

MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON FEBRUARY 3, 2025, AT 7:00 P.M. IN THE COUNCIL CHAMBER AT MIDWAY TOWN HALL, 426 GUMTREE ROAD, MIDWAY, NORTH CAROLINA

INVOCATION AND PLEDGE OF ALLGIANCE

Mayor Pro Tem Mike McAlpine 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, Jackie Edwards, Robin Moon and Berkley Alcorn. Town Manager Nicholas Smith, Town Consultant Hank Perkins, Deputy Clerk Ree Goodson and Town Attorney Jim Lanik. Absent: Town Clerk Linda Hunt

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 January 6, 2025 Regular Town Council Meeting as presented.

PUBLIC ADDRESS

There were none.

ADOPT AGENDA

Mayor Pro Tem Mike McAlpine said the agenda needs to be amended to remove Item 4. KNC Technologies, LLC – Town Park Security Cameras under VI. Regular Business.

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

REGULAR BUSINESS

CONTRACT RENEWAL – WILLIAM Z. DILLON D/B/A DILLON OUTDOORS

The Town of Midway currently contracts with William Z. Dillon D/B/A Dillon Outdoors to provide Landscaping for Town Hall and Town Park.

William Z. Dillon D/B/A Dillon Outdoors has submitted the following proposal to continue the annual agreement.

| | |
|--|--|
| <u>Town Park Area</u> | <u>\$55.00 per hour</u> |
| <u>Town Hall Office Area</u> | <u>\$45.00 per hour plus materials at cost</u> |
| Plant Installation | |
| Plant Pruning | |
| Mulching Plant Beds | |
| Fertilization of Landscaping Plants | |
| Spraying Weeds in Lawn and Plant Beds | |
| Blowing Parking Lot and Walkways Clear of Debris | |
| <u>Fred Sink Road – Along fence line</u> | <u>\$45.00 per hour plus materials at cost</u> |
| Plant installation and maintenance | |

Town Hall Parking Lot
Snow removal

\$85.00 per hour

Lawn/Grounds Maintenance

- Mowing, edging, trimming of all grass areas and fence around Town Hall building – Mowing grass in front of Gumtree Road fence line. Mowing grass and maintaining along fence lines on Country Lane. Mowing, trimming grass around all four Town of Midway decorative signage:
- Front of sign at stop light at intersection of Hickory Tree Road/Old Highway 52
- Follansbee Road/Old Highway 52

Cost: \$150.00 per week/\$600.00 per month – if dry weeks cause no growth, the lawn will be skipped that week, and no charge will be billed. This stands for all areas of Town property.

Annual Plantings in Plant Beds at All Four Decorative Signs

(begonias/pansies) Cost: Approximately 6 hours total labor - \$270.00, plus cost of plants.

Mowing/Weed eating Biweekly Service

Mowing/maintaining fence line and property at corner of Fred Sink/Hickory Tree Road property.
Mowing/maintaining fence line on Gumtree Road and both sides of fence on Country Lane.

Cost: \$230.00 every two weeks or \$460.00 per month.

Town Attorney Jim Lanik has reviewed and approved the Independent Contractor's Agreement with William Z. Dillon D/B/A Dillon Outdoors.

On motion by Councilor Keith Leonard, seconded by Councilor Berkley Alcorn, Council voted unanimously to approve the Contract Renewal for William Z. Dillon D/B/A Dillon Outdoors for one (1) year as presented.

CONTRACT RENEWAL – WARREN D. HILL

The Town of Midway currently contracts with Warren D. Hill to provide Trash Removal.

Warren D. Hill has submitted the following proposal to continue the annual agreement.

Trash Removal – Once a Quarter for Town of Midway - \$3,500.00 per Removal

Locations:

Old US Highway 52 from Davidson/Forsyth County Line to Midway School Road.

Midway School Road from Old US Highway 52 to Norman Shoaf Road.

Hickory Tree Road from US Highway 52 to N. Payne Road

Gumtree Road from Old Us Highway 52 to Norman Shoaf Road.

Trash Removal and Disposal

Town Attorney Jim Lanik has reviewed and approved the Independent Contractor's Agreement with Warren D. Hill.

On motion by Councilor Robin Moon, seconded by Mayor Pro Tem Mike McAlpine, Council voted unanimously to approve the Contract Renewal for Warren D. Hill for one (1) year as presented.

