

Minutes of the Meeting of
The Liberty Town Council
Held on January 25, 2021 5:30 pm

Present

Mayor : The Honorable Filmore York

Council: Chris Compton, Don Herndon, Larry Coble, and Tyson Nixon , and JR Beard

Town Manager: William Doerfer

Town Clerk: Jessica Brown

Town Attorney: Bill Flowe

Staff: Public Service/Parks & Recreation Director; Scott Kidd, Code Enforcement; Brandon Emory, Fire Chief; Matt Talbott and Library Director; Brenda Heindl-Hornsby, Terry Crouse

To Order

The Mayor welcomed everyone and called the meeting to order at 5:30PM. He welcomed everyone including Department Heads. He remarked that this would be Town Manager William Doerfer's last meeting.

Pledge of Allegiance/Invocation

The Pledge of Allegiance was led by Town Attorney Bill Flowe.. Mayor York then asked everyone to join in a Moment of Silence.

Adoption of Agenda

Council Member JR Beard made a motion to approve the agenda with the addition of a Closed Session per GS143.11 (6) to discuss Personnel. Council Member Don Herndon seconded the motion which passed unanimously with a roll call vote: Council Member Larry Coble voted yes, Council Member Don Herndon voted yes, Council Member Tyson Nixon voted yes, Council Member JR Beard voted yes and Council Member Chris Compton voted yes. The agenda was approved.

Code Enforcement Report - Brandon Emory

They have been busy and have abated 22 cases last month. They have opened up some new minimum housing cases. They have abated a few on S Murphy but some remain open. There is a hearing scheduled for this Friday. They have made some minor progress with New Street and Swannanoa. There has been some trimming but the primary portion has still not been mowed. The property owner has until the 18th. They are making contact with downtown businesses regarding grant money. To date Code Enforcement has had 268 cases with an 84% abatement rate. Council Member JR Beard asked if citizens are getting more used to this process. Mr. Emory said yes it is usually

just a matter of contacting them. There are very few that do not want to cooperate. Council Member Larry Coble asked if he had contacted anyone on Murphy. Mr. Emory said he tries to direct them to remove the structure. Hopefully they can talk more during the hearing and stress this. He said they have tried to contact the property owner ant 305 S Murphy and he does not return calls. The Town can move forward as they see fit. They have issued an ordinance. Council Member Coble asked him to send a letter to the owner and let them know the next step. Mr. Emory said he would send a registered letter.

Approval of Minutes

Council Member Chris Compton made a motion to approve the minutes from December 7, 2021. Council Member Tyson Nixon seconded the motion which passed unanimously with a roll call vote: Council Member Larry Coble voted yes, Council Member Don Herndon voted yes, Council Member Tyson Nixon voted yes, Council Member JR Beard voted yes, and Council Member Chris Compton voted yes. The minutes were approved.

Consent Agenda

The Consent Agenda includes : Mini Brooks Act Exemption Resolution 2021 -1-Wooten Newlin Site, Downtown Revitalization Grant Project Ordinance, Budget Amendment #16, #17, #18, #19, #20, #21, #22, #23, #24, Reappointment of Sandra Dixon to the ABC Board, and the amended Audit Contract. Council Member JR Beard made a motion to approve the Consent Agenda. Council Member Tyson Nixon seconded the motion which passed unanimously with a roll call vote: Council Member Larry Coble voted yes, Council Member Don Herndon voted yes, Council Member Tyson Nixon voted yes, Council Member JR Beard voted yes, and Council Member Chris Compton voted yes. The Consent Agenda was approved.

Old Business

Financial and Budgetary Policies - Resolution 2021-2

Town Manager William Doerfer said he made the changes the Council had discussed. This is the Fund Balance Policy with updates discussed at the Work Session and the resolution to adopt. Council Member Larry Coble discussed entering funds into CIP to possibly help support department heads fund large expenditures, even if it's not every year. The Town Manager said we get our audit report in March which tells our fund balance. Department Heads will tell Council what they need to pay for that year which goes to Capital Outlay. It will happen in the budget process.

Council Member Larry Coble made a motion to approve. Council Member Chris Compton seconded the motion which passed unanimously with a roll call vote: Council Member Larry Coble voted yes, Council Member Don Herndon voted yes, Council Member Tyson Nixon voted yes, Council Member JR Beard voted yes, and Council Member Chris Compton voted yes. The policies and Resolution 2021-2 were approved.

COVID Leave Resolution 2021-3

This resolution authorizes the Town Manager to grant leave for COVID related issues at his discretion. Council Member JR Beard made a motion to approve. Council Member Larry Coble seconded the motion which passed unanimously with a roll call vote: Council Member Larry Coble voted yes, Council Member Don Herndon voted yes, Council Member Tyson Nixon voted yes, Council Member JR Beard voted yes and Council Member Chris Compton voted yes. The resolution was approved.

