

Minutes of the Meeting of  
The Liberty Town Council  
Held on January 24, 2022 5:30 pm

Present

Mayor : The Honorable Filmore York

Council: Terry Caviness, Don Herndon, Tyson Nixon, Larry Coble  
and JR Beard

Town Manager: Scott Kidd

Town Clerk: Jessica Brown

Town Attorney: Bill Flowe

Staff: Finance/HR Director; Kathy Bond Public Service Director;  
Joe Walsh, and Library Director; Brenda Heindl-Hornsby

To Order

The Mayor welcomed everyone including Department Heads, Council Members and those watching on Facebook. and called the meeting to order at 5:30PM.

Pledge of Allegiance/Invocation

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

Adoption of Agenda

Council Member Don Herndon made a motion to adopt the agenda with the addition of 10A Closed Session 143-318.11 (a) (5) and taking out 5.3 since combined with another Budget Amendment and the addition of 6.1 Library Grant for the playground. Council Member Tyson Nixon 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 Terry Caviness voted yes. The agenda was approved with the changes.

Approval of Minutes

Council Member Larry Coble made a motion to approve the minutes from the Council Meeting December 6, 2021. Council Member Don Herndon seconded the motion which passed unanimously : Council Member Don Herndon voted yes, Council Member Tyson Nixon voted yes, Council Member JR Beard voted yes, Council Member Larry Coble voted yes and Council Member Terry Caviness voted yes. The minutes were approved.

Consent Agenda

The Consent Agenda includes Finance Reports for December 2021 and January 2022, CERRI Resolution (Community Economic Recovery and Resiliency Initiative), Resolution to sell PD Caprice on Ebay, Consideration/Approval of the Fiscal Year 22/23

Budget Calendar, Public Notice for February 21, 2022 Citizen input period for the FY 22-23 Budget, and Reappointment of Chris Turner to the Planning Board/Board of Adjustment for another three year term. Council Member Tyson Nixon made a motion to approve the Consent Agenda. Council Member JR Beard seconded the motion which passed unanimously with Council Members: Terry Caviness, Larry Coble, Don Herndon, JR Beard and Tyson Nixon voting yes.

### Old Business

#### **Budget Amendment Clear Gov Budgeting Software #15**

This amendment is to move funds from General Fund and Enterprise Balance Appropriated to Admin Contract Services in 10 and 30 Fund (for ClearGov Budgeting). Council Member JR Beard made a motion to approve Budget Amendment #15. Council Member Larry Coble seconded the motion which passed unanimously with Council Members: Terry Caviness, Larry Coble, Don Herndon, JR Beard, and Tyson Nixon voted yes.

#### **Budget Amendment SRP Funds (Depot and Heritage Museum) #16**

Pursuant to North Carolina General Statute 159-13.2, the following ordinance is hereby adopted for the purpose of SRP Funding Reimbursement Grant for a fund and line items for the Public Library/Town of Liberty and the Liberty Heritage Museum. Council Member Don Herndon made a motion to pass Budget Amendment #16. Council Member JR Beard seconded the motion which passed unanimously with Council Members: Terry Caviness, Don Herndon, Larry Coble, JR Beard, and Tyson Nixon voted yes. Council Member Tyson Nixon asked if it was already set that the Train Depot be moved to Town Hall. The Town Manager said no and it would be discussed more later this amendment is just to set up the fund.

#### **Water Leak Policy Update**

Town Manager Scott Kidd said he tried to take in all that was said regarding this policy previously. This has a catastrophic leak adjustment and a three month payment plan if the adjustment is not granted. Council Member Tyson Nixon made a motion for the discussion of the Water Leak Policy be tabled for a month so they would have time to further review. Council Member Larry Coble seconded the motion which passed unanimously with Council Members: Terry Caviness, Larry Coble, Don Herndon, JR Beard, and Tyson Nixon voted yes. The Water Leak Policy Update discussion will be tabled until next month (February).

### New Business

#### **Library Grant - Playground**

Town Manager Scott Kidd said the application for this is due March 1, 2022 so thought it should be discussed. Library Director Brenda Heindl put in the application in the first round and has been asked to put in the application for the second round. Scott Kidd said more libraries are going outside the four walls to become more community based. This park/playground would be located behind the library. Is this something you would like to see at the library? Brenda Heindl said the surfaces and turf would be rubberized for safety. It would be accessible to all children and also geared towards children with sensory deficiencies and autism. It will include a merry go round for kids in wheelchairs. The library will be responsible for maintaining it. She thinks it will add playfulness to the library and that libraries have been blessed with a lot of grants due to the pandemic. The space in the back of the library where it would be located is 36x50 or 60. It would be 1/3 rubber and 2/3 turf. The estimated cost is \$14,000.00. Mayor Filmore York asked if it would impede the library being extended to the street. Brenda Heindl said no it would be in the back. She said a fence will be necessary for neuro diverse kids and signs will be

