

MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON NOVEMBER 2, 2015 AT 7:00 P.M. IN THE MEETING ROOM AT THE MIDWAY FIRE AND RESCUE BUILDING, 228 MIDWAY SCHOOL ROAD, MIDWAY, NORTH CAROLINA

CALL TO ORDER

Mayor Norman L. Wilkes called the meeting to order and welcomed everyone present.

Mayor Wilkes gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

Councilors present were: Mike McAlpine, Keith Leonard, Robin Moon, and Todd Nifong Absent: John Byrum. Town Manager Ryan Ross, Town Attorney Jim Lanik, Town Clerk Linda Hunt, and Administrative Support Specialist Cynthia Ramsey were present.

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 Robin Moon, Council voted unanimously to approve the minutes of the October 5, 2015 Town Council Regular Meeting as presented.

On motion by Councilor Todd Nifong, seconded by Councilor Keith Leonard, Council voted unanimously to approve the minutes of the October 15, 2015 Town Council Special Meeting as presented.

PUBLIC ADDRESS

There were none.

ADOPT AGENDA

Mayor Pro Tem Mike McAlpine requested the agenda be amended to delete Item 6. TOWN PARK COMMITTEE under **VIII. REGULAR BUSINESS**, stating he would like to wait until the full Council is present before proceeding with the item.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Todd Nifong, Council voted unanimously to adopt the agenda as amended.

OPENING REMARKS BY MAYOR

There were none.

PROCLAMATION

PROCLAMATION – VETERANS DAY

Mayor Norman L. Wilkes proclaimed Wednesday, November 11, 2015 as Veterans Day in the Town of Midway in tribute to the veterans of all wars; the living, the disabled, and the dad, and urged all citizens to join in the expression of appreciation to the many veterans in our community who have given so much on our behalf in times of both war and peace.

REGULAR BUSINESS

AUDIT REPORT – EDDIE CARRICK, CPA

At the last regular Town Council meeting on October 5, 2015 Eddie Carrick, CPA presented the Town's Annual Audit Report for fiscal year ending June 30, 2015. Mr. Carrick stated that in his opinion, based

on his audit of the basic financial records and statements present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the Town of Midway as of June 30, 2015, and the respective changes in financial position thereof and the respective budgetary comparison for the General Fund for the year then ended are in accordance with Generally Accepted Accounting Principles (GAAP).

Per the audit report, the Town is in a solid conservative financial position and received an unqualified opinion (i.e. "clean opinion") on the audit.

To allow Council sufficient time to review the audit report for year ending June 30, 2015, action on this item was delayed until the November 2, 2015 Town Council regular meeting.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Robin Moon, Town Council voted unanimously to accept the audit report for Fiscal Year 2014-2015.

RATIFY EXECUTION OF PARKING LOT CONTRACT BETWEEN THE TOWN OF MIDWAY AND J & E CONCRETE CONSTRUCTION COMPANY, LLC FOR PARKING LOT FOR TOWN HALL AND PARK

At the September 14, 2015 Town Council Special Meeting, Town Council awarded the bid for construction of the parking lot for the park and Town Hall located at 426 Gumtree Road in Midway to the lowest responsible bidder, J & E Concrete Construction, LLC, 169 Sandy Creek Lane, Lexington, North Carolina in the amount of \$278,260.00, contingent upon execution of a contract between J & E Concrete Construction, LLC and the Town of Midway as modified and approved by the Town Attorney.

Town Attorney Jim Lanik reported the contract between the Town of Midway and J & E Concrete Construction LLC has been executed and he recommended Town Council ratify the execution of said contract.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Robin Moon, Town Council voted unanimously to ratify execution of the Parking Lot Contract between the Town of Midway and J & E Concrete Construction, LLC for the Parking Lot for Town Hall and Park in the amount of \$278,260.

INDEPENDENT CONTRACTOR AGREEMENT - CONTRACT – WARREN D. HILL – ROADWAY TRASH PICKUP SERVICES

At the last Town Council regular meeting on September 7, 2015, Warren D. Hill, 494 Jones Drive, Winston-Salem, North Carolina submitted a contract based on his proposal for trash removal along the following roadways on a monthly basis at a cost of \$1,600 per month:

1. All of Old Highway 52 at Home Trust Bank down to stoplight at Midway School Road
2. Old Highway 52 at Midway School Road to Norman Shoaf Road
3. Old Highway 52 at Hickory Tree Road ending at North Payne Road
4. Old Highway 52 at Gumtree Road ending at Norman Shoaf Road.

It was determined that the contract submitted by Mr. Hill was insufficient and Town Attorney Jim Lanik was directed to prepare a formal contract proposal for Mr. Hill's consideration.