New Business

Call Public Hearing February 22, 2021 - Abandonment of Right of Way Resolution 2021-4

This is a called hearing to allow public comment regarding the Abandonment of a Right of Way as outlined in the attached resolution for the street identified as the unopened portion of West Dameron Street that is located between South Murphy Street and the Town Limits. Council Member JR Beard made a motion to approve. Council Member Tyson Nixon seconded the motion. The resolution was approved with a roll call vote: Council Member Don Herndon voted yes, Council Member Tyson Nixon voted yes, Council Member JR Beard voted yes, and Council Member Chris Compton voted yes. Resolution 2021-4 to call a Public Hearing was approved. Council Member Larry Coble recused himself from the vote.

Committee Reports

ABC Financials

Doug Hardin ABC Board Chair gave an update on the quarterly financials for the ABC store. They have had a good second quarter. He went over the profits for the last six months. They have hired a new manager, Tammy Moore. who will be on a probationary period until May. She is doing great. They have updated shelving in the back.

Council Comments

Council Member Tyson Nixon asked if they had made any progress at Kime and Valley. Town Manager William Doerfer said they continue to look at road prioritization for the Powell Bill. Council Member Larry Coble asked when we would know which streets would be paved. The Town Manager said he is open to suggestions.

Mayor Comments

Mayor York said they wish Will the best in all future endeavors.

Closed Session

Council Member Tyson Nixon made a motion to go into Closed Session to discuss Personnel per NC General Statute 143-318.11 (6). Council Member Larry Coble seconded the motion which passed unanimously with a roll call vote: Council Member Larry Coble voted yes, Council Member Don Herndon voted yes, Council Member Tyson Nixon voted yes, Council Member JR Beard voted yes, and Council Member Chris Compton voted yes. Council went into Closed Session at 6:30PM.

Council Member JR Beard made a motion to come out of the Closed Session. Council Member Tyson Nixon seconded the motion which passed unanimously with a roll call vote: Council Member Larry Coble voted yes, Council Member Don Herndon voted yes, Council Member Tyson Nixon voted yes, Council Member JR Beard voted yes, and Council Member Chris Compton voted yes. Council came out of the Closed Session at 7:00PM.

Council Member Chris Compton made a motion to appoint Scott Kidd as Interim Town Manager and Terry Crouse as Interim Public Service Director.. Council Member JR Beard seconded the motion which passed unanimously with a roll call vote: Council Member Larry Coble voted yes, Council Member Don Herndon voted yes, Council

Member Tyson Nixon voted yes, Council Member JR Beard voted yes, and Council Member Chris Compton voted yes.

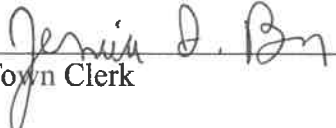
Council Member Tyson Nixon made a motion to approve their contracts. Council Member Don Herndon seconded the motion which passed unanimously with a roll call vote. Council Member Larry Coble voted yes, Council Member Don Herndon voted yes, Council Member Tyson Nixon voted yes, Council Member JR Beard voted yes, and Council Member Chris Compton voted yes.

Adjourn

There being no further business to discuss, Council Member Tyson Nixon made a motion to adjourn. Council Member Larry Coble seconded the motion which passed unanimously with a roll call vote: Council Member Larry Coble voted yes, Council Member Don Herndon voted yes, Council Member Tyson Nixon voted yes, Council Member JR Beard voted yes, and Council Member Chris Compton voted yes. The meeting was adjourned.



Mayor Filmore York

ATTEST: 

Town Clerk



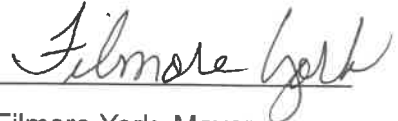
Town of Liberty
P.O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
Office (336) 622 - 4276 Fax (336) 622 - 2665
www.Liberty-NC.com

RESOLUTION 2021 -1

1. G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee;
2. The Town proposes to enter into a contract for The Wooten Company to provide cost opinion and alternative analysis for providing water/sewer services to the Newlin site. The cost is \$4900.00 and the EDC would pay for half of this.
3. G.S. 143-64.32 authorizes units of local government to exempt contracts for design services from the qualifications-based selection requirements of G.S. 143-64.31 if the estimated fee is less than \$50,000; and
4. The estimated fee for services for the above-described project is expected to be less than \$50,000.

The above-described project is hereby made exempt from the provisions of G.S. 143-64.31.

This resolution shall be effective upon adoption by the Town Council and signature by the Mayor



Filmore York, Mayor

1-25-21
Date

Attest:



Jessica Brown, Town Clerk

**TOWN OF LIBERTY
DOWNTOWN REVITALIZATION GRANT
MULTI-YEAR 044-1257-1534 & 026-1257-1534
PROJECT ORDINANCE
MULTI-YEAR**

BE IT ORDAINED by the Town Council of the Town of Liberty, North Carolina in a meeting held on January 25, 2021, a revision of the Downtown Revitalization Grant originally adopted on August 2, 2018, that the following project ordinance is hereby adopted:

Pursuant to North Carolina General Statute 159-13.2, the following ordinance is hereby adopted for the purpose of downtown revitalization.

Section 1. The Project is hereby authorized as a project with current revenues and expenditures projected as listed below.

Section 2. The officers of the Town of Liberty hereby authorized to proceed with the project within the term of the grant agreement approved by the Liberty Town Council.

