

Minutes of the Meeting of
The Liberty Town Council
Held on December 6, 2021 5:30 pm

Present

- Mayor : The Honorable Filmore York
- Council: Chris Compton, Don Herndon, Tyson Nixon, Larry Coble, and JR Beard
- Town Manager: Scott Kidd
- Town Clerk: Jessica Brown
- Town Attorney: Bill Flowe
- Staff: Fire Chief; Matt Talbott, Public Service Director; Joe Walsh, Library Director; Brenda Heindl-Hornsby, Code Enforcement; Chris Curry Police Chief; David Semrad

To Order

The Mayor welcomed everyone and called the meeting to order at 5:30PM.. He also welcomed everyone who was watching on Facebook.

Pledge of Allegiance/Invocation

Mayor York led the Pledge of Allegiance and then asked everyone to join in a Moment of Silence.

Adoption of Agenda

Council Member JR Beard made a motion to adopt the agenda. Council Member Don Herndon seconded the motion which passed unanimously: Council Member Don Herndon voted yes, Council Member Larry Coble, Council Member Tyson Nixon voted yes, Council Member JR Beard voted yes and Council Member Chris Compton voted yes. The agenda was approved.

Information

Representative Allen McNeil

Representative Allen McNeil said it is an honor to be here for the second or third time to swear in the Mayor and Council Members for new terms and an honor to serve this district both Liberty and Staley which has now been added to Chatham County. It has been a pleasure to serve the past nine years but he will not be seeking another term. He thanked the Mayor and the Board and said the next two years will be challenging and rewarding.

Mayor York said he thanks Representative McNeil for everything he has done for Liberty including helping us to get funds for our Downtown Revitalization.

Code Enforcement Report - Chris Curry

Code Enforcement Officer Chris Curry said he did not prepare a report for this short amount of time covered but he does have some updates to share. Jeremy Harris is taking over the property at 131 N Foster. He is taking over the property and promised he will make things happen and should start seeing noticeable improvements.

He met with James Bishop about 139 W. Frazier and gave him a thirty day extension until December 22nd to see noticeable improvements.

He closed and reopened the case for 508 S. Kirkman. No one came to the hearing. The next step is to burn or demolish.

The family that was at 309 S New Street has passed away and the front door, back door, and windows are busted out. He has scheduled a hearing for 12/22/2021.

Mr. Troxler at 1005 S Kirkman has been working with Fire Chief Matt Talbott on a possible controlled burn.

He had twenty seven violations this week.

Council Member Don Herndon thanked him and said he has seen real improvement.

Approval of Minutes

Council Member Chris Compton made a motion to approve the minutes from the November 15, 2021 Work Session, November 15, 2021 Closed Session, November 22, 2021 Council Meeting, and November 22, 2021 Closed Session. Council Member JR Beard seconded the motion which passed unanimously : 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.

Swearing in of New Members - Representative Allen McNeil

Representative Allen McNeil came forward to swear in Mayor Filmore York for another two year term and Council Members Larry Coble and Tyson Nixon for another three year term. New Council Member Terry Caviness was unable to attend but will be sworn in later in the week for a three year term.

David Putnam PTRC - Fair Housing

David Putnam with the Piedmont Triad Regional Council came forward to present a Fair Housing brochure to the Council (they received a copy). He works as our grant administrator for the CDBG and this qualifies as a Fair Housing activity. It is HUD issued and can help communicate Fair Housing principles. He went over page one with the Table of Contents. It will be posted on the Town Website.

New Business

Resolution BB&T Finance PD

This is a resolution to approve the financing terms with BB&T for the Police Department (building). It was requested by the bank.

Council Member Tyson Nixon made a motion to approve. Council Member Don Herndon seconded the motion which passed unanimously with Council Members: Larry Coble, Don Herndon, JR Beard, and Tyson Nixon voting yes.

Adoption of Meeting Schedule

This is the schedule for 2022 Council Meetings. There are a few regular schedule changes due to holidays and budget time. They will still start at 5:30PM.

Council Member Don Herndon made a motion to adopt a meeting schedule. Council Member Larry Coble seconded the motion which passed unanimously with Council

Members: Larry Coble, Don Herndon, JR Beard, and Tyson Nixon voting yes. The 2022 meeting schedule was approved.

