

# TOWN OF HUDSON REGULAR MEETING

August 20, 2019

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In Attendance:

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**Members Present:** Mayor Janet Winkler, **Commissioners:** Larry Chapman, Jonathan Greer, Barry Mitchell, Rick Shew, Ann Smith and Bill Warren

**Others Present:** Town Manager, Rebecca Bentley, Chief of Police, Richard Blevins, Assistant Finance Officer, Michelle Coffey, Town Planner, Teresa Kinney, Town Clerk, Tammy Swanson, and Town Attorney, Carroll Tuttle

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Call to Order:

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Mayor Janet Winkler called the August meeting to order, and Commissioner Bill Warren led the audience in the Pledge of Allegiance and opening prayer. Janet welcomed the guests in the audience to the meeting.

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Discuss/Adjust Agenda:

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Janet presented the August agenda, and requested the following additions.

Add: 6(a) – Transportation Update from Brian Horton, WPCOG

Add 8(a) Call for Two Public Hearings for September Meeting – Rezoning & Text Amendment

**Motion: (Rick Shew/Larry Chapman) to approved the agenda as amended. Unanimously approved.**

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Approval of Minutes:

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Larry Chapman stated that he had made staff aware of a typo in the Resolution Designating Bank Depositories that is on tonight's agenda.

**Motion: (Larry Chapman/Bill Warren) to approve the minutes, as presented, from the July 16, 2019 Regular Meeting, and the August 7, 2019 Budget Work Session. Unanimously approved.**

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Recognition of Patrolmen – Officer Hudson and Officer White:

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Chief Blevins addressed the Board to recognize a couple of his officers, Officer Nick Hudson and Officer Jesse White. Chief Blevins stated that in the early morning hours of July 31, 2019, a medical call came in from 135 Mathewson Street. Both of these officers responded to the call, and found a bedfast victim in Cardiac Arrest. Without hesitation, Officer Hudson assessed the victim's condition, repositioned her to the floor and began CPR. Officer White was in training, and followed the direction of Officer Hudson in assisting to reposition the victim to the floor. Life saving measures were administered for another 3 to 4 minutes, with Officer White taking over when Officer Hudson became exhausted. Together both of these officers provided lifesaving skills until they were relieved by medical personnel. The victim was revived and transported to the hospital for treatment. Chief Blevins commented that at the end of their shift, these officers followed up with the hospital to find out the condition of the victim, which shows dedication of these officers.

Chief Blevins commented that every police officer is essentially a first responder regardless of the type of call they are dispatched to; however, it is a rare occasion that officers are called upon to administer

lifesaving skills. These officers saw a need and took action immediately – standard policy and tradition of the Hudson Police Department and the law enforcement profession.

Janet commended Officers Hudson and White for their quick responses in an emergency situation, and for their dedication to our citizens.

### **Opioid Epidemic:**

Chief Blevins discussed the opioid epidemic, and the fact that it is running ramped around us. Chief Blevins discussed the effects of opioids, and he reported that new treatment is being used to block the effects of these drugs. This new drug is called NARCAN and is administered as a nasal spray. Chief Blevins stated that NARCAN works by overriding the effects of opioids and narcotics on the brain. Chief Blevins reported that he had been working with Project Lazarus, a non-profit organization based in Moravian Falls that provides training and technical assistance to communities addressing prescription medication issues. Thanks to Project Lazarus, all of our officers are now carrying NARCAN.

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### **EDC Presentation:**

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Deborah Murray, Executive Director of the Caldwell County EDC, gave a presentation showcasing Caldwell County. She discussed the changes that have happened in the county since 2008. She added that a national marketing group was hired during 2008 to review the county and give suggestions for economic growth. She said that recently she decided to look at the report from this group and compare the findings with where we are today. Deborah shared some of those findings with the Board.

- Graduation Rates Improved from 71% to 91%
- Poverty Rates – we are at 16.2 which is down from 20.8 in 2013
- Population – We have two strong ethnic groups now – Hispanic and Black – Caldwell County is predominantly white.
- Unemployment – 17% - in 2010 – We ranked 97<sup>th</sup> out of 100 counties in North Carolina. Now we rank between the 50<sup>th</sup> and 30<sup>th</sup> out of the counties, and we actually have full employment today. Private Sector has said that they cannot fill the jobs that are available.
- At that time, we were 30% manufacturing – Manufacturing matters, but we needed to be more diversified in what was being manufactured. Now furniture is still strong, along with plastics, pharmaceuticals, construction and public administration.
- Average wage - \$38,957 – ranking 27<sup>th</sup> highest out of 100 counties.
- Median household income – \$40,735 up from \$36,860 in 2012.
- Sales Tax Collection – 22% growth over 5 years.

