

Town of Hudson Regular Meeting

November 21, 2023

In Attendance:

Members Present: Mayor Janet Winkler, Mayor Pro Tem, Rick Shew, Commissioners: Larry Chapman, Jim Engelman, Barry Mitchell and Ann Smith

Members Absent: Commissioner Jeff Link

Others Present: Town Manager, Jonathan Greer, Chief of Police, Richard Blevins, Town Attorney, Jonathan Green, Assistant Town Manager/Finance Officer, Shana Guy, Town Planner, Teresa Kinney and Town Clerk, Tammy Swanson

Call to Order:

Mayor Janet Winkler called the November meeting to order, and Mayor Pro Tem, Rick Shew, led the audience in the Pledge of Allegiance and opening prayer.

Discuss/Adjust Agenda:

Janet presented the November agenda, and requested the following addition:

- Item 5(a) - Adopt Resolution for the Town Attorney to Act on Behalf of Town of Hudson

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

Public Comment for Items Not on the Agenda:

Mr. Joseph Culver, a resident at Forest Village Apartments, addressed the Board to discuss requests he had made to Chief Blevins and the Hudson Police Department. He thanked Chief Blevins for providing the information he had requested; however, he commented that he did not see any calls related to drugs. Mr. Culver asked if it is not common knowledge to the Police Department that Forest Village Apartments has a drug problem.

Jonathan stated that Mr. Culver had asked for the number of Police calls run at Forest Village Apartments from July 1, 2023 through October 31, 2023; however, he did not ask about drug arrests, etc. Jonathan asked Mr. Culver if he is seeing drugs being sold, or drugs being used at the apartments.

Mr. Culver stated that he is referring to drugs being sold at the complex.

Chief Blevins stated that the information given to Mr. Culver was a list of calls posted as they were received from the Forest Village Apartment Complex. He commented that the Police Department is aware that drugs are sold in many areas in Town. He stated that Forest Village is not just generally known as a drug selling location.

Janet stated that in her opinion, Mr. Culver received the information he requested. The list includes calls that were responded to at the apartments.

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Mr. Culver commented that information on a breaking and entering at the apartments was not included in the information. He had also asked that officers come by to check out some suspicious odors at the apartments, and although an officer did ride through, they did not get out of their car.

Chief Blevins stated that Mr. Culver can ask for specific information according to the Public Information Act; however, to his knowledge, the breaking and entering information was not specifically requested.

Jonathan stated that if Mr. Culver was not provided all of the information he had expected to receive, we apologize.

Mr. Culver stated that there was an incident at the apartments, and the fire department and an ambulance both responded. Then two Hudson Police Officers also responded, but did not enter the apartment where the incident was occurring. Mr. Culver stated that he did not feel that the Officers were needed at the scene, and it was a waste of their time to be there.

Jonathan explained that our officers have been asked to respond to overdose calls due to the combative responses some of the victims have to the lifesaving medications that are administered. Also, if other calls come in, officers respond from wherever they are to wherever they are needed.

Jim asked Mr. Culver if he had noticed improvements to the apartment complex in the last year.

Mr. Culver stated that he had noticed a slight improvement; however, the owner, in his opinion, does cheap improvements. He commented that he has lived at the complex for 16 to 17 years, and he has seen the quality of life go down in the past year. Mr. Culver stated that the officers do not patrol behind the buildings, and that is where a lot of the problems take place.

Janet stated that the Board will direct the Town Manager to keep updated with the Police Department on issues called in from the Forest Village Apartments.

Mr. Culver commented that his opinion of the Hudson Police Department has gone down over the past few years.

Janet commented that the Board has full confidence in the actions of the Hudson Police Department, and we are very proud and thankful to have them protecting our Town and our citizens. To us, our Police Department is the best police department there is anywhere!

