MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON JANUARY 3, 2022 AT 7:00 P.M. IN THE COUNCIL CHAMBER AT MIDWAY TOWN HALL, 426 GUMTREE ROAD, MIDWAY, NORTH CAROLINA

CALL TO ORDER

Mayor Pro Tem Mike McAlpine called the meeting to order and welcomed everyone present.

Mayor Pro Tem Mike McAlpine gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

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

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

No members of the press were 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 December 6, 2021 Town Council regular meeting as presented.

PUBLIC ADDRESS

Mrs. Judith Cox, a resident of Midway, addressed Council with concerns she has with neighbors having late night parties with loud music and cars running in and out of the neighborhood. Mrs. Cox loves her community, but these issues are causing her great concern. During the parties, children are running around outside late at night with no supervision. Two weeks before Christmas, Mrs. Cox called 911 to report the issues, and she stated that it took fifty minutes for a deputy to show. By that time, the adults had gotten all of the children inside. She is concerned for the children's welfare. Mrs. Cox would like for Council to consider adding additional police presence in the Town to help combat the issues that are arising in her neighborhood.

ADOPT AGENDA

Mayor Pro Tem Mike McAlpine requested the agenda be amended as follows:

Remove items VIII. RECESS TO CLOSED SESSION and IX. RECONVENE TO OPEN SESSION.

Remaining item X. ADJOURNMENT to be moved up to item VIII. ADJOURNMENT.

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

REGULAR BUSINESS

CONTRACT – VC3, INC. – IT SERVICES AGREEMENT

A strong and stable IT service is paramount in operating an efficient and effective town government or any business in today's world. IT is the backbone that supports town services and allows employees to deliver critical services.

The Town of Midway currently contracts IT services with One-Step Computer Solutions-John Estep. One-Step has provided IT services for a number of years. During the October 2021 Vision Session, Town Staff

requested Council approve a search for a new IT Services provider. Midway's IT needs require a company who is fully staffed, readily available, and is sensitive to the needs of a small municipality.

Town Staff contacted the North Carolina League of Municipalities (NCLM) for recommendations and vendors who are presently serving other municipalities with North Carolina. VC3, Inc. is a vetted NCLM partner. Staff reached out to other local municipalities for information/comments, etc., with regard to VC3's services, response times and any other general customer service issues.

VC3, Inc. has submitted a proposed Master Services Agreement for IT services for Council consideration. Per the agreement, VC3 would invoice \$549.14 per month for its service. A one-time fee of \$549.14 would be paid when the agreement and work order is executed. This would be a three (3) year agreement.

Attorney Jim Lanik has reviewed, revised, and discussed the recommended revisions with VC3, Inc. to the IT Services Agreement and Work Order. The changes were accepted, and the agreement and work order have been updated.

The services and fees associated with the proposed IT Services Agreement are as follows:

Table A: Services & Fees

Description	Units	Unit Price	Monthly Fee	One-Time Fee	Annual Fee
ITnB-Silver-PC IT in a Box Silver coverage per PC providing Cybersecurity & Computer Maintenance, 24x7 Helpdesk (remote), and Vendor Management & Procurement.	3.00	\$81.18	\$243.54	\$0.00	\$0.00
ITnB-Email IT in a Box email coverage per individual. Email includes 50GB of mailbox storage, Outlook support, rich Browser Access (Outlook Web Access), rich Mobile Access (ActiveSync), shared calendars and contacts, archiving, anti-malware, and anti-spam.	7.00	\$9.23	\$64.61	\$0.00	\$0.00
ITnB- EmailRmDmCollabOffice IT in a Box email coverage per individual. Email includes 50GB of mailbox storage, Outlook support,	3.00	\$23.34	\$70.02	\$0.00	\$0.00

Total Service	es Monthly:		\$54	49.14	
ITnB-DataBackup-OffsiteStorage IT in a Box unlimited offsite data backup storage per device. The selected device must have an associated server or PC data backup sku.	3.00	\$37.99	\$113.97	\$0.00	\$0.00
ITnB-DataBackup-PC IT in a Box data backup coverage per PC providing management, real-time monitoring, and quarterly testing.	3.00	\$19.00	\$57.00	\$0.00	\$0.00
rich Browser Access (Outlook Web Access), rich Mobile Access (ActiveSync), shared calendars and contacts, archiving, anti-malware, and anti-spam. Document Management includes sharing, managing, and searching for documents, records, and resources stored within the document management system. Collaboration includes chat, online meetings, notes, and attachments. Microsoft Office includes Outlook, Word, Excel, PowerPoint, OneNote, Access, and Publisher.					