Deborah discussed some of the new competitive realities for the next 10 years.

- Population
- Critical worker shortage
- Critical housing shortage
- Industrial Inventory Drought

For Hudson:

Population – in 1990 – 3307 - in 2007-2017 - 3698

Assets to Leverage – Deborah discussed Caldwell Community College being a game changer for the county. Jobs with new technologies are being taught to students.

Deborah commented that ten years ago we were talking about what it could be like, and now that is how it is! Everybody did it working together, and now we need more people involved with helping us for the next ten years.

Janet stated that she believes it is good for people to hear this information about our county. We do have things to be very grateful for. One that she sees is the partnerships. We have these in Caldwell County like no other place. It is made up of people that want the best for this county. Janet thanked Deborah for coming and sharing this information with the Board.

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Transportation Update – Brian Horton, WPCOG:

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Brian Horton, WPCOG Transportation Planning Manager, addressed the Board to give a transportation update for Hwy. 321. Brian briefly discussed how the process works and the responsibilities of the MPO (Metropolitan Planning Organization). The MPO is a federally mandated and federally funded transportation policy-making organization in which the transportation tax dollars flow into the system. Brian gave an update on the two intersections that are scheduled to be changed in Hudson – Mt. Herman Road/Hwy. 321 and Pine Mtn. Road/Hwy. 321 – and he reported that these are scheduled for 2020. He mentioned that the intersection at Mission Road/Hwy. 321 is also scheduled for 2020. Brian presented the following schedule proposed for obtaining rights-of-way and construction for Hwy. 70 to Hwy. 321A along with the three intersections.

Section	Location	Details
Section A	U.S. 70 to U.S. 321A	<ul style="list-style-type: none"><li>• Right of way – Summer 2018</li><li>• Construction – Summer 2021</li></ul>
Section B	U.S. 321A to Mission Road	Currently unfunded
Section C	Mission Road to Southwest Boulevard	Currently unfunded
Section CA	U.S. 321/Mount Herman Road intersection	<ul style="list-style-type: none"><li>• Right of way – FY 2018</li><li>• Construction – FY 2019</li></ul>
Section CB	U.S. 321/Pine Mountain Road intersection	<ul style="list-style-type: none"><li>• Right of way – FY 2018</li><li>• Construction – FY 2019</li></ul>
Section CC	U.S. 321/Mission Road intersection	<ul style="list-style-type: none"><li>• Right of way – FY 2018</li><li>• Construction – FY 2019</li></ul>

Janet asked if bridges have been funded.

Brian stated that the bridges have been funded.

Rebecca stated that we have great concerns about the three intersections due to the fact that we have the largest schools in the county and the community college that use these sections of road. She commented that it appears all three will be under construction at the same time.

Brian explained that the movement will be one of the last elements of the construction.

Barry asked about the expected finish date for the intersections.

Brian stated that the project would probably take at least 2 years to complete.

Janet thanked Brian for the update.

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Adopt Police Memorandum of Transportation Agreement:

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Chief Blevins presented a Memorandum of Transportation Agreement between Caldwell County and the police departments of the county for the transportation of involuntary commitments. Chief Blevins explained that this agreement is necessary to meet the requirements of the North Carolina Statutes for the

custody and transportation of respondents in involuntary commitment proceedings. He commented that we take the individual to hospital and sit with them until they are transported by the Sheriff's Dept.

Janet asked if this type of thing is becoming a larger need.

Chief Blevins stated that we are seeing more substance abuse, and people realize this can be done for their loved ones.

**Motion: (Jonathan Greer/Bill Warren) to adopt the Memorandum of Transportation Agreement as presented. Unanimously approved.**

**The Memorandum was adopted as follows:**

17 5 11 00

STATE OF NORTH CAROLINA  
CALDWELL COUNTY

FILED  
2019 AUG 28 A 10:15

CALDWELL COUNTY C.S.C.  
MEMORANDUM OF TRANSPORTATION AGREEMENT

BY \_\_\_\_\_

THIS MEMORANDUM OF TRANSPORTATION AGREEMENT ("Transportation Agreement") is made and entered as of August 1, 2019 ("Effective Date"), among the law enforcement agencies listed below and the Caldwell County Sheriff's Office ("Sheriff's Office") (collectively, "the Parties", individually "Party").

