ms. Crowson stated since opening in June of 2025, the clinic has performed over 1,500 spay and neuter surgeries. Ms. Crowson requested that the Council consider allocating budget funds to support the clinic's mission, noting that \$1,000 can fund spay and neuter services for twenty feral cats.

Mayor Byrum stated that Lisa Gallimore Grubb with 4 Paws Spay and Neuter Clinic had been separately listed on the agenda for this same item and confirmed that Ms. Crowson's public address would serve in place of that agenda presentation.

RESOLUTION NO. 03-26 OPPOSING STATE LEGISLATION THAT LIMITS LOCAL PROPERTY TAX AUTHORITY

Town Manager Brock Hall stated the ability to levy ad valorem property taxes has long been a right and duty of each individual unit of local government. It is also the primary source of tax revenue over which each individual unit of local government has direct control. In many cases property tax revenue is used to fund one of the most expensive services, public safety. Many towns use this money for police and fire protection and rely on sales tax revenue for other government expenses. While the Town of Midway does not rely on property tax revenue in large part, that is not to say it will always be that way.

Mr. Hall stated it is also important to know that the Town Charter already limits the ability to propose a tax increase greater than \$0.10 without the vote and consent of the majority of qualified voters within the Town.

Resolution No. 03-26 opposes state legislation that limits local property tax authority. Mayor Byrum commented that while the resolution may or may not influence the General Assembly, it is an important step in representing the interests of Midway residents.

On motion by Mayor Pro Tem Mike McAlpine seconded by Councilor Robin Moon, Council voted unanimously to approve Resolution No. 03-26 opposing state legislation that limits local property tax authority, and to direct the Town Clerk to distribute the resolution to the appropriate state legislators.

RESOLUTION NO 03-26
RESOLUTION OPPOSING STATE LEGISLATION
THAT LIMITS LOCAL PROPERTY TAX AUTHORITY

WHEREAS, The Town of Midway is committed to providing essential public services and maintaining a high quality of life for its residents, including public safety protection, parks and recreation, solid waste collection, land use planning, and streetlights; and

WHEREAS, Local governments in North Carolina rely primarily on property tax revenue as their most stable and locally controlled funding source to provide essential services to residents and businesses; and

WHEREAS, Unlike enterprise services funded through user fees, general government services rely on property tax revenue, making them especially vulnerable to any restrictions on that revenue source; and

WHEREAS, Proposed legislation would impose limits on the growth of local property tax revenues, including levy limits and requirements for voter approval to exceed those limits; and

WHEREAS, Such limitations would significantly restrict the ability of local governments to maintain service levels, respond to growth, and plan responsibly for the future, particularly in communities experiencing continued population increases; and

WHEREAS, Imposing rigid caps on property tax revenue would force local governments into a reactive financial posture, resulting in delayed investments, reduced service levels, and increased long-term costs to residents; and

WHEREAS, Requiring voter referenda to exceed arbitrary revenue limits would introduce uncertainty and delay into the funding of essential services that must be maintained without interruption; and

WHEREAS, Local elected officials are directly accountable to their residents and are best positioned to make informed decisions regarding taxation and service levels based on community needs; and

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Town of Midway strongly opposes any state legislation that limits local property tax authority, including levy limits, revenue caps, or mandatory voter referenda to exceed such limits;
2. The Town affirms that property tax flexibility is essential to funding core public services, and community amenities that directly impact residents' daily lives;
3. The Town urges the North Carolina General Assembly to reject any legislation that would undermine the ability of municipalities to fund essential services;
4. The Town further urges state leaders to recognize that limiting property tax revenues will not reduce the need for services, but will reduce the ability to provide them effectively;
5. The Town calls for the preservation of local control and accountability, allowing locally elected officials to make responsible fiscal decisions based on the needs of their communities;
6. The Town Clerk is directed to transmit this resolution to:
 - Members of the North Carolina General Assembly representing Davidson County,
 - Leadership of the North Carolina General Assembly,
 - The North Carolina Association of County Commissioners, and
 - The North Carolina League of Municipalities.