posted that supervision is recommended. Council Member JR Beard asked if the library staff would have a view of the playground. She said they would have cameras and the door that leads out to the playground would have to be replaced. Council Member Tyson Nixon asked if there were trees there and she said most of the area is shaded. Council Member Larry Coble said he does think of libraries as being quiet. Brenda Heindl said she is trying to find ways to bring people back to the library. Council Member Don Herndon asked if it would only be accessible during library hours and Ms. Heindl responded she would like for it to always be accessible. Council Member JR Beard asked if she had to put a fence around it. She said it would need a fence due to smaller and neurodiverse children. Council Member Tyson Nixon said he likes the idea of a playground for children with sensory deficiencies. Council Member Terry Caviness said he likes the idea of bringing kids to the library but doesn't know if it would be a good fit. Ms. Heindl also remarked that Randolph County is one of the most obese counties in the state. Council Member Tyson Nixon asked if it must be on library property to be eligible for the grant. Ms. Heindl said she will call the state and check on it. There were suggestions of possibly putting it at one of the parks. Public Works Director Joseph Wals said there will be a lot of new construction coming to Freedom Park. There would need to be a parking lot at Paul Henry. Ms. Heindl said the bathrooms at Paul Henry would have to be modified to be ADA compliant.

Council Member Tyson Nixon made a motion to proceed with the application for the grant if the playground could be put at Freedom Park. Council Member Larry Coble then amended the motion to include Freedom and Paul Henry Smith Park. Council Member Tyson Nixon seconded the amended motion to proceed with the grant if the playground could be placed at Freedom Park or Paul Henry Smith Park which passed unanimously with Council Members: Larry Coble, Terry Caviness, Don Herndon, JR Beard and Tyson Nixon voting yes.

### Administrative Reports

#### **Manager's Report**

Town Manager Scott Kidd said Library Director Brenda Heindl had provided handouts about proposed remodeling for the library bathrooms. There would be a wall removed which would open up more space behind the desks to get to the bathrooms. It calls for minimal removal of asbestos. Council Member Tyson Nixon asked if this conforms to the plans originally proposed by the County. Ms. Heindl said the previous plan suggested taking out all walls with asbestos and this plan does not. She also said she had shifted her work space to the Swaim Room. The consensus of the Council is to move forward with updating the bathrooms in the Library.

The Town gives its condolences to WithersRavenel for the loss of employee Kevin Eason. We are at the final two steps to complete work on the damaged manhole. He is meeting with DFQ Thursday to discuss treatment plant options. The County wants to have a discussion as well.

### Mayor Comments

Mayor York thanked everyone for a good discussion. He asked the Council Chambers be cleared for the Closed Session.

### Closed Session GS 143-318.11 (a) (5)

Council Member Tyson Nixon made a motion to go into Closed Session per NC GS 143-318.11 (a) (5). Council Member Don Herndon seconded the motion which passed unanimously with Council Members: Larry Coble, Terry Caviness, Don Herndon, JR

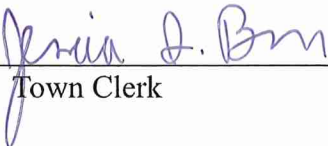
Beard, and Tyson Nixon voting yes. The Town Council went into Closed Session at 6:20PM.

Council Member Tyson Nixon made a motion to come out of Closed Session. Council Member JR Beard seconded the motion which passed unanimously with Council Members: Larry Coble, Terry Caviness, Don Herndon, JR Beard, and Tyson Nixon voting yes. The Town Council came out of Closed Session at 7:00PM.

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 JR Beard voted yes, and Council Member Larry Coble, and Council Member Terry Caviness voted yes. The meeting was adjourned.

  
\_\_\_\_\_  
Mayor Filmore York

ATTEST:   
\_\_\_\_\_  
Town Clerk

Meeting Date: Jan 24, 2022

**Town of Liberty Budget Amendment (FY 2021-2022 #15) 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 and Enterprise Balance Appropriated to Admin Contract Services in 10 and 30 Fund. (For ClearGov Budgeting**

**Section 1:** The following revenue and expenditures in the General and Enterprise 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	2,600	473,388
<b>Total Revenues</b>		470,788	2,600	473,388
10 Fund Expenditures				
General Fund	Line Item	Budget	Change	Amended Budget
Admin Contract Services	10-4200-450	40,000	2,600	42,600
<b>Total Expenditures</b>		40,000	2,600	42,600
30 Fund Revenues				
Enterprise Fund	Line Item	Budget	Change	Amended Budget
Water Sewer Fund Appropriated	10-3990-000	0	2,600	2,600
<b>Total Revenues</b>		0	2,600	2,600
30 Fund Expenditures				
Water/Sewer	Line Item	Budget	Change	Amended Budget
WS/Adm Contract Services	30-7200-450	28,000	2,600	30,600
<b>Total Expenditures</b>		28,000	2,600	30,600

Prepared By: Kathy Bond, Finance Director

Reviewed By: Scott Kidd, Town Manager

Town Manager Initials: SKK

Filmore York  
 Filmore York, Mayor

ATTEST:

Date: 1-24-2022

Jermain J. Bm  
 Town Clerk

Date: 1/24/2022



Meeting Date: Jan 24, 2022

**Town of Liberty Budget Amendment (FY 2021-2022 #16) Council Approval Needed**

**BE IT ORDAINED**, by the Town Council of the Town of Liberty, North Carolina in a meeting held on January 24, 2022, 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 SRP Funding Reimbursement Grant for a fund and line items for the Public Library/Town of Liberty and the Liberty Heritage Museum. The moving of the Historic Train Depot to the Library and Town Hall. Also, the reimbursement to General Fund and Friends of Patterson Cottage for purchase of the Liberty Heritage Museum.