Section 3. The following revenues are anticipated to be available for this project:

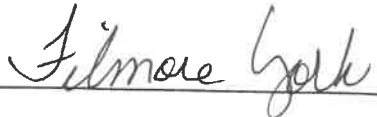
40-3490-000	NC Dept of Commerce 2018-044-1257-1534	\$70,000
40-3495-000	NC Dept of Commerce 2019-026-1257-1534	\$70,000
40-3500-000	Town of Liberty Contribution	\$10,000

Section 4. The following amounts are appropriated as expenditures for this project at this time:


40-5200-000	Duke Energy	\$116,594.06
40-6200-000	Charter-Spectrum	\$10,835.64
40-7200-000	Sidewalk	\$16,070.30
40-8200-000	Misc. Store Front Conversion	\$6,500.00
40-8200-021	Misc. Improvement's	\$0.00
40-9200-000	Façade Grant – Non-Matching	\$0.00

Section 5. The Town Manager may transfer any amount between departments of the same fund with an official report on such transfers at the regular next meeting of the Council.

Adopted this 25th day of January 2021.



Filmore York, Mayor

ATTEST: 

Jessica Brown, Town Clerk

Need To Void By Council & Reissue on BA#20
Request to void on January 25, 2021

Town of Liberty Budget Amendment (FY 2020-2021 #10-A) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2020-2021, which was adopted on June 29, 2020, be amended as follows. **This amendment is to move funds to increase the Town Contribution for Fund 40 Downtown Revitalization Grant.**

Section 1: The following revenue and expenditures in the 40 fund Downtown Revitalization Grant shall be increased by the amounts indicated:

10 Fund Revenues				
General Fund	Line Item	Budget	Change	Amended Budget
General Fund Appr	10-390-000	204,146	10,000	214,146
Total Revenues		204,146	10,000	214,146
40 Fund Expenditures				
General Fund	Line Item	Budget	Change	Amended Budget
Transfer to Downtown Reviatlization	40-4200-600	0	10,000	10,000
Total Expenditures		0	10,000	10,000

For December 7, 2020

ATTEST:

Jessie L. Bonn
 Town Clerk

Date: 1/25/2021

Filmore York
 Filmore York, Mayor

Date: 1-25-21

Town of Liberty Budget Amendment (FY 2020-2021 #16) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2020-2021, which was adopted on June 29, 2020, be amended as follows:
This amendment is to move funds from General Fund Balance Appropriated to M/R Water line items.

Section 1: The following revenue and expenditures in the Enterprise Fund shall be increased by the amounts indicated:

30 Fund Revenues				
W/S Fund Revenue	Line Item	Budget	Change	Amended Budget
W/S Fund Bal Appro.	30-3990-000	0	60,000	60,000
Total Revenues		0	60,000	60,000
30 Fund Expenditures				
General Fund	Line Item	Budget	Change	Amended Budget
M/R Water Lines	30-8100-190	50,000	60,000	110,000
Total Expenditures		50,000	60,000	110,000

For January 25, 2021

ATTEST:

Filmore York

 Filmore York, Mayor

Date: 1-25-21

Gemma J. Ben

 Town Clerk

Date: 1/25/2021

Town of Liberty Budget Amendment (FY 2020-2021 #17) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2020-2021, which was adopted on June 29, 2020, be amended as follows:

This amendment is to move funds from Enterprise Fund Balance Appropriated to WS/Adm Contract Services for an Engineering Firm (\$5000.00 - with half being returned from EDC (Economic Development).) The rest is bringing the line item into balance.

Section 1: The following revenue and expenditures in the Enterprise Fund shall be increased by the amounts indicated:

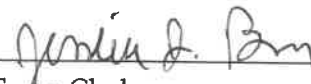
30 Fund Revenues				
W/S Fund Revenue	Line Item	Budget	Change	Amended Budget
W/S Fund Bal Appro.	30-3990-000	0	16,088	16,088
Total Revenues		0	16,088	16,088
30 Fund Expenditures				
W/S Fund Expenditures	Line Item	Budget	Change	Amended Budget
WS/Adm Contract Services	30-7200-450	10,230	16,088	26,318
Total Expenditures		10,230	16,088	26,318

January 25, 2021

ATTEST:


 Filmore York, Mayor

Date: 1-25-21


 Town Clerk

Date: 1/25/2021

Town of Liberty Budget Amendment (FY 2020-2021 #18) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2020-2021, which was adopted on June 29, 2020, be amended as follows:

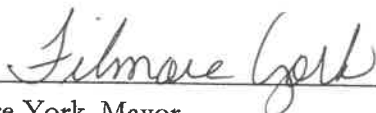
This amendment is to move funds from General Fund Balance Appropriated to Rec & St Transf to Capital Reserve.