• Prices shown above are valid for 30 days from date of work order.

Table B: Summary of Fees

One-Time Fees*	Monthly Fees	Annual Fees
\$549.14	\$549.14	\$0.00

^{*} On-Time fee include implementation if required.

Council discussed the Master Services Agreement proposed by VC3, Inc. for the Town's IT services. Councilor Jackie Edwards expressed concerns with section 2.3 Expenses of the agreement that states that the Town would pay VC3, Inc. for any expenses incurred by VC3, Inc. in the performance of the services, including travel, living, and out-of-pocket expenses incurred pursuant to the agreement. Town Attorney Jim Lanik stated that he is not overly concerned about the expenses stipulation because these expenses

would only occur if a technician would have to be present on site for multiple days. Mr. Lanik did express concerns regarding the Termination clause in the contract, which was originally written as a five-year contract, but the term was renegotiated by Mr. Lanik to a three-year contract. If the Town terminates the contract before the end of its third year, it would be considered a breach of contract. Mrs. Michael stated that one reason the termination portion of the contract may be so stringent is because the Town will be paying for services monthly instead of paying the entire contract up front. VC3, Inc. would have a lot of work to do initially without receiving a great deal of funds from the contract.

Mayor Pro Tem Mike McAlpine asked Mrs. Michael if there were any local companies that would be willing to quote on IT services for the Town. He expressed concerns regarding the hourly rate fees in excess of the normal rates in the contract if IT support was needed outside of the hours of 8-5 Monday through Friday. Mrs. Michael stated that she has not been able to locate anyone locally, mainly because Government IT and Commercial IT services differ due to the type of records that must be kept and how they must be maintained.

Mr. Lanik stated that VC3, Inc. only works with municipalities and other forms of government which can be more difficult than Commercial IT companies due to confidentiality differences. Government IT companies must have the ability to deal with all sunshine provisions where everything is an open book and records are more vulnerable to threats. Retention schedules for all records are maintained according to the North Carolina Department of Natural and Cultural Resources archive rules. Government IT companies must be available twenty-four hours per day, seven days per week. With Commercial IT companies, all records are confidential so they can be maintained more simply.

Mayor Pro Tem Mike McAlpine inquired about the differences between the Town's current IT provider and VC3, Inc. Mrs. Michael responded by saying that with the current provider, backup to the Town's computers is handled by staff physically plugging in a mobile backup device to the computers and the IT provider backing up records remotely. With VC3, Inc. records are completely backed up remotely through a dual backup system to the cloud, which the current provider can do, but not requested to do so with the current contract. Mrs. Michael said that with VC3, Inc., if the Town's records are backed up in a cloud and the system goes down, she can send a help desk ticket to VC3, Inc. to have it restored. If VC3, Inc. is aware of the crashed system before the Town's staff, representatives will already be working on the system to restore it.

Mr. Lanik requested that Council members email him any questions and concerns they have regarding the current contract proposal from VC3, Inc. and what changes they would like for him to negotiate to the contract with VC3's attorney by January 14, 2022.

On motion by Councilor Keith Leonard, seconded by Councilor Berkley Alcorn, Council voted unanimously to defer action on the contract with VC3, Inc. until the February 7, 2022 Town Council meeting to give Town Attorney Jim Lanik the opportunity to contact the attorney for VC3, Inc. regarding the request changes and updates to the current proposed contract.

ADOPT - 2021 MUNICIPAL RECORDS RETENTION AND DISPOSITION SCHEDULES

- A. 2021 General Records Schedule: Local Government Agencies Resolution No. 02-22
- B. 2021 Program Records Schedule: Local Government Agencies Resolution No. 03-22

The General Statutes of North Carolina Chapters 121 and 132 set forth the guidelines for retention and disposition of public records. The North Carolina Department of Cultural Resources agrees that certain records possess only brief administrative, fiscal, legal, research and reference value and should be retained and disposed of according to the adopted schedules. The North Carolina League of Municipalities strongly

encourages the adoption of the retention and disposition of the public records schedules, along with regular updates/changes.

Noted changes this year include the separation of public records into two sections. NC Dept. of Cultural Resources has created a new schedule titled Program Records Schedule: Local Government Agencies. The new schedule includes the records outlined in Resolution 03-22, Exhibit A.

For future reference, Council will adopt separate resolutions to update both schedules.