CONTRACT RENEWAL – EXECUTIVE CLEANING SERVICE

The Town of Midway currently contracts with Executive Cleaning Service to provide Cleaning Services.

Executive Cleaning Service has submitted the following proposal to continue the annual agreement.

Executive Cleaning Service will provide one employee to clean the facility per the following:

| | |
|---|-----------------------|
| Monthly cleaning per work scope on Exhibit A | \$95.00 per month |
| Additional Cleaning: | |
| Council Chambers will be checked every scheduled cleaning | |
| Window cleaning inside and outside | \$160.00 per cleaning |
| Carpet Cleaning – bonnet cleaning based on square footage | \$185.00 per cleaning |
| Stripping and waxing break room and kitchen | \$250.00 per cleaning |

The Town of Midway will be invoiced after cleaning is done on the last day of the month, payable by the 15th.

Executive Cleaning will provide equipment and supplies to complete the job in a professional manner.

Executive Cleaning understands that the Town will provide all consumables (paper towels, hand soap, toilet paper, etc.)

Town Attorney Jim Lanik has reviewed and approved the Independent Contractor’s Agreement with Executive Cleaning Service.

On motion by Councilor Jackie Edwards, seconded by Councilor Keith Leonard, Council voted unanimously to approve the Contract Renewal for Executive Cleaning Service for one (1) year as presented.

CONTRACT RENEWAL – BUBBAJAKE, INC D/B/A ONE STEP COMPUTER SOLUTIONS

The Town of Midway currently contracts with BUBBAJAKE, Inc. D/B/A One Step Computer Solutions to provide IT Services.

BUBBAJAKE, Inc. D/B/A One Step Computer Solutions has submitted the following proposal to continue the annual agreement.

One Step (MSP) and Town of Midway (Client) agree to the following:

- Services to be provided to Client is for the following location only 426 Gumtree Road Winston Salem, NC 27107
- Client will pay MSP monthly on or before the 1st day of each month the amount of \$555.00. If the client is in a jurisdiction which charges sales tax on services, the stated price does not include tax.
- MSP’s hourly rate for additional onsite services is \$120.00 and remote \$120.00 weekdays 9-5; 5:01pm to 8:59 am weekdays, anytime weekends and holidays for on site is \$180.00 and remote \$150.00.
- Services covers only client’s location as referenced in the addendum and its IT assets, services, service hours, and covered days defined within this Agreement.
- The addition of locations, IT assets, services, service hours, and covered days not set out in this Scope of Services will require billing as additional services or a project or result in an adjustment to the Client’s monthly charges. For example, clients moving to a new location or adding

additional users requiring additional routers and networks are Projects. All services requested by clients which are not included in the coverages set out in this Proposal are billed as “Additional Services” or a “Project” and will be quoted and billed as Separate Charges at MSP’s then hourly rate plus expenses. Expenses may include but are not limited to travel, parking, and tolls.

- The cost of any equipment necessary to perform the additional services or project will be paid by the Client before installation. The estimated charges for projects and additional services will be paid in full prior to the commencement of the Project. Client agrees to make payment in full within 30 days of billing for additional services not anticipated in the initial estimated charges plus expenses.
- MSP will begin and maintain network documentation: on-going documentation of hardware, software, network settings, IP addresses, firewall settings and related network information.
- MSP will make available to Client pricing on servers, laptops, desktops, and network equipment.
- Clients will comply with the Managed Service Requirements.

Town Attorney Jim Lanik has reviewed and approved the Independent Contractor’s Agreement with BUBBAJAKE, Inc. D/B/A One Step Computer Solutions.

On motion by Councilor Robin Moon, seconded by Mayor Pro Tem Mike McAlpine, Council voted unanimously to approve the Contract Renewal for BUBBAJAKE, Inc. D/B/A One Step Computer Solutions for one (1) year as presented.

RESOLUTION ADOPTING NORTH CAROLINA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN – RESOLUTION NO. 02-25.

Town Consultant Hank Perkins stated the resolution adopting North Carolina Public Employee Deferred Compensation Plan was discussed and agreed upon at the Council meeting in January.

RESOLUTION NO. 02-25

RESOLUTION ADOPTING NORTH CAROLINA
PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN

WHEREAS, the Town of Midway, NC wishes to provide a qualified defined contribution plan to the employees of the Town of Midway; and

WHEREAS, the State of North Carolina has established the North Carolina Public Employee Deferred Compensation Plan, a qualified governmental Deferred Compensation Plan under Internal Revenue Code § 457(b) and § 401(k) for public employees of North Carolina.

