

Minutes of the Work Session of  
The Liberty Town Council  
Held on July 15, 2024 5:30 PM

Present

Mayor: The Honorable Filmore York

Council: Terry Caviness, Larry Coble, Don Herndon, and Greg Carpenter

Town Manager: Scott Kidd

Town Clerk: Jessica Brown

Staff: Public Works Director; Joe Walsh, Finance Director; Kathy Bond, Police Chief; David Semrad, Library Director; Brenda Heindl, Assistant Town Manager; Janie Phelps, Interim Parks & Recreation Director; Kolby McPherson

Town Attorney; Robert Giles II

To Order

The Mayor called the meeting to order at 5:30 pm and welcomed everyone and those watching on Facebook. He said Council Member Tyson Nixon was not here. He introduced our new Town Attorney Robert Giles III who introduced his partner Todd Smith who will be here when he is unable to attend. He said they are happy to be here.

Adoption of Agenda

Council Member Don Herndon made a motion to adopt the agenda. Council Member Terry Caviness seconded the motion which passed unanimously. Council Members Larry Coble, Terry Caviness, Don Herndon, and Greg Carpenter voted yes and adopted the agenda with the addition.

Information

**Monthly Reports**

Each Department's Monthly Reports are included for review. Public Works Director Joseph Walsh said Piedmont Natural Gas is good to work with and rerouted the gas line under the sewer pipe and the pipe has been replaced on Starmount and Depot. They are working on flow studies for lift stations due to interest in housing developments in the area. The state is looking at doing away with the Powell Bill which will add another debt to the Town. The first phase of the 2 million lead and copper grant has been approved. On top of that the state has awarded assistance on the inventory side of lead and copper. Police Chief Semrad said they are looking at the possibility of a K-9 grant. It would be an Electronic Device Search Dog. There is currently only one in the state. A local vet has

offered to donate exams and the dog could help with ICAC. It could go to jails and look for contraband phones. Officer Kinney is interested in being a handler. The Mayor congratulated Parks and Rec Director Kolby McPherson on the biggest crowd ever at the July Festival. The Director said bounce houses will no longer be allowed at shelters unless a Certificate of Insurance can be provided. Library Director Brenda Heindl said they have 250 kids enrolled in summer reading. The Town Manager mentioned that the Library Board approved funds for preliminary drawings. Council Member Greg Carpenter said there was a basket of books from the library at the barber shop and he noticed a grandfather reading to his grandson.

### New Business

#### **Public Hearing - Zoning Text Amendments - July 22, 2024 5:30 PM**

This is an advertised public hearing on proposed Zoning text amendments to amend the watershed ordinance to allow for the utilization of adopted zoning districts R6 and R12 in accordance with the state adopted watershed ordinance and to remove cluster developments from lack of this being utilized.

#### **Public Hearing - requested by applicant EHC Builders LLC, for a SNIA (Special Nonresidential Intensity Allocation) to four parcels - July 22, 2024 5:30 PM**

This is an advertised public hearing for a quasi-judicial review request by applicant EHC Builders, for an SNIA (Special Nonresidential Intensity Allocation) request to develop over the maximum 24% BUA (Built Upon Area) on parcels 8727816041, 8727802663, 8727805663, and 8727808644 approximately 8.59 acres, located at West Butler Avenue Extension, proposed Subdivision name of Hunters Point Townhomes. This is a quasi-judicial evidentiary hearing and anyone speaking will be sworn in.

#### **Public Hearing - requested by applicant Duke Energy Progress, LLC, for a wireless telecommunications facility on two parcels - July 22, 2024 5:30 PM**

This is an advertised public hearing for a quasi-judicial review request by applicant Duke Energy Progress, LLC, for a SUP (Special Use Permit) request on parcels 8726940940 and 8726940797, approximately 1.15 acres, located at W. Brower Avenue. The Town of Liberty Ordinances require a SUP for wireless communications facilities. This is quasi-judicial and based on evidence so please refrain from discussing.

#### **Budget Amendment - library**

This amendment is to move funds in the library department: Moving the \$1785 brought in from Memorials (10-3340-000) between April 1 and July 1 to be put into 10-6300-340, \$1200 from Lowe funds to 10-6300-741, \$1600 from the Coward Trust to be moved to 10-6300-569, and \$400 from the Coward Trust to be moved to 10-6300-568.

#### **Budget Amendment - Plymovent - Fire Department**

This amendment is to move funds in the Fire Department from revenue received from the Plymovent Grant of \$76,190.47 to expenses.

#### **24/25 Amending fee schedule - adding backflow fees**

This is an amendment to the FY 24/25 Fee Schedule to add all Backflow and Cross Connection fees associated with a new backflow program for the Town of Liberty.

### Manager's Report

Town Manager Scott Kidd gave the report. The Town is looking at two other grants which would help fund Police Department and Fire Department positions as the town grows. We are looking at Chapter 130 of the ordinances and possibly beefing those up due to noise complaints. Thanks to all staff that helped with the Festival and those that helped at the Police Department's Open House. We are also looking at a possible second AIA grant and going out to bid for the ASADRA grant. We are still waiting on one more clarification from the state on the LWCF grant for Freedom Park and hope to then push forward and complete it by 2025.

### Citizen Comments

Town Attorney Robert Giles read Public Comment rules. Eric Clay of 235 E Dameron came forward to speak. He requested a flagpole be put at Paul Henry Smith Park that could fly the American flag as well as the Juneteenth flag during the month of June. Debby Young of 243 W Vance came forward and said a week ago her water was cut off. She said she did not receive a bill and was told to call. Almost all her bills are auto drafted but the Town charges a fee. She found out her bill was sent to a PO Box she has not had in three years. The office was closed from 12 - 1 PM for lunch when she came. She said she asked to speak to the manager and was told the manager would call back Monday but she did not get a call. She wants all fees refunded. Council Member Don Herndon said he thought this could have been handled more diplomatically and does not understand why all these bills were returned. He thinks the fees should be credited.

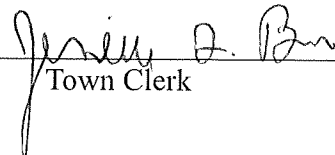
### Mayor Comments

Mayor York thanked our new attorneys and thanked Parks and Rec Director Kolby McPherson and all staff who helped with the Festival. He said they were in Closed Session today in Randolph County discussing the new school sites. He thanked everyone who attended the meeting and asked that everyone stay safe in the heat.

### Motion to Adjourn

There being no further business to discuss, Council Member Larry Coble made a motion to adjourn the meeting and Council Member Terry Caviness seconded the motion which passed unanimously. Council Member Larry Coble voted yes, Council Member Terry Caviness voted yes, Council Member Don Herndon voted yes, and Council Member Greg Carpenter voted yes. The meeting was adjourned.

  
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Mayor Filmore York

ATTEST:   
Town Clerk