Resolution 02-22 "Records Retention and Disposition Schedule - General Records," dated October 1, 2021, addresses the core schedule which lists all records (applicable and non-applicable to the Town of Midway.) Deputy Town Clerk Tammy Robertson has identified the updates and changes in Exhibit A. Town Clerk Linda Hunt has reviewed and agrees with the updates/changes.

Resolution 03-22 "Records Retention and Disposition Schedule – Program Records Schedule," dated October 1, 2021, is a new section that provides updates/changes to certain records such as Airport Authority, Animal Services, Code Enforcement and Inspection, etc. The Town of Midway contracts for many of the services specifically named. Therefore, the contractor of record will maintain the required documents/records. The Town of Midway will maintain the Standard 14: Parks and Recreation Records.

Exhibit A is a complete list of the Program Records Schedule developed and approved by the Department of Culture Resources. Town Clerk Linda Hunt has reviewed and agrees with the updates/changes.

On motion by Councilor Robin Moon, seconded by Councilor Jackie Edwards, Council voted unanimously to Adopt the October 1, 2021 Municipal Records Retention and Disposition Schedule: General Records Schedule for Local Government Agencies. Resolution No. 02-22.

TOWN OF MIDWAY RESOLUTION NO. 02-22

RECORDS RETENTION AND DISPOSITION SCHEDULE GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

WHEREAS, in accordance with the provision of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. **Public records including electronic records not listed in this schedule are not authorized to be destroyed; and**

WHEREAS, the Town of Midway and the Department of N.C. Department of Cultural Resources agree that certain records possess only brief administrative, fiscal, legal, research and reference value. These records have been designated by retention periods which allow these records to be destroyed when "administrative value ends;" and

WHEREAS, it is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reasons they may be retained for longer periods. This schedule is to remain in effect from the date of approval until it is reviewed and updated.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Midway, North Carolina, does hereby take the following action:

Section 1. Approve the Agreement (Exhibit A) dated October 1, 2021 between the Town of Midway and the N.C. Department of Cultural Resources for approval of the Municipal Records Retention and Disposition Schedule: General Records Schedule for Local Government Agencies; and

Section 2. Authorize the Mayor, Town Clerk and Town Manager to execute the Agreement described in Section 1; and

Section 3. This Resolution shall become effective upon its adoption and approval.

Adopted this the 3rd day of January 2022.

Resolution No. 02-22

Adopted January 3, 2022

EXHIBIT A

TOWN OF MIDWAY RECORDS RETENTION AND DISPOSITION SCHEDULE GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

PAGE	STANDARD	YEARS
	ADMINISTRATION AND MANAGEMENT RECORDS	
1	Abstracts of Municipal Elections	2 years
3	Business Certification Records	1 year
3	Census Project Records	5 years
5	Constituent Surveys	1 year
8	Grant Proposals	5 years
9	History Records (Agency and Employees)	Retain in office
		permanently
9	Interagency Programs	N/A
10	Legislation and Regulatory Records	2 years
10	Mailing and Distribution Records	2 years
11	Miscellaneous (Non-Building) Applications, Licenses and Permits	1 year
12	Ordinances	5 years
13	Price Quotations	3 years
14	Proclamations and Orders	1 year
15	Public Bodies: Agenda and Meeting Packets	2 years
15	Public Bodies: Applications for Appointment	1 year
17	Public Bodies: Minutes	2 years
18	Rebate Program Records	1 year
18	Reference (Reading) File	2 years
19	Reports and Studies	1 year
20	Requests for Proposals (RFP)	2 years

20	Resolutions	5 years
21	Tracking Materials	When reference value ends
	BUDGET, FISCAL, AND PAYROLL RECORDS	
27	Budget Resolutions and Ordinances	5 years
28	Government Employees Retirement System Monthly Reports	3 years
29	Investments	2 years
	GEOGRAPHIC INFORMATIONSYSTEM (GIS) RECORDS	
37	Geographic Information System (GIS) Project Records	N/A
42	Maps: All Other	N/A
	HUMAN RESOURCES RECORDS	
54	Personnel Records (Supervisor Copy)	1 year
	INFORMATION TECHNOLOGY RECORDS	
	PUBLIC RELATIONS RECORDS	
75	Agency Publications	1 year
75	Audio-Visual Recordings	1 year
75	Community Awards	2 years
77	Media File	3 years
78	Speeches	1 year

On motion by Councilor Keith Leonard, seconded by Councilor Berkley Alcorn, Council voted unanimously to adopt the October 1, 2021 Municipal Records Retention and Disposition Schedule: Program Records Schedule for Local Government Agencies. Resolution No. 03-22.