NOW, THEREFORE, BE IT RESOLVED THAT THE Town of Midway hereby adopts the North Carolina Public Employee Deferred Compensation Plan, also known as “NC Deferred Comp” (NC 457 Plan) and the NC 401k Plan, under the terms of the Plan Document and the Third-Party Administrator Agreement; and

BE IT ALSO RESOLVED THAT all Town of Midway employees shall become eligible to defer compensation immediately.

This the 3rd day of February, 2025.

On motion by Councilor Keith Leonard, seconded by Mayor Pro Tem Mike McAlpine, Council voted unanimously to approve the Resolution Adopting North Carolina Public Employee Deferred Compensation Plan as presented. (Resolution No. 02-25)

PERSONNEL POLICY AMENDMENT

Town Consultant Hank Perkins stated the Personnel Policy will need to be amended to add a Section 4. Supplemental Retirement Benefits to the Policy. Mr. Perkins stated each Councilor has a draft of Article V in their Council packet for their review.

Article V will read as follows:

TOWN OF MIDWAY
PERSONNEL POLICY
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| Article V. Insurance Coverage and Payment Policy | |
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| <u>Section 4. Supplemental Retirement Benefits</u> | <u>16</u> |
| Section 4 <u>5</u> . Short and Long-Term Disability Insurance | 16 <u>17</u> |

V. INSURANCE COVERAGE AND PAYMENT POLICY

The Town offers a variety of insurance benefits, including group insurance benefits, to eligible employees and their families. All provisions of group insurance benefits are subject to budgetary allocations, including plans offered, services covered, payment arrangements, and the Town's contribution to premiums.

Section 1. Group Medical Insurance

The Town may elect to offer medical insurance coverage to all regular full-time employees. The employee may elect to obtain dependent coverage for an additional premium. A waiting period of up to ninety (90) days may be required before the coverage takes place.

Retiree and dependent eligibility and premiums will be decided by the Town Council on an annual basis. The provision of health insurance coverage for retirees will be governed by the contract with the health insurance provider.

Part-time employees and those working less than 1,000 hours annually are not eligible for group medical insurance benefits.

Section 2. Group Life Insurance

The Town may elect to provide group life insurance coverage to all regular full-time employees. The benefit is 1½ times the employee's salary with a minimum of \$20,000 and a maximum of \$150,000, subject to deductions. The benefit will reduce 35% at age 65, an additional 25% at age 70, and further reduce 15% at age 75. Benefits will terminate at retirement regardless of age.

Employees who elect to ensure members of their family under this plan will do so at their own expense. Coverage for the employees and dependents shall be in the amount according to the policy documents.

Section 3. Retirement Plan

The Town recognizes years of service and contributions that retiring employees have made towards the growth and development of the Town by providing a variety of retirement benefits.

1. Participation: All persons holding a regular full-time or regular part-time position working more than 1,000 hours per calendar year as an employee of the Town, except the Town Manager, Town Clerk, Town Attorney, members of any appointed or volunteer board or committee, and any others that may be hired or appointed by the Town Council, shall participate in the Retirement System.
2. Contribution: The Town will pay the employer's portion and deduct the employee's portion as required by the State of North Carolina, which at the time of publication of these policies was six (6) percent from their gross salary. Enrollment is effective immediately upon employment with the Town.
3. Vesting: Employees who complete a minimum of five years of creditable service are vested in the Retirement System and eligible to apply for lifetime monthly retirement benefits.
4. Benefits: Monthly retirement pay is based on several factors including an employee's age, salary, and years of creditable service. Full details of this retirement benefit may be found in the handbook available online at www.myncretirement.com.
5. Disability Retirement: After five years of creditable service, if an employee becomes totally and permanently disabled for their job, as approved by the State Retirement System's Medical Review Board, the employee may be eligible for disability retirement benefits.
6. Death Benefit: Town employees will receive a Death Benefit after one year as a contributing member of the Retirement System. The beneficiary of an eligible employee who dies while still in active service will receive a single lump sum payment equal to the highest 12 months' salary in the 24 months preceding the eligible employee's death, not to exceed \$50,000.
7. Upon retirement, any unused sick leave may be credited toward creditable service time, as allowed by the Retirement System.