Approval of Minutes:

Motion: (Ann Smith/Barry Mitchell) to approve the minutes, as presented, for the October 17, 2023 Regular Meeting, the November 6, 2023 Personnel Committee Meeting, and the November 13, 2023 Public Safety Committee Meeting. Unanimously approved.

Adopt Resolution for the Town Attorney to Act on Behalf of the Town of Hudson:

Town Attorney, Jonathan Green, stated that on October 20, 2023, the North Carolina Supreme Court issued a decision in the Town of Midland v. Harrell case that a Town Council must pass a resolution authorizing the filing of a lawsuit on behalf of the Town. The Court also stated that this authority may be delegated by resolution or ordinance. Attorney Green presented a resolution for the Board to consider that helps avoid jurisdictional challenges to enforcement actions brought on behalf of the Town and other matters which may require Court action. Attorney Green commented that the Board, of course, retains the authority to determine whether the Town pursues any matter in litigation.

Motion: (Rick Shew/Jim Engelman) to approve the resolution, as presented, granting authority to the Town Attorney to initiate legal proceedings on behalf of the Town. Unanimously approved.

RESOLUTION FOR THE TOWN ATTORNEY TO ACT ON BEHALF OF THE TOWN OF HUDSON

Res. No. 2023-_____

WHEREAS, The Town of Hudson ("Town") is a municipal corporation and body politic of the State of North Carolina; and

WHEREAS, pursuant to G.S. §160A-173, the Town appoints an attorney who serves at the Town's discretion as its legal advisor; and

WHEREAS, G.S. §160A-12 provides that all powers, functions, rights, privileges, and immunities of the town shall be exercised by the town council, who shall act by Ordinance or Resolution; and

WHEREAS, the North Carolina Supreme Court in the *Town of Midland v. Harrell* concluded that the Town Council may delegate the authority to initiate legal proceedings on behalf of the Town, which it may do by Ordinance or Resolution; and

WHEREAS, the authority to file an action on behalf of the Town is jurisdictional in nature and the passing of this Resolution will provide for more efficient operation of the Town and avoid reluctant Defendants from imposing procedural delays and hurdles in the enforcement of Town ordinances and actions which are in the best interests of the Town; and

WHEREAS, the Town Council retains the right to redirect the Town Attorney on any legal matters which are being pursued by the Town as the Town Council deems just, wise, and appropriate;

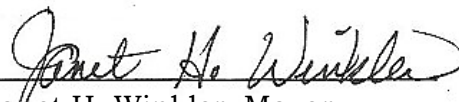
NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Hudson, as follows:

1. The Town Attorney is authorized to initiate and pursue legal action on behalf of the Town for the enforcement of ordinances, the collection of fines, fees, taxes, and other sums due and owing to the Town, without need of further Resolution or Ordinance to be adopted by the Town Council; and
2. The Town Attorney is authorized to initiate and pursue legal action for the Town on any matter, including but not limited to imminent domain, contractual breaches, declaratory action, and such other matters as the Town Attorney deems advisable and in the best interests of the Town, without need of further Resolution or Ordinance to be adopted by the Town Council; and

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3. The Town Attorney is authorized, in his discretion, to retain outside counsel to represent the Town in various litigation matters as deemed appropriate by the Town Attorney without need of further Resolution or Ordinance to be adopted by the Town Council.

Adopted this the 21st day of November, 2023.


Janet H. Winkler, Mayor

ATTEST:


Tamra T. Swanson, Town Clerk

Resolution Honoring Chief Blevins on his Retirement:

Janet presented the following resolution honoring Chief Blevins on his upcoming retirement.