WHEREAS, N.C.G.S. §122C-251, Custody and Transportation for Involuntary Commitments, was amended and is effective October 1, 2019; and

WHEREAS, N.C.G.S. §122-251 (g) requires the governing body of a city or county adopt a plan known as an "involuntary commitment transportation agreement" or "transportation agreement" for the custody and transportation of respondents in involuntary commitment proceedings; and

WHEREAS, once adopted, the Transportation Agreement must be submitted to: The Magistrates in Caldwell County; the Caldwell County Clerk of Court; the Division of Mental Health Development Disabilities, and Substance Abuses Services; and the Local Management Entity-Managed Care Organization ("LME/MCO") that serves Caldwell County municipalities.

NOW THEREFORE, for and in consideration of mutual promises to each other as herein after set forth, the Parties mutually agree as follows;

1. After a Caldwell County Magistrate issues an involuntary commitment order ("IVC Order") and the Magistrate contacts the local law enforcement agency in the jurisdiction where the respondent resides or is physically located, an officer or deputy with the jurisdiction shall retrieve the IVC Order from the Magistrate.
  - a. If the respondent is a resident of the municipality or is physically taken into custody in the municipal limits, the municipality is responsible for transportation of the respondent including admission and discharge.
  - b. If the respondent is a resident of the county outside any municipal limit or is physically taken into custody outside municipal limits, the county is responsible for transportation of the respondent including admission and discharge.
2. The officer or deputy shall attempt to locate the respondent at the address provided on the IVC Order or where the magistrate believes the subject is physically located.

3. Upon location, the officer or deputy shall take respondent into custody and transport respondent to Caldwell Memorial Hospital Inc. or other approved facility. After the facility has completed its examination of respondent, and if further care is required, the facility will locate a facility for respondent's future care.
4. The Sheriff's Office shall respond to the facility for respondent's transport to any facility in North Carolina, identified by the initial facility (who conducted the initial evaluation), for respondent's future care.
5. Upon completion of the initial evaluation, if the facility determines respondent is not in need of further treatment, an officer or deputy with the agency that took respondent into custody shall return respondent to the address in the IVC Order or allow for other transportation arrangements of respondent be made.
6. Each party to this Transportation Agreement agrees it is responsible for its own acts and/or omissions and those of its officials, employees, representative and agents in carrying out the terms of this Transportation Agreement and the results thereof to the extent authorization by law and shall not be responsible for the acts and/or omissions of any other Party and the results thereof.
7. It is understood and agreed that each Party's liability may be limited by the provisions or other immunity law applicable to each law enforcement agency. Parties understand and agree that each Party has not waived its rights, immunities and protections provided by law. Nothing contained in this Transportation Agreement shall waive or amend, nor shall be construed to waive or amend any defense or immunity that either Party, their respective officials and employees, has or may have.
8. This Transportation agreement is not intended to and will not constitute, create, give rise to, or otherwise recognize a joint venture, partnership, corporation or other formal business association or organization of any kind among the Parties. Moreover, the rights and the obligations of the Parties under this Transportation Agreement will be only those expressly set forth in this Transportation Agreement.
9. This Agreement may be amended by written Agreement of the Parties.
10. Each term, condition, or covenant herein is subject to and shall be construed in accordance with the North Carolina law and any applicable federal law.
11. This Agreement may be executed in two (2) or more counterparts each of which will be deemed to be an original.

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Adopt Resolution Designating Bank Depository:

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Rebecca stated that Capital Bank is closing their branch here in Hudson next month. She presented a resolution designating the Town's official depositories. She commented that since we may want to stay with Capital Bank until other decisions can be made, Capital Bank is still listed as one of the depositories. She stated that we will need to look at RFPs to make a determination about the Town's banking. Rebecca added that this resolution is just a formality to allow for changes in our banking if necessary.

**Motion: (Bill Warren/Larry Chapman) to adopt the resolution designating bank depositories. Unanimously approved.**

**The resolution was adopted as follows:**

TOWN OF HUDSON  
RESOLUTION DESIGNATING BANK DEPOSITORIES

BE IT RESOLVED by the Board of Commissioners of the Town of Hudson, in regular meeting assembled that:

The finance officer of this unit shall be and is hereby authorized and directed to have deposited in the name and to the credit of this unit all funds belonging to this unit in one of more of the following designated official depositories: First Citizens Bank, Capital Bank, or North Carolina Capital Management Trust.

All checks, drafts, or order of this unit drawn against said funds shall be signed and countersigned by one of the following officers:

- Finance Officer
- Town Manager
- Town Clerk
- Assistant Finance Officer
- One of the Town Commissioners

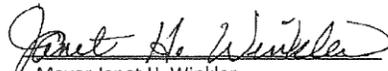
The names and signatures of the officers designated shall be duly certified by the Clerk of the Board to said bank depositories as from time to time is necessary and no check, draft or order drawn against said bank shall be valid unless so signed.

