

Attendance: Mayor John Crump; Mayor Pro Tem Darren Hartsell; Councilmembers: Allen Burnette, Mike Tallent and Rich Wise; Town Manager, Doug Paris; Town Clerk, Nancy E. Boyden, *CMC, NCCMC*; Finance Officer, Beverly Love; Town Attorney, Anthony Fox; Planning, Zoning & Subdivision Administrator, Kassie Watts, *AICP, CZO*; Town Engineer, Richard McMillan, *P.E.*; Cabarrus County Captain, Marc Nesbit; Deputy Sheriff Cody Rominger; Midland Firefighter, Chase Abernathy.
Also Present: County Commissioner, Lynn Shue.
Absent: None.
Late: None.
Guests: Cabarrus County Supreme Court Judge, Marty McGee.

**SR denotes staff memo/report included*

1. Invocation: Mayor Pro Tem Hartsell pronounced the *Invocation*.
2. Open Meeting: Mayor Crump opened the meeting at 6:01 pm and called the room to order.
 - a. The room stood for the *Pledge of Allegiance*.
3. Administer Oath of Office to New Councilmembers and Mayor: His Honorable Supreme Court Judge, Marty McGee.

Judge McGee administered the Oath of Office to Mayor John Crump. Mr. Crump will serve his term as Mayor until November 2021.

Judge McGee administered the Oath of Office to Councilmember Mike Tallent. Mr. Tallent will serve his term as Councilmember until November, 2021.

Judge McGee administered the Oath of Office to Councilmember Rich Wise. Mr. Wise will serve his term as Councilmember until November, 2021.

4. Announcements: Mayor Crump gave the following announcements:
 - a. Christmas trash service delay: Thursday and Friday collections will run on a 1 day delay. Town Hall will be closed Monday 25th, Tuesday 26th and Wednesday 27th in observance of the holiday.
 - b. New Year's trash service delay: There will also be a 1 day delay during this week. Town Hall will be closed Monday, January 1st 2018.

5. Approval of Agenda:

Motion was made by Councilmember Wise and seconded by Mayor Pro Tem Hartsell to approve the Agenda as presented. **Motion carried 4-0.**

6. Consent Agenda: Minutes: Regular Session 11-14-2017; Attorney Bills

Motion was made by Councilmember Wise and seconded by Councilmember Tallent to approve the Consent Agenda as presented. **Motion carried 4-0.**

7. Public Comment: No comments forthcoming.

8. Approval of the 2018 Meeting Schedule:

Motion was made by Mayor Pro Tem Hartsell and seconded by Councilmember Wise to adopt the 2018 Town Council meeting schedule. **Motion carried 4-0.**

MIDLAND TOWN COUNCIL REGULAR MEETING SCHEDULE
Calendar Year 2018

**Regular Council Meetings are held the 2nd Tuesday of each month.
Midland Town Hall 4293-B NC Hwy. 24/27 Midland at 6:00pm.**

This Meeting Schedule is subject to change.

January 9th, February 13th, March 13th, April 10th, May 8th, June 12th,

July 10th, August 14th, September 11th, October 9th, November 13th, December 11th.

9. Town Council Nominations for the Following Liaison Appointments Under the Council-Manager Form of Government:

Motion was made by Councilmember Tallent and seconded by Councilmember Wise to make the following appointments:

- a. Centralina Council of Governments- Delegate and Alternate

Delegate: Mayor Crump

Alternate: Mayor Pro Tem Hartsell

- b. Metropolitan Planning Organization- TAC Representative and Alternate

Delegate: Councilmember Tallent

Alternate: Councilmember Wise

- c. WSACC Board Liaison

Liaison: Councilmember Wise

Alternate: Mayor Pro Tem Hartsell

- d. Planning and Zoning Board Liaison

Liaison: Councilmember Wise

Alternate: Councilmember Burnette

Motion carried 4-0.

10. Public Safety:

- a. Police Report - Cabarrus County Sheriff for Midland

Deputy Sheriff Rominger reported the following for the month of November, 2017:

693 Self-initiated calls for service- some of which were:

- 608 Security checks;
- 2 Suspicious subjects;
- 10 Suspicious vehicles;
- 1 Traffic accident property damage only;
- 38 Traffic stops.

116 Dispatched calls for service- some of which were:

- 1 B/E of a business;
- 1 B/E of a residence;
- 4 B/E of vehicles;

- 1 Larceny;
- 3 Property damages;
- 2 Security checks;
- 12 Suspicious vehicles;
- 7 Traffic accidents- property damage.

Deputy Sheriff Rominger added that the statistics for the radar trailer are in for October, November.

Councilmember Tallent asked if there was any news about the breaking and entering of vehicles in November.

Officer Rominger said the detectives are still working on those cases.

b. Midland Volunteer Fire Department Report

Fireman Chase Abernathy gave the Fire Department Report for November, 2017:

- 2 Structure fires;
- 4 Residential fire alarms;
- 3 Commercial fire alarms;
- 3 Brush fires;
- 4 Local alarms;
- 5 Motor vehicle accidents;
- 30 Medical calls.