TOWN OF MIDWAY RESOLUTION NO. 03-22

RECORDS RETENTION AND DISPOSITION SCHEDULE PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

WHEREAS, in accordance with the provision of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. **Public records including electronic records not listed in this schedule are not authorized to be destroyed; and**

WHEREAS, the Town of Midway and the Department of N.C. Department of Cultural Resources agree that certain records possess only brief administrative, fiscal, legal, research and reference value. These records have been designated by retention periods which allow these records to be destroyed when "administrative value ends;" and

WHEREAS, it is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reasons they may be retained for longer periods. This schedule is to remain in effect from the date of approval until it is reviewed and updated;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Midway, North Carolina, does hereby take the following action:

- Section 1. Approve the Agreement (Exhibit A) dated October 1, 2021, between the Town of Midway and the N.C. Department of Cultural Resources for approval of the Municipal Records Retention and Disposition Schedule: Program Records Schedule for Local Government Agencies; and
- Section 2. Authorize the Mayor, Town Clerk and Town Manager to execute the Agreement described in Section 1; and
 - Section 3. This Resolution shall become effective upon its adoption and approval.

Adopted this the 3rd day of January 2022.

Resolution No. 03-22

Adopted January 3, 2022

EXHIBIT A

TOWN OF MIDWAY RECORDS RETENTION AND DISPOSITION SCHEDULE PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

PAGE	STANDARD	YEARS
	STANDARD: AIRPORT AUTHORITY RECORDS	N/A
	STANDARD 10: ANIMAL SERVICES RECORDS	N/A
	STANDARD 12: CODE ENFORCEMENT AND INSPECTIONS RECORDS CONTRACT WITH DAVIDSON COUNTY	
5	Blueprints and Specifications	
6	Building, Road Permitting and Inspection Records	
8	Permits: Construction	
9	Valve Operation File	
10	Violations: Water Conservation	
	STANDARD 13: EMERGENCY MEDICAL SERVICES AND FIRE	
	DEPARTMENT RECORDS	
	CONTRACT WITH DAVIDSON COUNTY AND LOCAL VOLUNTEER FIRE DEPARTMENT	

	STANDARD 14: PARKS AND RECREATION RECORDS	
17	Parks Planning File	3 years
17	Recreation Programs	N/A