Resolution Honoring

Richard C. Blevins

On His Retirement

WHEREAS, Richard Blevins, Chief of Police in the Town of Hudson, will retire January 31, 2024, after twenty-four years of exemplary and meritorious service to the Town of Hudson and its citizens; and

WHEREAS, after serving in the United States Navy, Richard began his career with Caldwell County Sheriff's Office in 1998, as a Detention Officer; and

WHEREAS, in February, 2000, Richard made the move to the Town of Hudson Police Department, as a Patrol Officer; and

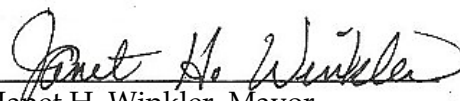
WHEREAS, in recognition of diligent work and demonstrated ability, Richard rose through the ranks, first being promoted to sergeant, then Investigations Lieutenant, and ultimately to Chief of Police in 2018; and

WHEREAS, throughout his many years of service, Richard served the Town and his department with integrity, and elevated the reputation of the Hudson Police Department to a place of distinction within the law enforcement community:

NOW, THEREFORE, BE IT RESOLVED, that I, Janet H. Winkler, Mayor, on behalf of the Board of Commissioners, do hereby extend to Richard Blevins, our sincere and grateful appreciation for his dedicated service to the Town of Hudson, our congratulations on his well-earned retirement, and our best wishes to him and his family for continued success, happiness, and good health in years to come.

Adopted in Hudson, North Carolina, this the 21st day of November, 2023, by the Town of Hudson Board of Commissioners.

ATTEST:


Janet H. Winkler, Mayor


Tamra T. Swanson, Town Clerk

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Chief Blevins thanked the Board for the recognition, and for the support he has always been shown in his work with the Hudson Police Department. Many of the Officers from the Department, the Police Department Staff and some of his family members were present at the meeting to honor Chief Blevins.

Motion: (Larry Chapman/Jim Engelman) to approve the Resolution, as presented, honoring Chief Blevins on his retirement. Unanimously approved.

Personnel Committee Report:

Rick Shew, Chairman of the Personnel Committee, gave a report on the November 6th Committee Meeting.

- **Personnel Policy Changes and Updates:** Rick presented the following proposed changes for the Town's Personnel Policy. Rick commented that the Committee discussed the importance of continuing to make updates to our Personnel Policy to benefit the employees. Rick reported that the Personnel Committee approved the changes, and recommended approval by the full Board.

-Parental School Leave – The Town's current policy allows up to 4 hours to be taken to participate in a child's school activities; however, it must be unpaid or personal accrued leave used for the time off. The proposed change would allow for up to 8 hours of paid leave be taken for these purposes.

Section 26. Parental School Leave

A full-time employee who has completed their initial probationary period and is a parent, or guardian, may take up to EIGHT hours of paid leave annually to involve him or herself in school activities of his or her child(ren).

If unused, Parental School Leave hours are forfeited at the end of the calendar year and do not accrue year to year.

Employees must request to take Parental School Leave at least (3) days in advance and is subject to department head approval, as well as department staffing needs.

-Caregiver Leave – To remain in line with other FMLA protected leave, we are proposing to add paid Caregiver Leave. This leave would allow an employee to take up to a certain amount of paid leave to care for a family member with a serious health condition. The draft policy states up to 3 weeks leave, but this timeframe can be determined by the Board.

Jon commented that the Caregiver Leave would need to be scheduled by the employee, and it would not be just a "spur of the moment-type" leave. Also, the employee would need to provide verification of the family member's health condition.

Section 27. Caregiver Leave

Full-time employees who have completed their initial probationary period are eligible for up to three (3) weeks of Paid Caregiver Leave to care for an immediate family member with a serious health condition. Immediate family members covered under this policy shall include spouses, children, parents, siblings, grandparents, or grandchildren. A qualifying serious health condition under this policy shall be defined as an illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider.

Employees shall provide advance notice to their department head and HR of requested leave dates. Medical certification of the serious health condition will be required. Approval of requests for Caregiver Leave shall be at the discretion of the Town Manager.

-Volunteer Leave – This policy would allow an employee to take up to 4 hours of paid leave to volunteer for an organization within the Hudson community.