Section 1: The following revenue and expenditures in the General Fund shall be increased by the amounts indicated:

10 Fund Revenues				
General Fund Revenue	Line Item	Budget	Change	Amended Budget
General Fund Balance App.	10-3990-000	204,146	19,779	223,925
Total Revenues		204,146	19,779	223,925
10 Fund Expenditures				
General Fund	Line Item	Budget	Change	Amended Budget
Rec Transfer to Capital Reserve	10-6200-790	0	11,180	11,180
St Transfer to Capital Reserve	10-5600-790	0	8,599	8,599
Total Expenditures		0	19,779	19,779

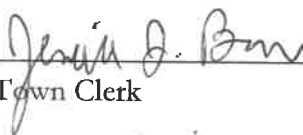
1/25/2021

ATTEST:



 Filmore York, Mayor

Date: 1-25-21



 Town Clerk

Date: 1/25/2021

Town of Liberty Budget Amendment (FY 2020-2021 #19) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2020-2021, which was adopted on June 29, 2020, be amended as follows:

This amendment is to move funds between line items in Fund 40 Downtown Revitalization Grant to give budget to new line items.

Section 1: The following revenue and expenditures in the General Fund shall be increased by the amounts indicated:

40 Fund				
Downtown Revitalization Grant	Line Item	Budget	Change	Amended Budget
Misc Improvements	40-8200-021	0	15,000	15,000
Façade Grant Non-Matching	40-9200-000	0	43,756	43,756
Total		0	58,756	58,756
Downtown Revitalization Grant	Line Item	Budget	Change	Amended Budget
Duke Energy	40-5200-000	116,594	(48,431)	68,163
Sidewalk	40-7200-000	16,070	(7,470)	8,600
Misc Store Front Conversion	40-8200-000	6,500	(2,855)	3,645
Total Expenditures		139,164	(58,756)	80,408

1/25/2021

ATTEST:

Filmore York

 Filmore York, Mayor

Date: 1-25-21

Jessica J. Bm

 Town Clerk

Date: 1/25/2021

Revised From BA#10-A

Town of Liberty Budget Amendment (FY 2020-2021 #20) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2020-2021, which was adopted on June 29, 2020, be amended as follows.

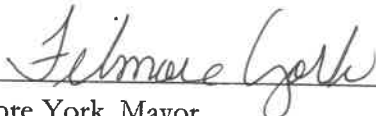
Section 1: This amendment is to allow the Finance Director to move funds from the General fund to the 40 Fund.

10 Fund Revenues				
General Fund	Line Item	Budget	Change	Amended Budget
General Fund Appr	10-3990-000	204,146	10,000	214,146
Total Revenues		204,146	10,000	214,146


10 Fund Expenditures				
General Fund	Line Item	Budget	Change	Amended Budget
Transfer to Downtown Reviatlization	10-4200-600	0.00	10,000	10,000
Total Expenditures		0.00	10,000	10,000

January 25, 2021

ATTEST:


Filmore York, Mayor

Date: 1-25-21


Town Clerk

Date: 1/25/2021

Town of Liberty Budget Amendment (FY 2020-2021 #21) Council Approval Needed

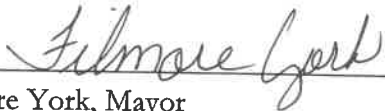
BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2020-2021, which was adopted on June 29, 2020, be amended as follows.

Section 1: This amendment is to allow the Finance Director to move funds from the Misc Revenues to the Fire Dept Safety and Planning line item. This is a Wellness Grant.

10 Fund Revenues				
General Fund	Line Item	Budget	Change	Amended Budget
Misc Revenue	10-3350-000	33,920	(1,999)	31,921
Total Revenues		33,920	(1,999)	31,921
10 Fund Expenditures				
Fire Department	Line Item	Budget	Change	Amended Budget
Fire Department Safety and Planning	10-5300-120	500.00	1,999	2,499
Total Expenditures		500.00	1,999	2,499

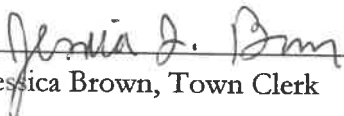
January 25, 2021

ATTEST:



 Filmore York, Mayor

Date: 1-25-21



 Jessica Brown, Town Clerk

Date: 1/25/2021

Town of Liberty Budget Amendment (FY 2020-2021 #22) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2020-2021, which was adopted on June 29, 2020, be amended as follows:

Section 1: This amendment is to allow the Finance Director to move funds from the Misc Revenues to the Adm Dept Supplies and GB Office Supplies. This is a refund from TopShelf.

10 Fund Revenues				
General Fund	Line Item	Budget	Change	Amended Budget
Misc Revenue	10-3350-000	33,920	(541)	33,379
Total Revenues		33,920	(541)	33,379
10 Fund Expenditures				
General Fund	Line Item	Budget	Change	Amended Budget
GB Office Supplies	10-4100-330	500.00	271	771
Adm Dept Supplies	10-4200-330	7,000	270	7,270
Total Expenditures		500.00	541	8,041

January 25, 2021

ATTEST:

Filmore York
Filmore York, Mayor

Date: 1-25-21

Jessica D. Brown
Jessica Brown, Town Clerk

Date: 1/25/2021

Town of Liberty Budget Amendment (FY 2020-2021 #23) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2020-2021, which was adopted on June 29, 2020, be amended as follows:
This amendment is to bring Fund 70 into balance.