Town Attorney Jim Lanik prepared a proposed Independent Contractor Agreement between the Town of Midway and Warren D. Hill (Contractor) for trash pickup services, including, but not limited to, removing trash, litter and other debris at the locations as listed above. The services shall also include, but not be limited to, the proper and lawful disposal of all items picked up or removed by the Contractor and all such disposal shall be at the Contractor's sole cost and expense. The Contractor shall perform the services only when directed to do so by the Town Manager and shall perform the services no more than

once per calendar month. The initial term of this agreement shall be for one (1) year from the effective date, unless sooner terminated as set out in the contract. The Contractor shall receive as compensation for the services rendered under the contract \$1,600 per month but only for those calendar months in which the Contractor performs the services. Contractor will be paid within 30 days of submission of an invoice for the services performed; provided, however, that the Contractor will receive no compensation or other payment for services performed without prior authorization by the Town Manager. The Contractor will work on the days and at the times as may be mutually agreed by the Contractor and Town from time to time.

Mayor Pro Tem Mike McAlpine stated it was his understanding that the initial contract would be in connection with the Christmas Parade route cleanup and would include the trash pickup services along the additional roadways for one time only and after that, Council would evaluate the services and determine whether to enter into a full contract with Mr. Hill.

Councilor Nifong asked for verification that the contractor would only come out to provide the service when requested by the Town to do so. Town Attorney Jim Lanik confirmed that was correct.

On motion by Councilor Robin Moon, seconded by Councilor Todd Nifong, Council voted unanimously to approve the Independent Contractor Agreement with Warren D. Hill for one (1) year from the effective date to perform trash pickup services, including, but not limited to, removing trash, litter and other debris at a cost of \$1,600 calendar month but only for those calendar months in which the services are performed as requested by the Town at the following locations:

- Old Hwy. 52 from Home Trust Bank to Midway School Road;
- Midway School Road from Old Hwy. 52 to Norman Shoaf Road;
- Hickory Tree Road from Old Hwy. 52 to North Payne Road; and
- Gumtree Road from Old Hwy. 52 to Norman Shoaf Road.

ADOPT TOWN COUNCIL MEETING SCHEDULE FOR 2016

In accordance with N.C. General Statute 160A-71, the Town Council is required to adopt a schedule stating the time and place for its regular meetings for the coming year. A copy of the City Council's regular meeting schedule shall be filed with the City Clerk.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Keith Leonard, Town Council voted unanimously to adopt the Town Council Meeting Schedule for 2016 as follows:

2016 Midway Town Council Meeting Schedule

Meetings of the Midway Town Council are generally held on the 1st Monday of each month, unless otherwise listed, at 7:00 p.m. in the Town Hall Council Chamber located at 426 Gumtree Road in Midway, North Carolina.

January 4
February 1
March 7
April 4
May 2
June 6
July 18
August 1
September 6 (Tuesday)*
October 3
November 7
December 5

*To observe the Labor Day holiday, the September regular meeting will be held on the first Tuesday of the month.

ADOPT TOWN OF MIDWAY HOLIDAY SCHEDULE FOR 2016

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Keith Leonard, Town Council voted unanimously to adopt the Holiday Schedule for 2016.

2016 Town of Midway Holiday Schedule	
New Year's Day	Friday, January 1
Martin Luther King, Jr. Day	Monday, January 18
Good Friday	Friday, March 25
Memorial Day	Monday, May 30
Independence Day	Monday, July 4
Labor Day	Monday, September 5
Veterans Day	Friday, November 11
Thanksgiving	Thursday, November 24
	Friday, November 25
Christmas	Monday, December 26

TOWN PARK COMMITTEE

This item was deleted from the agenda.

TOWN MANAGER'S REPORTS

CHRISTMAS PARADE – SATURDAY, NOVEMBER 28, 2015

Town Manager Ryan Ross announced the Christmas Parade will be held on Saturday, November 28, 2015 at 1:00 p.m. Those interested in participating in the Christmas Parade can pick up registration forms at Cagney's Restaurant, Midway General Store or Town Hall. The lineup for the parade will be at Faith Missionary Alliance Church at the corner of Gumtree and Norman Shoaf Roads. For anyone who failed to register to participate in the parade but wish to participate, they should be at the lineup location by 11:00-11:30 a.m. that day.

Mayor Wilkes informed the Council the Town would have a float in the parade and encouraged Council to ride on the float.

For information only.

REMINDERS – TOWN HALL TO BE CLOSED – OBSERVANCE OF HOLIDAYS

Town Manager Ryan Ross reminded Town Council that Town Hall will be closed on Wednesday, November 11, 2015 for Veterans Day and on Thursday and Friday, November 26 and 27, 2015 for Thanksgiving.

Reminder only.

ADJOURNMENT

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

Norman L. Wilkes, Mayor

Linda A. Hunt, Town Clerk