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JANUARY 3, 2022

18	Ticket Stubs	N/A
	STANDARD 15: PROGRAM OPERATIONAL RECORDS – PLANNING	
	AND REGULATION OF DEVELOPMENT RECORDS CONTRACT WITH DAVIDSON COUNTY	
20	Certificates of Appropriateness:	
	b. Destroy in Office Denied Applications when Reference Value Ends	
	c. Destroy in Office Remaining Records when Reference Value Ends	
21	Conditional Use Permit Records and Index	
21	Declarations and By-Laws from Townhouses, Condominiums, Planned	
	Residential Developments, Common Areas, etc.	
24	Subdivision Records	
		27/4
	STANDARD 16: PUBLIC HOUSING AUTHORITIES,	N/A
	REDEVELOPMENT COMMISSIONS, AND ENTITLEMENT COMMUNITIES RECORDS	
	COMMUNITIES RECORDS	
	STANDARD 17: PUBLIC TRANSPORTATION SYSTEMS RECORDS	N/A
32	Applications for Art-In-Transit	N/A
32	Customer (Rider) Identification Records	N/A
33	Route History Records	N/A
33	Seat Belt and Restraint System Records	N/A
33	Transit Schedules	N/A
	STANDARD 18: PUBLIC UTILITIES AND ENVIRONMENTAL/	
	STANDARD 16. I UDLIC UTILITIES AND ENVIRONMENTAL	
	WASTE MANAGEMENT RECORDS	
	WASTE MANAGEMENT RECORDS CONTRACTED SERVICES	
34	CONTRACTED SERVICES	
34		
37	CONTRACTED SERVICES Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records	
37 39	CONTRACTED SERVICES Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans	
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37 39 41	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas)	
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37 39 41	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas) Utilities: Tap and Hook Up Records	
37 39 41	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas) Utilities: Tap and Hook Up Records STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND	
37 39 41 43	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas) Utilities: Tap and Hook Up Records STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS	N/A
37 39 41 43	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas) Utilities: Tap and Hook Up Records STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS Cemetery Deeds	N/A N/A
37 39 41 43	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas) Utilities: Tap and Hook Up Records STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS	N/A N/A N/A
37 39 41 43	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas) Utilities: Tap and Hook Up Records STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS Cemetery Deeds Excavating Permits	N/A
37 39 41 43	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas) Utilities: Tap and Hook Up Records STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS Cemetery Deeds Excavating Permits Project Records	N/A
37 39 41 43	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas) Utilities: Tap and Hook Up Records STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS Cemetery Deeds Excavating Permits Project Records STANDARD 20: LAW ENFORCEMENT RECORDS	N/A
37 39 41 43 46 47 47	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas) Utilities: Tap and Hook Up Records STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS Cemetery Deeds Excavating Permits Project Records STANDARD 20: LAW ENFORCEMENT RECORDS CONTRACT WITH DAVIDSON COUNTY	N/A
37 39 41 43 46 47 47	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas) Utilities: Tap and Hook Up Records STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS Cemetery Deeds Excavating Permits Project Records STANDARD 20: LAW ENFORCEMENT RECORDS CONTRACT WITH DAVIDSON COUNTY Composite Interviews	N/A
37 39 41 43 46 47 47	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas) Utilities: Tap and Hook Up Records STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS Cemetery Deeds Excavating Permits Project Records STANDARD 20: LAW ENFORCEMENT RECORDS CONTRACT WITH DAVIDSON COUNTY Composite Interviews Crime Analysis Records	N/A
37 39 41 43 46 47 47	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas) Utilities: Tap and Hook Up Records STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS Cemetery Deeds Excavating Permits Project Records STANDARD 20: LAW ENFORCEMENT RECORDS CONTRACT WITH DAVIDSON COUNTY Composite Interviews Crime Analysis Records Detention Facility Operational Records	N/A
37 39 41 43 46 47 47 47	Environmental: Comprehensive Solid Waste Management Plan and Amendments Erosion Control: Erosion and Sediment Control Exhibit Records Utilities: Electric Power and Natural Gas Facility Engineering and System Plans Utilities: Meter Installation, Testing and Calibration Records (Electric, Water, Gas) Utilities: Tap and Hook Up Records STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS Cemetery Deeds Excavating Permits Project Records STANDARD 20: LAW ENFORCEMENT RECORDS CONTRACT WITH DAVIDSON COUNTY Composite Interviews Crime Analysis Records	N/A

- 61 Fugitive Warrants Case Records
- 62 Incident Response Reports
- 63 Inmate Commitment Records
- **66** Juvenile Case History Identification Records
- 67 Multiple Firearms Sales Reports
- **68** Permission to Search Records
- 71 Traffic Accident Reports

STANDARD 21: TAX RECORDS

CONTRACT WITH DAVIDSON COUNTY

77 Tax Levy/Seizure Records

<u>ADOPT – "SUGGESTED RULES OF PROCEDURE FOR A CITY COUNCIL" FOURTH EDITION, 2017</u>

At the Town Council Regular meeting held on November 1, 2021, Council was presented for adoption, the "Suggested Rules of Procedure for a City Council" Fourth Edition, which is a newer version of the third edition that Council adopted at the June 30, 2008 Town Council Regular meeting. The fourth edition of "Suggested Rules of Procedure for a City Council" provides city councils with model procedural rules for their meetings. After discussion, it was the consensus of Council to delay the adoption of the "Suggested Rules of Procedure for a City Council" Fourth Edition for one month so each Council member would have the opportunity to review their copy of the book.

At the Town Council Regular meeting held on December 6, 2021, Town Clerk Linda Hunt provided to Council a comparison chart of fourth edition to third edition of the "Suggested Rules of Procedure for a City Council" to clarify the changes between the two editions. The chart also indicates where a particular item was located in the third edition and where it can be located in the fourth edition, making it much clearer to identify the changes. "Suggested Rules of Procedure for a City Council," Fourth Edition will be placed on the January 3, 2022 Town Council agenda for adoption after Council reviews the changes.

On motion by Councilor Keith Leonard, seconded by Councilor Berkley Alcorn, Council voted unanimously to adopt the "Suggested Rules of Procedure for a City Council" Fourth Edition with the exception of continuing to require a second on all motions.