Total calls for service: 51

11. Planning: Planning, Zoning & Subdivision Administrator- ***K. Watts***

a. Planning Projects- ***Verbal Update***

- Fox Creek subdivision: 5 new zoning permits were issued today. There are 25 new permits to date;
- Wyndham Forest subdivision: Continuing to pull zoning permits;
- Bethel Glen subdivision: Received 1 permit recently. They've addressed the safety issues in the neighborhood so the permit hold has been released;
- Banks Massey Project: Still in progress;
- CF Steel Project: Still in progress;
- Allen Mini Storage Project: Still in progress.

12. Engineering: ***R. McMillan***

a. Update on the Old Camden Estates Paving Project

Mr. McMillan:

- Met with Trull Contracting, LLC for a preconstruction meeting;
- Work is slated to begin December 13th, 2017;
- They will start with base repair in Old Camden Estates. Once that's done there will be some ditch and pipe work to do;
- Once temperatures are agreeable to paving, that will be scheduled and it is expected to start in approximately 2 weeks;
- The potholes on Pelham Lane and Whitetail Lane will be filled shortly as well.

Mayor Pro Tem Hartsell asked if the contractor is going to build up the shoulders of the streets.

Mr. McMillan said all the shoulders will remain the same width but if there is anything to cut back they will take care of it. If any parts of the shoulders are below the paving they will fill and grass them.

13. Staff Reports:

a. Finance Report November, 2017 - **B. Love**

Ms. Love reported on the cash accounts:

				Nov 30, 17
		Checking/Savings		
		1000 · CASH ON HAND		213.82
		1004 · GENERAL FUND		1,036,791.90
		1040 · UTILITY CAPITAL RESERVE FUNDS		2,203,177.49
		1050 · POWELL BILL FUNDS		270,954.59
		Total Checking/Savings		3,511,137.80

b. Manager Comments- **D. Paris**

Mr. Paris recapped his staff report:

Subject Title:

Resolution #2018-189 Approving the Sale of Personal Property to a Public Official

Background:

At the last meeting you approved a resolution authorizing the finance officer to sell the surplus sound system. Per state law the Town Clerk advertised the sale in the Charlotte Observer. The cost was \$28. Per state law the town waited over 10 days prior to closing the sale and making a decision.

The high bid for the system was \$136 from Councilman Mike Tallent. Since the high bid was from a public officer, you must pass the following resolution and Councilman Tallent must recuse himself from the vote on the resolution in order for the sale to be consummated per the advice of the UNC School of Government.

Budget: N/A

Recommendation:

Staff recommends you vote to recuse Councilman Tallent and then pass the following resolution.

i. Resolution #2018-189 Approving the Sale of Personal Property to a Public Official

Motion was made by Councilmember Wise and seconded by Mayor Pro Tem Hartsell to recuse Councilmember Tallent from the vote. **Motion carried 4-0.**

Councilmember Tallent stepped down from the dais.

Motion was made by Councilmember Burnette and seconded by Councilmember Wise to adopt **Resolution #2018-189** Approving the Sale of Personal Property to a Public Official. **Motion carried 3-0.**

Motion was made by Councilmember Wise and seconded by Mayor Pro Tem Hartsell to have Councilmember Tallent return to the dais. **Motion carried 3-0.**



Resolution Approving the Sale of Personal Property to a Public Officer as allowed by the “Small Jurisdiction “exception under NCGS 14-234(d1)”

Resolution #2018-189

WHEREAS, Town of Midland owns a sound system that has become surplus for its current needs; and

WHEREAS, The Town of Midland adopted Resolution #2018-188 at its November 14th, 2017 Town Council Meeting authorizing the Finance Officer to sell personal property valued less than \$30,000 as allowed under NCGS 160A-267; and

WHEREAS, The Town of Midland published notice of sale in the Charlotte Observer on November 19th, 2017 in accordance with NCGS 160A-267; and

WHEREAS, the highest offer for purchase of the personal property was received from a Public Officer, Councilmember Mike Tallent, in the amount of \$136.00; and

WHEREAS, NCGS 14-234 prohibits public officers or employees from benefitting from public contracts, with the exception that NCGS 14-234 does not apply to any elected official of a town having a population of no more than 15,000, and a contract not exceeding \$40,000, and when such contract is approved by specific resolution and adopted in an open and public meeting; and when the public officer benefitting from the contract recuses himself from the vote; and

WHEREAS, the population of Midland is less than 15,000, the contract in question is less than \$40,000, this document serves as the resolution required by NCGS 14-234; and Councilmember Mike Tallent has recused himself from the vote; and

WHEREAS, the Town Council is convened in an open and public meeting;

THEREFORE, THE TOWN COUNCIL does approve the sale of personal property outlined by Midland Town Resolution #2018-188 to Councilman Mike Tallent in exchange for \$136.00.

14. Adjournment:

Motion was made by Councilmember Wise and seconded by Councilmember Tallent to adjourn the meeting. **Motion carried 4-0.**

Council adjourned at 6:17 pm.

Attest/Seal

Mayor John Crump

Nancy E. Boyden, CMC, NCCMC Town Clerk