Jonathan commented that we could create a form to be signed by the school, etc., to verify the time volunteered by an employee. He added that the time would need to be scheduled, and any unused hours would not be carried from year to year – if the hours are not used by the end of the calendar year, they are forfeited.

Jim asked if there is a requirement for volunteerism.

Jon explained that there is not a requirement for volunteerism, but we do like for our employees to be involved in the community. One example is the schools like to have people come in and read with students, and having this volunteer leave time available would allow our employees to visit in the schools. Jonathan commented that the volunteer leave time would require approval from the department heads.

Section 28. Volunteer Leave

To encourage employees to give back to their local community, the Town shall allow all full-time employees who have completed their initial probationary period to volunteer up to four (4) hours per calendar year with a community-based organization within the Town of Hudson. This time may be split across more than one organization if desired. Volunteer leave is paid at your regular pay rate and is not subject to overtime.

If unused, volunteer leave hours are forfeited at the end of the calendar year and do not accrue year to year.

Employees must request to take Volunteer leave at least three (3) days in advance and is subject to department head approval, as well as department staffing needs.

**Motion: (Personnel Committee) to approve the Personnel Policy amendments as presented.
Unanimously approved.**

• One Time Bonuses for New Employees

Rick discussed the one-time bonuses that have been approved for this year, and he stated that Shana had requested direction on how to handle the bonuses for employees that have been employed for less than one year. The longevity bonuses are handled differently for new employees, and she wanted to know if we need to follow that same schedule for the one-time bonuses. Shana presented three options for the Committee to consider: pay the full amount to all employees, set a flat amount to pay all employees of less than one year, or prorate the amount based on the time they have been employed. She presented a spreadsheet showing the different options, and the total amount of each option.

Rick stated that as an example, the bonuses given at Caldwell Community College were based on the budget year:

- Employed before 7/1 - the employee gets the full bonus.
- Employed after 7/1 – the employee gets no bonus.

The Committee approved the following guidelines for paying the one-time bonus:

- **Employed before 7/1/2023 – the employee gets \$1,000 bonus.**

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- **Employed after 7/1/2023 – the employee gets \$500 bonus.**

Motion: (Personnel Committee) to approve the guidelines for paying the one-time bonuses as:

- **Employed before 7/1/23 – employee receives \$1,000 bonus**
- **Employed after 7/1/23 – employee receives \$500 bonus Unanimously approved.**

Janet clarified that the one-time bonuses were approved with the FY 2023/2024 budget.

Jonathan stated that the one-time bonuses will be given to the employees, along with longevity checks at the Thanksgiving Luncheon on November 22nd.

Public Safety Committee Report:

Jim Engelman, Chairman of the Public Safety Committee, stated that the Committee met on November 13th, and discussed the following:

-Request from Resident at Forest Village Apartments: Jonathan reported to the Committee that Mr. Joe Culver, a resident at 302 Kristin Ln., Apt. 2 – Forest Village Apartments, has voiced complaints about conditions at the apartment complex once again. Mr. Culver came before the Board to voice concerns in August 2022. Jonathan stated that after the August 2022 meeting, Jim Engelman and Chief Blevins met with the apartment owner/manager to discuss Mr. Culver's concerns. Since that time, the manager has indicated that he has gotten rid of some of the problem tenants, cleaned up the complex, and spent over \$250,000 to improve the complex. Chief Blevins presented a letter to the Committee about his recent meeting with Mr. Bot, owner and manager of the Forest Village Apartments.

Jonathan stated that Mr. Culver requested information on the number of calls the Police Dept. responded to at the complex from July 2023 – October 2023. Mr. Culver has indicated that he was not seeing enough police presence at the complex.

The following information for Forest Village Apartments was shared with Mr. Culver.