DISCUSSION – SEWER TAP FEES

Mayor Pro Tem Mike McAlpine expressed his desire to review the Town's current sewer tap fees to update a fee structure for the Town's sewer lines. He stated that it has been about eight years since the last sewer tap fee adjustment. Town Manager Tammy Michael suggested having a consulting firm conduct a study on the Town's fees and determining what price the Town can feasibly charge for the taps. Town Attorney Jim Lanik agreed with Mrs. Michael stating it would be helpful to conduct a price study especially since there has been a recent change and impact fees are no longer a part of the sewer tap fees. Mr. Lanik stated that another advantage to conducting a study will indicate what other municipalities of the same size as Midway with sewer systems are charging. It is best to have a study conducted and a fee schedule in place before development is established in the Town.

After discussion, it was the consensus of Council to have Town Manager Tammy Michael research and reach out to prospective consulting firms to conduct a study to establish appropriate sewer tap fees for the Town's sewer system.

TOWN MANAGER'S REPORTS

MONTHLY FINANCIALS

Town Manager Tammy Michael provided Council with monthly financial statements for December 2021 as follows:

DECEMBER 31, 2021

Total Income	\$ 1,024,612	72.4 % of overall budget
Total Expenses	\$ 443,477	31.3% of overall budget

For information only.

<u>UPDATE – OSHA MANDATORY VACCINE POLICY</u>

At the December 6, 2021 Town Council meeting, Town Manager Tammy Michael gave an update on OSHA'S Emergency Temporary Standard (ETS) for mandatory Covid-19 vaccine or testing that required large employers – those with one hundred or more employees – to implement a vaccination policy mandating that their employees either be vaccinated or submit to weekly testing. Just one week after OSHA released its ETS, the U.S. Court of Appeals for the fifth Circuit issued a staying enforcement and implementation to the ETS pending further judicial review.

According to a Coates' Canons Blog published by Diane Juffras of the UNC School of Government, "The ETS applies to private employers, *but it will likely apply* to North Carolina local government employers through the State Plan Agreement between OSHA and the State of North Carolina OSHA Plan."

Mrs. Michael stated on December 17, 2021, a federal appeals court lifted the block. The OSHA mandate is now back in force. Federal laws will not apply at this time, not until North Carolina OSHA issues their directives. North Carolina OSHA may decide that the mandate does not apply to governments with less than one hundred employees.

For information only.

TOWN PARK UPDATES

1. SHELTER & GAZEBO

- On December 7, 2021, no bids were received (a minimum of three bids are required during the first advertisement,) for the Shelter and Gazebo Project. Therefore, as required in G.S. 143-129, Re-Advertisement for Bids will be published in *The Dispatch, Winston Salem Journal*, and *Greater Diversity News*. The second bid opening will be on Tuesday, February 1, 2022, at 3:00 p.m.
- If any bids, even less than three, are received and meet all specifications, Council may choose to select the qualifying bid or re-bid the project at a later date.
- Based on feedback from the companies who attended the mandatory pre-bid conference, the primary reasons they did not bid are:
 - ♦ Material availability and costs
 - ♦ Lack of sub-contractors

2. PLAYGROUND

• Update - Phase Two – Toddler Playground (Tot Lot) per Jon Dumont – Equipment installed. Mr. Dumont and his team are planning to pour the rubber matting once concrete is poured and cured. Last will be the landscaping. All is contingent upon weather conditions. Plans are to have the Tot

Lot completed and ready for use as soon as possible.

• Shade/Umbrella poles installed. The umbrellas are stored in the basement and will be installed early spring.

SET DATE FOR VISION WORKSHOP

On motion by Councilor Keith Leonard, seconded by Councilor Jackie Edwards, Council voted unanimously to schedule a Vision Workshop on Thursday, February 17, 2022 at 6:00 p.m. at Town Hall.

$\frac{\text{REMINDER -TOWN HALL WILL BE CLOSED} - \text{OBSERVANCE OF MARTIN LUTHER KING}}{\text{JR. HOLIDAY}}$

Town Hall will be closed Monday, January 17, 2022 in observance of Martin Luther King Jr. Holiday.

For information only.

RECESS TO CLOSED SESSION

This item was removed from the agenda.

RECONVENE TO OPEN SESSION

This item was removed from the agenda.

ADJOURNMENT

On motion by Councilor Robin Moon, seconded by Councilor Berkley Alcorn, Council voted unanimously to adjourn the meeting at 8:25 p.m.

	Mike McAlpine, Mayor Pro Tem
Tammy H. Robertson, Deputy Clerk	