Section 1: The following revenue in the Water/Sewer Capital Reserve Fund shall be increased by the amounts indicated: This is a one sided budget amendment.

70 Fund Revenues				
Water Sewer Capital Reserve Revenue	Line Item	Budget	Change	Amended Budget
Transfer From Water Sewer Fund	70-3690-000	19,660	7,890	27,550
Total Revenues		19,660	7,890	27,550

ATTEST:

Jessica Brown
 Jessica Brown, Town Clerk

Date: 1/25/2021

Filmore York
 Filmore York, Mayor

Date: 1-25-21

Town of Liberty Budget Amendment (FY 2020-2021 #24) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2020-2021, which was adopted on June 29, 2020, be amended as follows:

This amendment is to transfer funds from the Capital Reserve Fund 70 to Fund 30 M/R Lift Stations.

Section 1: The following revenue and expenditures in the Enterprise Fund shall be increased by the amounts indicated:

30 Fund Revenues				
Water & Sewer Fund	Line Item	Budget	Change	Amended Budget
Trans from W/S Cap Reserve	30-3970-000	27,750	16,000	43,750
Total Revenues		27,750	16,000	43,750
30 Fund Expenditures				
Water & Sewer Fund	Line Item	Budget	Change	Amended Budget
Sewer M/R Lift Stations	30-8110-190	2,000	16,000	18,000
Total Expenditures		2,000	16,000	18,000

ATTEST:

Filmore York

 Filmore York, Mayor

Jessica J. Bunn

 Town Clerk

Date: 1-25-21

Date: 1/25/2021

Whereas	Primary Government Unit TOWN OF LIBERTY
and	Discretely Presented Component Unit (DPCU) (if applicable) N/A
and	Auditor WILLIAM R. HUNEYCUTT, CPA, PLLC

entered into a contract in which the Auditor agreed to audit the accounts of the Primary Government Unit and DPCU (if applicable)

for	Fiscal Year Ending 06/30/20	and originally due on	Audit Report Due Date 10/31/20
-----	---------------------------------------	-----------------------	--

hereby agree that it is now necessary that the contract be modified as follows.

Modification to due date:

Original due date 10/31/20	Modified due date 02/28/21
Original fee	Modified fee

Modification to fee:

EXPLANATION OF MODIFIED CONTRACT TERMS

Please provide an explanation for the modification to due date and/or fees.

Final trial balance from auditee not made available to auditor to draft year end financials by original due date.

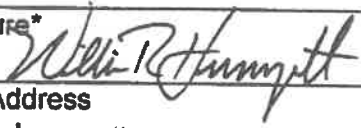
If the amendment is submitted to extend the due date, please indicate the steps the unit and auditor will take to prevent late filing of audits in subsequent years.

Communication between auditor and auditee will be enhanced in the future to ensure final trial balance is available in a timely manner to complete financials by due date.

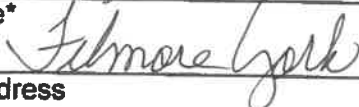
By their signatures on the following pages, the Auditor, the Primary Government Unit, and the DPCU (if applicable), agree to these modified terms.

SIGNATURE PAGE

AUDIT FIRM

Audit Firm* WILLIAM R. HUNEYCU TT, CPA, PLLC	
Authorized Firm Representative* (typed or printed) William R. Huneycutt	Signature* 
Date* 01/18/21	Email Address steve@wrhuneycuttcpa.com

GOVERNMENTAL UNIT

Governmental Unit* TOWN OF LIBERTY	
Date Primary Government Unit Governing Board Approved Amended Audit Contract* (if required by governing board policy)	
Mayor/Chairperson* (typed or printed) Filmore York, Mayor	Signature* 
Date 1/25/2021	Email Address townmanager@townoflibertync.org

Chair of Audit Committee (typed or printed, or "NA") N/A	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE
ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT
(Pre-audit certificate not required for charter schools or hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer* N/A	Signature*
Date of Pre-Audit Certificate*	Email Address*

RESOLUTION 2021-2
Adoption Fiscal and Budgetary Policies Resolution

THAT WHEREAS, the North Carolina Local Government Commission recommends that Fund Balance Available (FBA) of the General Fund for appropriation should be no less than eight (8%) of General Fund Expenditures plus Transfers Out less Amounts for Debt Issued as presented in the most recent audited financial statements. Expectation is set to maintain fiscal responsibility under the Local Government Budget and Fiscal Control Act (LGBFCA); and

WHEREAS, the Town of Liberty Town Council desires for the Town to maintain necessary reserves that can provide cash flow for mitigating periods of delayed, declining revenues, used for emergencies, or unforeseen expenditures. The Town desires to maintain adequate working capital and to maintain a good credit rating in order to obtain favorable financing rates on debt issuances; and

WHEREAS, the Town Council had not previously adopted a Fund Balance Policy for the General or Enterprise Funds; and

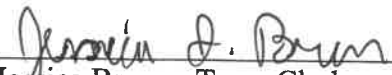
WHEREAS, the Town has elected to adopt a formal manual entitled the Town of Liberty Financial and Budgetary Policies;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Liberty, North Carolina, in Council Meeting assembled this 25th day of January 2021, adopts and places into effect the Fiscal and Budgetary Policies manual.