Section 4. Supplemental Retirement Benefits

The Town may provide supplemental 401(k) and 457 retirement benefits for its regular full-time and part-time employees through the NC 401(k) Plan and the NC 457 Plan. Eligible employees may make voluntary contributions to the 401(k) plan and/or 457 plan up to the limits established by law and the plan's terms.

Subject to availability of funds and at the sole discretion of the Town Council, the Town may contribute each applicable year a percentage of an employee's compensation to the employee's 401(k). Any such Town contribution is specifically conditioned upon the employee participating in and contributing to the NC 401(k) plan in that year. Further, as of the date of this policy, any such Town contribution will match the employee's contribution up to but not exceeding a percentage of the employee's salary approved by the Town Council. That percentage is subject to change.

Section 5. Short and Long-Term Disability Insurance

1. Short-term disability. The Town provides all regular full-time employees coverage.
 - a. An employee with a qualifying disability for more than thirty (30) calendar days may apply for short-term disability benefits for up to twenty-two (22) weeks after they have exhausted their available sick leave. If the employee continues to be disabled after twenty-two (22) weeks, the employee may apply for long-term disability benefits.
 - b. The disability benefits provide replacement income up to 66 2/3 % of the employee's weekly salary up to \$750.00. During the disability period, the Town will not contribute to the retirement system. Other employee deductions from regular paychecks such as credit union or supplemental insurance payments and group life, health, and dental insurance premiums will need to be addressed to the vendor's satisfaction by the employee. Federal law requires that FICA taxes be deducted from disability benefits for the first six months of disability.
 - c. Time away from work, while receiving short-term disability pay may be considered as leave under the FMLA.
 - d. It is the employee's responsibility to provide sufficient documentation from a qualified physician that substantiates the employee's inability to work during the period of disability. Failure to provide sufficient documentation may result in the discontinuation of short-term disability pay.

On motion by Councilor Keith Leonard, seconded by Councilor Berkley Alcorn, Council voted unanimously to approve the Personnel Policy Amendment.

TOWN MANAGER'S REPORTS

TOWN PARK UPDATE

Town Manager Nicholas Smith stated Park Supervisor Danny Mizell is currently working on hiring an additional employee or two to provide coverage, especially as we move into warmer weather.

Mr. Smith stated Pavilion and Gazebo reservations are beginning, with one in February this upcoming weekend.

MONTHLY FINANCIAL REPORT

Council was provided copies of the monthly financial reports for January 2025 as follows:

| January 2025 | | |
|---------------------|-------------|-------------------------|
| Total Income | \$1,451,670 | 69.1% of overall budget |
| Total Expenses | \$684,983 | 19.3% of overall budget |

REMINDER VISION SESSION – THURSDAY, FEBRUARY 20, 2025. 6:00pm at TOWN HALL

Town Manager Nicholas Smith reminded Council about the upcoming Vision Session on Thursday, February 20, 2025, 6:00pm at Town Hall. Mr. Smith said if any Councilor had any topics, they would like to add to the agenda please forward them to him.

OTHER

Hickory Tree Road Street Lighting Project

- Street design on the east side of I-285 will begin this December, and NCDOT advises a pause on any street lighting we want to add until then.

New Parking Lot Addition

- Landscaping plan has been finalized, and the Town is still trending towards a late April completion date for the project.

NCLM Legislative Goals

- Establish state funding streams for municipal and state-owned secondary roads.
- Provide local revenue options beyond property tax.
- Incentives and funding for local economic development.
- Provide technical assistance with grant writing.
- Make voluntary annexations easier.
- Empower local officials with additional authority regarding election formats, electoral districts, and other election matters.

Planning, Zoning, and Code Enforcement cases are proceeding according to plan.

- The General Assembly is working on reversing the removal of zoning authority. We may want to consider reaching out to state legislators regarding HB 24 and getting it passed.
- 11335 Old Hwy 52 Car Lot does not have a valid DMV license; the County has started a code enforcement case against them.

The NCCCMA Winter Conference will be held this Wednesday through Friday in Winston Salem. Town Manager Nicholas Smith stated he will have access to his email and will stay connected to Town Hall.

Town Manager Nicholas Smith stated some of the Council members have expressed interest in getting business cards and if any Councilor is still interested in that please let him know.

ADJOURNMENT

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

John Byrum, Mayor

Ree Goodson, Deputy Clerk