ADOPTED this 4th day of May 2026.

PROPOSED BUDGET AND FEE SCHEDULE FOR FISCAL 2026-2027

A. PRESENTATION OF BUDGET BY TOWN MANAGER BROCK HALL

Town Manager Brock Hall presented the budget in accordance with NCGS 159, Article 3-The Local Government Budget and Fiscal Control Act. Mr. Hall said the budget reflects the results of the prior Council budget workshops and is characterized by conservative revenue projections and expenditure management. Key highlights included:

- The proposed property tax rate remains unchanged at \$0.05 per \$100 valuation.
- No appropriation from the Town's fund balance is required to balance the budget.
- Minor adjustments from the prior budget session included the removal of a supplemental retirement line item and updated employee health insurance contribution amounts.
- Municipal services funded include curbside solid waste and recycling collection, streetlights, land use, planning, zoning, code enforcement, public safety, and Town Park.

Mr. Hall stated the budget is presented in the amount of \$2,367,600 and is balanced as it relates to anticipated revenues in the form of Sales Tax, Property Tax, Investment Earnings, and revenue generated through use of the Town Park.

Mayor Byrum commended Town Manager Brock Hall for successfully navigating his first budget cycle in the Town Manager role.

B. CALL FOR PUBLIC HEARING – JUNE 1, 2026

On motion by Councilor Keith Leonard and seconded by Councilor Jackie Edwards Council, voted unanimously to schedule a Public Hearing on the Proposed Budget and Fee Schedule for Fiscal Year 2026-2027 to be held on Monday, June 1, 2026, 7:00 PM at Town Hall.

TOWN MANAGER'S REPORT

TOWN PARK UPDATE

Town Manager Brock Hall said the Park is in its busy season. The Town recorded nineteen reservations in April and 38 reservations for May, including 11 in a single weekend a new record. Pavilion and Gazebo reservation revenue is tracking above the prior year. He said two maintenance projects are being scheduled.

1. Replacement of swing chains per the recommendation of the Town's insurance provider (recommended every 3–5 years)
2. Reapplication of the urethane topcoat on the playground surface, which will require a three-day closure of the playground area. Staff will advertise the closure in advance and keep the Council informed.

MONTHLY FINANCIAL REPORT

Council was provided copies of the monthly financial reports for April 2026 as follows:

April 2026		
Total Income	\$2,102,596	91.2% of overall budget
Total Expenses	\$1,159,383	50.3% of overall budget

Town Manager Brock Hall reported a net revenue of \$943,212.82 for the fiscal year to date, slightly ahead of the same point last year with two months remaining. Investment earnings for the prior month totaled \$16,988, though the monthly average of approximately \$15,000 this year is slightly below last year's average of approximately \$17,000 per month.

Mr. Hall stated that Finance Officer Linda Hunt and himself have begun reviewing investment accounts, made at least one reallocation from checking to a money market account, and they have a scheduled appointment with the Town's financial adviser to explore further portfolio improvements. Mr. Hall said the goal remains to keep the tax rate steady by maximizing investment returns.

REMINDER: APPRECIATION DINNER

Town Manager Brock Hall reminded Council about the Appreciation Dinner on Thursday, May 14, 2026, 6:00pm at Chop House in High Point.

REMINDER: TOWN HALL WE BE CLOSED – MONDAY MAY 25, 2026 – MEMORIAL DAY

Town Manager Brock Hall reminded Council that Town Hall will be closed on Monday May 25, 2026, for Memorial Day.

RECESS TO CLOSED SESSION

On motion by Councilor Keith Leonard, seconded by Councilor Robin Moon, Council voted unanimously to recess to closed session in accordance with N.C.G.S. 143-318.11(a)(5) to discuss matters pertaining to acquisition real property and N.C.G.S. 143-318.11 (a)(6) to discuss matters pertaining to personnel.

RECONVENE TO OPEN SESSION

On motion by Councilor Jackie Edwards, seconded by Councilor Robin Moon, Council voted unanimously to reconvene to 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 Goodson, Town Clerk