THIS RESOLUTION passed and adopted this 25th day of January 2021.

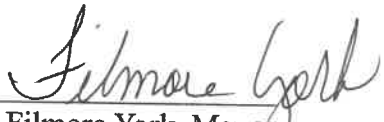


Attest:



Jessica Brown, Town Clerk

Town of Liberty
Town Council

By: 

Filmore York, Mayor

RESOLUTION 2021-2
Adoption Fiscal and Budgetary Policies Resolution

THAT WHEREAS, the North Carolina Local Government Commission recommends that Fund Balance Available (FBA) of the General Fund for appropriation should be no less than eight (8%) of General Fund Expenditures plus Transfers Out less Amounts for Debt Issued as presented in the most recent audited financial statements. Expectation is set to maintain fiscal responsibility under the Local Government Budget and Fiscal Control Act (LGBFCA); and

WHEREAS, the Town of Liberty Town Council desires for the Town to maintain necessary reserves that can provide cash flow for mitigating periods of delayed, declining revenues, used for emergencies, or unforeseen expenditures. The Town desires to maintain adequate working capital and to maintain a good credit rating in order to obtain favorable financing rates on debt issuances; and

WHEREAS, the Town Council had not previously adopted a Fund Balance Policy for the General or Enterprise Funds; and

WHEREAS, the Town has elected to adopt a formal manual entitled the Town of Liberty Financial and Budgetary Policies;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Liberty, North Carolina, in Council Meeting assembled this 25th day of January 2021, adopts and places into effect the Fiscal and Budgetary Policies manual.

THIS RESOLUTION passed and adopted this 25th day of January 2021.



Town of Liberty
Town Council

By: Filmore York
Filmore York, Mayor

Attest:

Jessica Brown
Jessica Brown, Town Clerk



RESOLUTION 2021-3

Town of Liberty Resolution to Authorize the Town Manager to Grant Leave for Issues Related to COVID-19

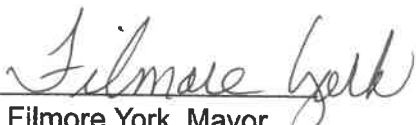
WHEREAS, COVID-19 numbers are still on the rise locally, statewide and nationally; and,

WHEREAS, the Families First Coronaviurs Response Act (FFCRA) has expired; and,

WHEREAS, the Town of Liberty wants to encourage employees to stay home if sick to contain the spread of the virus and protect fellow employees and,


WHEREAS, the Town of Liberty wants to ensure the safety of employees and the commounity;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of The Town of Liberty North Carolina hereby: gives the Town Manager discretion to grant leave to employees dealing with COVID related sickness/issues on a case to case basis.



Filmore York, Mayor

ATTEST:



Jessica Brown, Town Clerk

RESOLUTION 2021-4

**Town of Liberty Resolution to Declare a Public Hearing for February 22, 2021
5:30PM Closing of Public Right of Way**

WHEREAS, North Carolina General Statutes 160A-299 Procedure for permanently closing streets and alleys, established that streets may be closed, and ;


WHEREAS, An adjoining property owner has filled the appropriate request to close a street,; and,

WHEREAS, the street identified as a unopened street as shown on a a Plat recorded in Plat Book 001 at Page 175, and

WHEREAS, the street has not been accepted or maintained by the Town, and

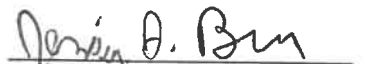
WHEREAS, the street is identified as the unopened portion of West Dameron Street that is located between South Murphy Street and the Town Limits,

NOW, THEREFORE, BE IT RESOLVED that the Town Council directs Town staff to proceed with all required public notices to hold a public hearing at the regular Council Meeting on February 22, 2021 for the purpose of considering the street closure.



Filmore York, Mayor

ATTEST:



Jessica Brown, Town Clerk

NORTH CAROLINA)
)
RANDOLPH COUNTY)

EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT made and entered into this 25th day of January, 2021, by and between the Town of Liberty, a North Carolina Municipal Corporation located in Randolph County, hereinafter referred to as "Town", and Scott Kidd, a citizen and resident of _____ County, North Carolina, hereinafter referred to as "Employee";

WITNESSETH:

WHEREAS, N.C.G.S. 160A-150 authorizes the Town Council to appoint an Interim Town Manager when the position of Town Manager is vacant; and

WHEREAS, the Town Council of the Town of Liberty has agreed to appoint Scott Kidd to serve as the Interim Town Manager; and

WHEREAS, it is the desire of the Town Council of the Town of Liberty, to establish certain benefits and conditions of Employee's appointment and employment as Interim Town Manager based upon future services to be rendered by the Employee pursuant to this contract; and

WHEREAS, Employee desires to accept employment with the Town of Liberty and desires some assurance regarding compensation, conditions and benefits related thereto;

NOW THEREFORE, in consideration of the conditions, promises, and covenants contained herein, the parties agree as follows:

Section 1. Appointment. The appointment of Employee as the Interim Town Manager of the Town of Liberty, North Carolina, is hereby confirmed, and Town hereby agrees to employ said Scott Kidd as Interim Town Manager, upon the terms and conditions set forth herein.