The said bank depositories may be required to submit to the unit a surety bond and/or such other collateral securities as may be by law required.

The said bank depositories shall be given written instructions that the proceeds from all check payable to the order of this unit be deposited to the credit of this unit and that under no circumstances may an item be converted into cash.

Certified copies of this resolution shall be forwarded to the bank depositories herein designated.

Adopted this 20<sup>th</sup> of August, 2019.

  
Mayor Janet H. Winkler

ATTEST:

  
Tamra T. Swanson, Town Clerk

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**Call for Two Public Hearings for September Meeting – Rezoning & Text Amendment:**

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Teresa requested that the Board call for 2 public hearings for the September 17, 2019 meeting. One public hearing is needed to consider a rezoning request for Hall Avenue – rezone H-B to R-85, and the other public hearing is to consider a text amendment concerning wineries with events and food trucks in the RA-15 zoning district.

Teresa explained that the Planning Board will also be holding public hearings for these same requests at their meeting on Thursday, September 12<sup>th</sup>.

**Motion: (Ann Smith/Rick Shew) to call for 2 public hearings for the September meeting as requested. Unanimously approved.**

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**Approve Contract McGill & Associates: (Repairs for Holly Hill Street & Hickman Ave.)**

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Rebecca introduced Matt Oetting from McGill and Associates, the engineer she has been working with to repair our streets since the floods happened in June. She stated that we have also been working with the State to get funding to help with repairing the streets. There have been some personnel changes at DPS (Department of Public Safety) which has caused a delay, but they are hoping to look at our requests beginning next week. Rebecca stated that she spoke with a representative with DPS today, and they have indicated that there should be no problem with us being funded; however, there is a process that will need to be followed for approval. Rebecca presented a contract for the Board to approve with McGill for \$48,000 for managing the project.

Land Surveying Services	\$ 5,000.00
Civil Engineering Services	\$24,000.00
Bidding Phase Services	\$ 4,000.00
Construction Phase Services	\$15,000.00
<b>Total</b>	<b>\$48,000.00</b>

Janet stated that if we can get 75% funding from the State, we must follow the guidelines for repairing the street. If not, we will not get the funding. Also, we have to have an engineer overseeing the project, and we have to work with the different entities involved, such as City of Lenoir-utilities and the gas company, and we also have to get bids.

Rebecca stated that our own ordinances require that Town streets be built to state standards, and if we make this requirement, we ourselves need to follow it.

Matt stated he realizes this is very frustrating; however, there has been a lot happening with the project behind the scenes. He stated that plans have been developed with Duke Energy, the gas company, and Lenoir. Matt explained that the utilities will need to be relocated first before the street repairs can actually begin. Matt stated that a bid opening for the project is scheduled for the first week in September, and he is anticipating beginning work in late September. He added that we are looking at a 90-day construction contract, and a 14-day contract for clearing storm drains. He commented that he is ready to send our information for contractors. Matt commented that the storm drains in place now extend beyond the road rights-of-way that are there now, and additional easements will probably be required for the project.

Rebecca asked if these will be permanent easements or construction easements.

Matt stated that he anticipates these to be permanent easements, but with minimal footage.

Bill asked if the repairs should be done by December 2019.

Matt stated that this is our hope – December.

Rebecca stated that the two projects will be bid separately, which will allow for an informal bid process.

Larry asked if the Board would be deciding which project is done first.

Matt stated that we are anticipating the projects to be done together.

Barry asked about the materials that will be used for repairs.

Matt stated that they are anticipating using corrugated metal pipe. The state will reimburse corrugated metal which is the standard for today.

Rebecca stated that the state will not fund anything other than what is there now. If an alternate is used, the Town will be expected to cover the cost of the alternate.

Janet stated that the Board is aware that this has been an emergency situation, and it has been treated as such since it happened in June. She stated that if the Town gets reimbursed by the State for some of the funds, the repairs will need to be done to their standards. The project is going to take a lot of coordinating between a lot of different companies, and she commended Matt on doing a great job getting this all together. Janet stated that she knows we will be notified when the bids are received, and Matt along with our staff will be working as quickly as possible to get this project going.

Matt commented that the DOT has 22 similar situations in Catawba County, which are also needing attention.

Janet commented that Hudson has made their needs known – we have been loud about these streets needing to be repaired. Also these types of things are not cheap, and because we are a small town, we have to have help from the State.