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Adoption of Holiday Schedule

This is the Town's 2022 Holiday schedule. Council Member Larry Coble made a motion to approve the Schedule. Council Member Don Herndon seconded the motion which passed unanimously with Council Members: Larry Coble, Don Herndon, JR Beard and Tyson Nixon voting yes. The 2022 Holiday Schedule was approved.

Election of Mayor Pro Tempore

Council Member JR Beard nominated Council Member Larry Coble for Mayor Pro Tempore stating he had received the most votes in this election cycle. Council Member Don Herndon made a motion to close nominations and Council Member JR Beard seconded the motion which passed unanimously. Council Member Larry Coble was unanimously approved as Mayor Pro Tempore for 2022.

Resolution 2021-11

Mayor York presented Resolution 2021-11 to Council Member Chris Compton for his years of service on the Town Council and in the community.

Budget Amendment #13 ASADRA

This amendment is to complete transfer to the ASADRA Grant Capital Project from the Water/Sewer Fund in order to pay Withers Ravenel for professional services. Council Member JR Beard made a motion to approve Budget Amendment #13. Council Member Don Herndon seconded the motion which passed unanimously with Council Members: Larry Coble, Don Herndon, JR Beard and Tyson Nixon voting yes.

Budget Amendment # 14 Powell Bill

This amendment is to move funds from the General Fund Balance Appropriated to Powell Bill line item. Council Member Tyson Nixon made a motion to approve Budget Amendment #14. Council Member Don Herndon seconded the motion which passed unanimously with Council Members: Larry Coble, Don Herndon, JR Beard, and Tyson Nixon voting yes.

Budget Amendment #15 SRP Funds Heritage Museum and Depot Project

This amendment is to establish a fund for SRP Funds which will fund the Heritage Museum and Depot Project. The amendment is not ready so will bring forward in the January meeting.

Administrative Reports

Manager's Report

Town Manager Scott Kidd gave his report. The CDBG project has been extended for thirty days. They are working on spray liners and cleanouts. He has had a lot of zoning calls since the Mega Site was announced. He is going to work on the Limb Ordinance, Speed Limit change N Faust St and E Highfill and Water Leak Adjustment Policies and bring them to the January meeting. He is also looking to upgrade the Audio/Visual in the Council Room and get a new desk.

Library Director Brenda Heindl told the Council she would like to shift library hours to close at 3PM on Saturdays and be open until 8PM on Mondays and Tuesdays.

Council Comments

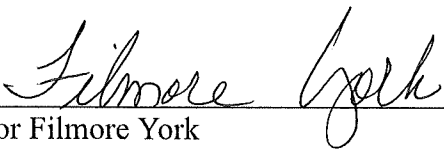
Fire Chief Matt Talbott told the Council that he has hired another Fire Inspector to prepare for growth. It is Terry Gardner and he has thirty years of experience. Council Member JR Beard said he has very good credentials.

Mayor Comments

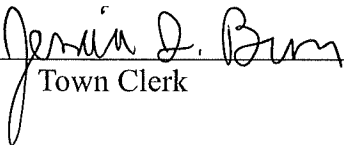
Mayor York thanked the Fire Department for getting old 49 running and everyone that helped with the Christmas Parade. He also thanked Representative McNeil for the \$50,000 he helped the Town get for the museum, and the \$75,000 for Downtown Development. He wished everyone a Merry Christmas.

Adjourn

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



Mayor Filmore York

ATTEST: 

Town Clerk

Resolution Approving Financing Terms

WHEREAS, the Town of Liberty, NC ("Borrower") has previously determined to finance the purchase of an existing building that will be converted to a new police station (the "Project"), and the Finance Director has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through Truist Bank ("Lender") in accordance with the proposal dated November 18, 2021, or as such proposal may be supplemented or amended by Lender and the Borrower verbally or in writing. The amount financed shall not exceed \$500,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.47%, and the financing term shall not exceed fifty-nine (59) months from the date of closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and such other documents as Lender may request. Pursuant to the Financing Agreement and Deed of Trust, (a) Lender will advance moneys to the Borrower to pay the costs of the Project and the financing costs related thereto, and the Borrower will repay such advance in installments, and (b) the Borrower will grant a lien on the site of the Project, or portions thereof, together with all fixtures and improvements located thereon, to Lender as security for such advance.