**Section 1:** The Project is hereby authorized as a **Multi Year Project Fy 21-23 SRP Grant Library/Heritage Museum Capital 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 terms of the SRP Funding approved by the Liberty Town Council.

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

85-3700-000	Transfer from General Fund	15,000
85-3701-000	SRP Funds County Grant Library	99,000
85-3702-000	SRP Funds County Grant Heritage Museum	<u>99,000</u>
		213,000

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

85-4200-000	Building Purchase Heritage Museum Reimbursement	99,000
85-6300-040	Professional Services	<u>114,000</u>
		213,000

Adopted this 24th day of January 2022.

**Prepared By: Kathy Bond, Finance Director**

**Reviewed By: Scott Kidd, Town Manager**

Town Manager Initials: SKK

Filmore York  
Filmore York, Mayor

**ATTEST:**

Date: 1-24-2022

Jessie L. Ben  
Town Clerk

Date: 1/24/2022



**Town of Liberty**  
**P.O. Box 1006**  
**239 South Fayetteville Street**  
**Liberty, North Carolina 27298**  
**(336) 622-4276 phone (336) 622-2665 fax**  
**RESOLUTION 2022-1**

**A Resolution Requesting Participation in the  
Community Economic Recovery and Resiliency Initiative (CERRI) and the  
Associated Services from the North Carolina Department of Commerce,  
Rural Economic Development Division, NC Main Street & Rural Planning Center -  
Planning Program**

**WHEREAS**, in response to the economic challenges small towns and rural communities have been facing due to the COVID-19 pandemic, the NC Main Street & Rural Planning Center Planning Program ("Program") developed the Community Economic Recovery and Resiliency Initiative ("CERRI"); and

**WHEREAS**, the CERRI provides a planning process to help communities develop strategies to recover from the economic impacts of COVID-19 and build local economies that are more resilient to future crises and also includes technical services to assist communities with implementing those strategies; and

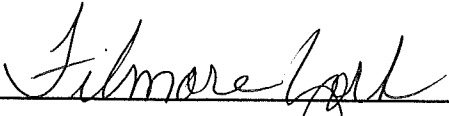
**WHEREAS**, the Town Council of Town of Liberty NC ("Board"), would like to participate in the CERRI ("Project"); and

**WHEREAS**, the Board would like assistance with the Project from the Program; and

**WHEREAS**, the Board and the Program have reached a mutually agreeable scope of work for the Project (Memorandum of Understanding attached), which outlines the tasks to be performed by the Center and those to be performed by the Town of Liberty and/or by other Project partners (if applicable), as well as the projected timeframe within which the Project will be completed.

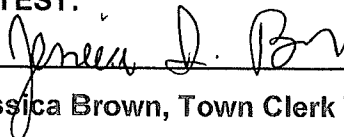
**NOW, THEREFORE, BE IT RESOLVED**, that the Board hereby requests that the Program assist the Town of Liberty with the Project and expresses its commitment to the planning process and the implementation of the Project when work is completed.

Adopted this 24<sup>th</sup> day of January, 2022.

  
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Filmore York, Mayor, Town of Liberty, NC

ATTEST:

  
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Jessica Brown, Town Clerk Town of Liberty, NC



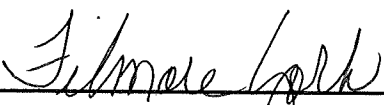
**RESOLUTION**  
**2022-2**  
**AUTHORIZING SALE OF SURPLUS PROPERTY VALUED GREATER**  
**THAN \$5,000.00**

**WHEREAS**, Article X, Section 3 of the Purchasing Policy requires Council approval for the Town Manager to dispose of surplus property valued greater than \$5,000 and less than \$30,000; and

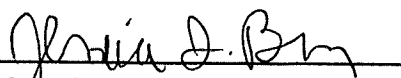
**WHEREAS**, the Police Department's 2014 Chevrolet Caprice has been determined to have a trade-in or resale value of greater than \$5,000 and less than \$30,000; and

**WHEREAS**, the car has, at the recommendation of the Finance Director and Police Chief, been deemed surplus property by the Town Manager; and will be placed for electronic auction on Ebay

**NOW, THEREFORE, BE IT RESOLVED**, the Town Council of the Town of Liberty authorizes the Town Manager to dispose of the above identified surplus vehicle as outlined in NCGS § 160A-270 © and this Resolution to be posted electronically this 24th day of January, Two Thousand and Twenty Two.

  
\_\_\_\_\_  
Filmore York, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Jessica Brown, Town Clerk