Rebecca stated that she will need a budget revision approved when the contract is approved so that the money can be moved to the appropriate funds.

**Motion: (Bill Warren/Rick Shew) to approve the contract with McGill and the budget revision to make it happen. Unanimously approved.**

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Public Comment & Informal Discussion:

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**Update on Festival of the Arts:** Ann gave the Board an update from the Festival of the Arts. She stated that the festival was held on August 16<sup>th</sup> and 17<sup>th</sup>. She reported that we had 25 people that completed our scavenger hunt, which was done in coordination with the businesses. We had a “Rolling Art Cruise-In” on Friday night with a band. Then we had 40 different artists at the festival on Saturday. We had a wine cellar in the cafeteria area of HUB Station and two food trucks along with great entertainment. Ann commented that it turned out to be a great day, and she thanked everyone involved for all their help and support.

Bill mentioned that the crowd was great.

**Report from Steering Committee:** Kathy Carroll, member of the Steering Committee, commented that the Festival was a joint venture. She stated that the attendance was excellent, the vendors were very positive, and she believes this is how we are becoming a “New Hometown.” She reported that the Steering Committee has been very busy trying to raise money. She stated that the new digital HUB Station sign should go up in mid-October.

Kathy reported that we have 6 paid naming sites for A Building, and there is at least a half dozen more in progress. She stated that we have several options in the “corporate world” for possible naming; however, corporate does not make quick decisions. Kathy commented that there are now brochures available for explaining the naming rights.

Kathy stated that the next big event involves Jan Karon, a well-known author who grew up in this community. This event is scheduled for Oct. 19<sup>th</sup> and 20<sup>th</sup>. We will have both a ticketed event to see Jan and a public event. Janice Woodie is doing a great job on getting the Jan Karon room set up at the HUB. She stated that she has already received inquiries about when this room would be available. Kathy commented that this will be great for the Town.

Janet commented that the new sign is going to look great in front of HUB Station. She added that all the changes will look great. She reiterated the fact that none of this is being done with tax dollars, and she stated that this is why Kathy and the Steering Committee are working so hard at fundraising.

Bill announced that we are again bringing Mountain Ruckus to HUB Station for a fundraising concert.

Kathy stated too that Jeff Link is planning a “Lip Sync” fundraising event for November.

**Discuss Payments for Naming Rights:** Kathy stated that we received a request from one family that they be allowed to make a down payment and then make installment payments toward naming a room. She stated that Rebecca had mentioned that this type thing was done with the recreation center. Kathy stated that the family was told this should be fine; however, she wanted to make sure this was approved by the Board. Kathy commented that this type of arrangement would be used for the naming the classrooms.

Janet stated that the Board needs to decide whether or not to allow people to make payments, and the timeframe we want to require to have the room paid in full.

Rebecca stated that we may also want to allow this same type of thing for larger donations.

Bill suggested that we allow payments, with the payments being made in full within a couple of years.

Larry suggested that we receive at least \$1,000 down payment with two years to pay off in full.

It was asked whether or not a monthly payment amount needed to be set.

Jonathan stated that in his opinion, so long as the room was paid in full within the timeframe, the amount paid monthly shouldn't really matter.

**Motion: (Bill Warren/Rick Shew) to require a \$1,000 down payment for room naming rights, with the total amount being paid in full within two years. Unanimously approved.**

Rick asked when the name would go on room if the family is making payments.

Kathy stated that it would go up when the down payment is received. The name can always be taken down if the room is not paid for in full within the timeframe.

**Update on GDS Collection Policy:** Rebecca stated that because GDS has had a lot of issues with people using their own trash containers for garbage collection, they will now only pick up their containers. Rebecca commented that some of the containers, even the GDS containers, are damaged during pick-up, which causes problems for GDS when the containers are not their containers. Also, if anyone needs more than one container, they will need to contract with GDS on their own. Rebecca explained that up until

recently, GDS had been gracious and had tried to work with people in picking up different containers. However, that got out of hand, which caused them to tightened down on their collection policy. Rebecca commented that our contract with GDS says that they will only pick up GDS containers, so this requirement is within our contract.

**Upcoming Events:**

- Offices Closed September 2<sup>nd</sup> – Labor Day
- Hudson Man & Woman of the Year Banquet – October 10<sup>th</sup>
- Dinner Theater – “Bright Star” October 17<sup>th</sup> – 19<sup>th</sup> and 24<sup>th</sup> – 26<sup>th</sup>

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**Adjournment:**

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Motion: (Bill Warren/Larry Chapman) to adjourn the meeting. Unanimously approved.

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Tamra T. Swanson, Town Clerk