Section 2. Duties. The Employee shall serve as the Interim Town Manager of the Town of Liberty and shall be responsible to the Town Council for administering all the affairs placed in his charge by it, including specifically those powers and duties set forth in N.C. Gen. Stat. 160A-148, and the Ordinances of the Town.

Additionally, Employee shall perform such other duties, activities, functions and directions as the Board may, from time to time, legally assign.

Section 3. Term.

(A) Employee shall commence employment as Interim Town Manager on January 29, 2021, and serve until May 31, 2021.

Employee is currently a full time Employee of Town, serving as Public Services and Recreation Director. Town will employ an Interim Public Services and Recreation Director to fill the position vacated by Employee.

1. Employee shall be entitled to all benefits provided by Town for full time employees;
2. Employee, upon proper notice to Town, may return to his position of Public Services and Recreation Director at the same salary he was receiving as Public Services and Recreation Director.

(B) Notwithstanding Paragraph A, nothing contained herein shall prevent, limit, or otherwise interfere with the right of the Town Council to terminate the services of the Employee at any time, for violation of Town's Personnel Policy or Employee's failure to perform the duties of his office.

(C) Notwithstanding Paragraph A, nothing contained herein shall prevent, limit, or otherwise interfere with the right of the Employee to resign from his position with the Town without further obligation to the Town. In the event the Interim Town Manager voluntarily resigns his position with the Town, then the Interim Town Manager shall give the Town 2 weeks notice in advance.

Section 4. Compensation. Town shall pay Employee, for his services rendered, the sum of Twenty one thousand and no/100 Dollars (\$ 21,000.00) per month, said sum payable in accordance with the schedule set forth for Town's employees.

Section 5. Other Provisions.

* Computed as Annual Salary.

(A) The Town shall defend, save harmless, and indemnify the Employee against any tort, professional liability claim or demand, or other legal action, whether groundless or otherwise arising out of an alleged act or omission occurring in the performance of the Town Manager's duties, unless the conduct which results in such claim, demand, or legal action arises outside the course and scope of the Interim Manager's employment. If deemed appropriate by the Town, the Town may compromise and settle any such claim or suit and pay the amount of any such settlement or judgment rendered thereon. Should the Interim Town Manager withhold his consent from any compromise of settlement approved by all the other parties to the claim or lawsuit, then the sole responsibility of the Town shall be to provide, at no cost to the Interim Town Manager, separate counsel for the Interim Town Manager for his defense, and to reimburse or otherwise indemnify the Interim Town Manager for any judgment rendered against

the Interim Town Manager to the extent and for the amount which the Town could have compromised or settled such claim or suit.

(B) The Town shall bear the full cost of any fidelity or other bond required of the Interim Town Manager under any law or Ordinance.

(C) Any offer, notice, election, or other communication, which any party hereto may be required or desire to give to any other party, shall be in writing and shall be considered when deposited in the United State's mail, certified with postage prepaid, addressed to the last known address of the parties as shown below:

To Employer: Filmore York, Mayor or his successor
Mayor of Town of Liberty
Town of Liberty
Post Office Box 1006
Liberty, NC 27298

Copy to: William H. Flowe, Jr., Town Attorney or his successor
Post Office Box 1315
Liberty, NC 27298

To Employee: Scott Kidd

IN WITNESS WHEREOF, the Town of Liberty has caused this Agreement to be executed on its behalf by its Mayor and duly attested to by its Town Clerk, and Employee has executed this Agreement, the day and year first above written.

TOWN:

TOWN OF LIBERTY

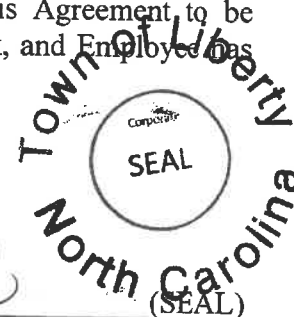
BY: Filmore York
Filmore York, Mayor

Attested to:

Jessica Brown
Jessica Brown, Town Clerk

EMPLOYEE:

Scott Kidd
Scott Kidd



This document has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act.

BY: Jessica J. Brown
Jessica Brown, Town Clerk

Date: 1/25/2021

NORTH CAROLINA)
)
RANDOLPH COUNTY)

EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT made and entered into this 25th day of January, 2021, by and between the Town of Liberty, a North Carolina Municipal Corporation located in Randolph County, hereinafter referred to as "Town", and Terry L. Crouse, a citizen and resident of Guilford County, North Carolina, hereinafter referred to as "Employee";

WITNESSETH:

WHEREAS, N.C.G.S. 160A-150 authorizes the Town Council to appoint an Interim Public Services and Recreation Director when the position of Town Public Services and Recreation Director is vacant; and

WHEREAS, the Town Council of the Town of Liberty has agreed to appoint Terry L. Crouse to serve as the Interim Town Public Services and Recreation Director; and

WHEREAS, it is the desire of the Town Council of the Town of Liberty, to establish certain benefits and conditions of Employee's appointment and employment based upon future services to be rendered by the Employee pursuant to this contract; and

WHEREAS, Employee desires to accept employment with the Town of Liberty and desires some assurance regarding compensation, conditions and benefits related thereto;

NOW THEREFORE, in consideration of the conditions, promises, and covenants contained herein, the parties agree as follows:

Section 1. Appointment. The appointment of Employee as the Interim Town Public Services and Recreation Director of the Town of Liberty, North Carolina, is hereby confirmed, and Town hereby agrees to employ said Terry L. Crouse as Interim Town Public Services and Recreation Director, upon the terms and conditions set forth herein.