3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to the Finance Director's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for costs of the Project may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

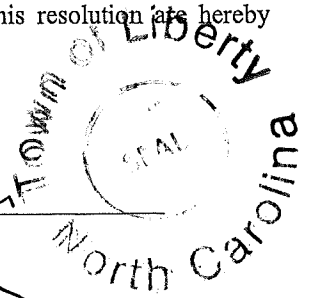
Approved this 6th day of December, 2021

By: Filmare York

Title: Mayor

By: Jessica A. Burt

Title: Town Clerk



Town of Liberty

P.O.Box 1006

239 South Fayetteville Street

Liberty, North Carolina 27298

(336) 622-4276 phone (336) 622-2665 fax

RESOLUTION 2021-11

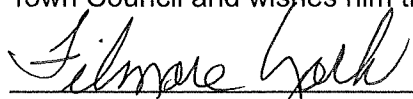
RESOLUTION IN RECOGNITION AND APPRECIATION OF CHRIS COMPTON FOR YEARS OF SERVICE TO THE TOWN OF LIBERTY IN HIS ROLE ON THE LIBERTY TOWN COUNCIL

WHEREAS, the Town Council is an integral part of decision making, policy setting, and approving the Town Budget while considering what is best for the citizens and the Town; and


WHEREAS, Chris Compton has faithfully served on the Town Council since 2017, is a local business owner, has served as the Experience Liberty Council liaison, is active in the Rotary Club, and plays a vital role in the community; and

WHEREAS, Chris Compton will continue to serve the Town by being an active citizen and as an important part of the community;

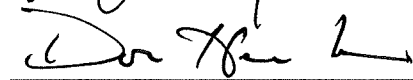
NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Liberty, North Carolina, meeting in the Council Meeting on the 6th day of December, 2021 acknowledges and expresses its gratitude to Chris Compton for his dedicated service to the Town Council and wishes him the best in all future endeavors.



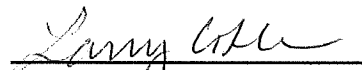
Filmore York, Mayor



Tyson E. Nixon




Don Herndon



Larry Coble



JR Beard



Attest: Town Clerk

Meeting Date: December 6, 2021

Town of Liberty Budget Amendment (FY 2021-2022 #13) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2021-2022, which was adopted on June 28, 2021, be amended as follows:

This amendment is to complete transfer to the ASADRA Grant Capital Project from the Water/Sewer Fund in order to pay Withers Ravenel for professional services. (Inv#153126)

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

30 Fund Revenues				
Enterprise Fund	Line Item	Budget	Change	Amended Budget
Water/Sewer Fund Balance App	30-3990-000	0.00	36,000	36,000
Total Revenues		0.00	36,000	36,000
30 Fund Expenditures				
Enterprise Fund	Line Item	Budget	Change	Amended Budget
Transfer To ASADRA	30-8320-600	0.00	36,000	36,000
Total Expenditures		0.00	36,000	36,000

Prepared By: Kathy Bond, Finance Director

Reviewed By: Scott Kidd, Town Manager

Town Manager Initials: SKK

Filmore York
Filmore York, Mayor

ATTEST:

Date: 12-6-2021

Jessica J. Burn
Town Clerk

Date: 12/6/2021

Meeting Date: December 6, 2021

Town of Liberty Budget Amendment (FY 2021-2022 #14) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2021-2022, which was adopted on June 28, 2021, be amended as follows:

This amendment is to move funds from General Fund Balance Appropriated to Powell Bill line item.

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

10 Fund Revenues				
General Fund	Line Item	Budget	Change	Amended Budget
General Fund Balance App.	10-3990-000	470,788	20,000	490,788
Total Revenues		470,788	20,000	490,788
10 Fund Expenditures				
General Fund	Line Item	Budget	Change	Amended Budget
Powell Bill - Resurface	10-5600-460	20,000	20,000	40,000
Total Expenditures		20,000	20,000	40,000

Prepared By: Kathy Bond, Finance Director

Reviewed By: Scott Kidd, Town Manager

Town Manager Initials: *SK*

Filmore York

Filmore York, Mayor

Date: 12-6-2021

ATTEST:

Janice J. Burn

Town Clerk

Date: 12/6/2021