Section 2. Duties. The Employee shall serve as the Interim Town Public Services and Recreation Director of the Town of Liberty and shall be responsible to the Town Council for administering all the affairs placed in his charge by it, including specifically those powers and duties set forth in N.C. Gen. Stat. 160A-148, and the Ordinances of the Town.

Additionally, Employee shall perform such other duties, activities, functions and directions as the Board may, from time to time, legally assign.

Section 3. Term.

(A) Employee shall commence employment on January 29, 2021, and serve until To Be Determined. Employee is designated as a temporary employee.

(B) Notwithstanding Paragraph A, nothing contained herein shall prevent, limit, or otherwise interfere with the right of the Town Council to terminate the services of the Employee at any time, with or without cause.

(C) Notwithstanding Paragraph A, nothing contained herein shall prevent, limit, or otherwise interfere with the right of the Employee to resign from his position with the Town without further obligation to the Town. In the event the Interim Town Public Services and Recreation Director voluntarily resigns his position with the Town, then the Interim Town Public Services and Recreation Director shall give the Town 2 weeks notice in advance.

Section 4. Compensation. Town shall pay Employee, for his services rendered, the sum of Five thousand four hundred & 16/100 and no/100 Dollars (\$ 5,416.00) per month, said sum payable in accordance with the schedule set forth for Town's employees.

Employee shall also be reimbursed for mileage based upon use of his personal vehicle for Town business. Rate of reimbursement shall be the same as that allowed by Internal Revenue Service.

As a temporary employee, Employee shall not be entitled to any other benefits.

Section 5. Other Provisions.

(A) The Town shall defend, save harmless, and indemnify the Employee against any tort, professional liability claim or demand, or other legal action, whether groundless or otherwise arising out of an alleged act or omission occurring in the performance of the Town Public Services and Recreation Director duties, unless the conduct which results in such claim, demand, or legal action arises outside the course and scope of the Interim Town Public Services and Recreation Director's employment. If deemed appropriate by the Town, the Town may compromise and settle any such claim or suit and pay the amount of any such settlement or judgment rendered thereon. Should the Interim Town Public Services and Recreation Director withhold his consent from any compromise or settlement approved by all the other parties to the claim or lawsuit, then the sole responsibility of the Town shall be to provide, at no cost to the Interim Town Public Services and Recreation Director, separate counsel for the Interim Town Public Services and Recreation Director for his defense, and to reimburse or otherwise indemnify the Interim Town Public Services and Recreation Director for any judgment rendered against the Interim Town Public Services and Recreation Director to the extent and for the amount which the Town could have compromised or settled such claim or suit.

(B) The Town shall bear the full cost of any fidelity or other bond required of the Interim Town Public Services and Recreation Director under any law or Ordinance.

(C) Any offer, notice, election, or other communication, which any party hereto may be required or desire to give to any other party, shall be in writing and shall be considered when deposited in the United State's mail, certified with postage prepaid, addressed to the last known address of the parties as shown below:

To Employer: Filmore York, Mayor or his successor
Mayor of Town of Liberty
Town of Liberty
Post Office Box 1006
Liberty, NC 27298

Copy to: William H. Flowe, Jr., Town Attorney or his successor
Post Office Box 1315
Liberty, NC 27298

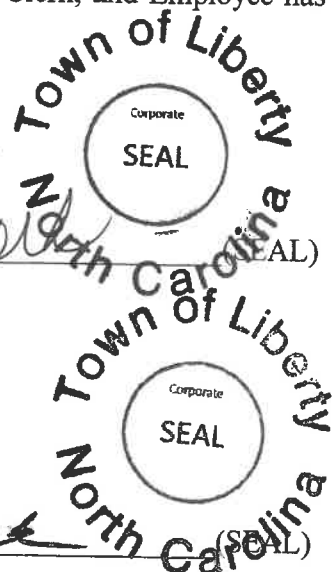
To Employee: Terry L. Crouse
Post Office Box 783
Liberty, NC 27298

IN WITNESS WHEREOF, the Town of Liberty has caused this Agreement to be executed on its behalf by its Mayor and duly attested to by its Town Clerk, and Employee has executed this Agreement, the day and year first above written.

TOWN:

TOWN OF LIBERTY

BY: Filmore York
Filmore York, Mayor



Attested to:

Jessica J. Brown
Jessica Brown, Town Clerk

EMPLOYEE

Terry L. Crouse
Terry L. Crouse

This document has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act.

BY: Jessica J. Brown
Jessica Brown, Town Clerk

Date: 1/25/2021