**Kristin Lane
Forest Village Apartments
July 1, 2023 through October 31, 2023**

Calls for Service	
<u>Nature of Call</u>	<u>Number of Calls</u>
Overdose	1
Incomplete 911	3
Communicating Threats	1
Warrants Service	2

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Domestic Disturbance	7
Loud Noise Complaint	3
Civil Dispute	4
Assist Fire	1
Assist Medical	1
Check Welfare	1
Speak w/Officer	1
Follow-up Investigation	2
Suspicious Person	3
Larceny	2
Breaking & Entering	<u>1</u>
Total	33

Custodial Arrest

<u>Type of Arrest</u>	<u>Number of Arrests</u>
Warrant Service	2
Civil Dispute	1
Follow-up Investigation	<u>1</u>
Total	4

Officer Initiated Activity

***Routine Patrol of Area** 127

**(Logging a patrol of areas not on the checklist is not a requirement. Not all patrols of an area are necessarily logged. This number represents the absolute minimum of routine patrols.)*

Jim reported that Chief Blevins presented a report for the Kirkland Avenue apartments for the same time period, July 2023 – October 2023. Jim stated that the Committee discussed the similarities of the calls for the two apartment complexes. Although the demographics for the Kirkland Avenue Apartments are much different than for the Forest Village Apartments, the calls are much the same.

Kirkland Avenue
Kirkwood Village, Pine Mountain Trace
July 1, 2023 through October 31, 2023
Calls for Service

<u>Nature of Call</u>	<u>Number of Calls</u>
Fireworks Complaint	1
Incomplete 911	2
Communicating Threats	1
Warrant Service	1
Domestic Disturbance	2
Overdose	1
Civil Dispute	1
Trespass	1
Assist Medical	3
Check Welfare	3
Speak w/Officer	4
Follow-up Investigation	2
Suspicious Person	1
IVC	1
Keys in Vehicle	<u>3</u>
Total	27

Custodial Arrest

<u>Type of Arrest</u>	<u>Number of Arrests</u>
Warrant Service	1
Civil Dispute	1
Trespass	<u>1</u>
Total	3

Officer Initiated Activity

***Routine Patrols of Area** 117


**(Logging a patrol of areas not on the checklist is not a requirement. Not all patrols of an area are necessarily logged. This number represents the absolute minimum of routine patrols.)*

Jim stated that the meeting was an informational meeting, with no action being taken by the Committee.

Budget Revisions:

Jonathan presented the following budget revisions.

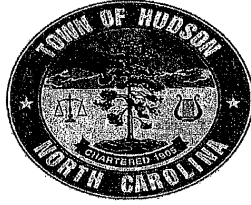
Amendment # 24-09
Budget Revision is being requested to move funds from HUB Station's small equipment line to the HUB Special Events line to cover the purchase of a microphone.



*BD 342
Allen
11-13-23*

Town of Hudson Budget Amendment				
Date:		November 13, 2023		
Department:		Finance for HUB		
Dept Head Signature				
Purpose:		Move funds to small equipment to cover purchase of new mic		
Revenue:				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
				\$ -
				\$ -
	Total	\$ -	\$ -	\$ -
Expense:				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
10-630-2640	HUB Social Events	\$ 13,500	\$ (735)	\$ 12,765
10-630-2331	Small Equipment	\$ 4,100	\$ 735	\$ 4,835
		\$ -		\$ -
	Total	\$ 17,600	\$ -	\$ 17,600
Finance Department Use Only:				
Amendment # <i>24-09</i>				
<i>MANASA Approved 11-13-23</i>				
Date Approved by Commission: <i>11-21-23</i>				

Amendment #24-10 – This Budget Revision is needed to correct a previous budget revision approved to transfer funds for the purchase of a new utility trailer for Landscaping. The transfer was made from the wrong account – this revision corrects the error.



BD
343
24-10
11-21-23

Town of Hudson Budget Amendment				
Date:	November 21, 2023			
Department:	PW			
Dept Head Signature				
Purpose:	To correct prior Budget Revision moving funds from Street to Landscape for purchase of utility trailer			
Revenue:				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
				\$ -
				\$ -
	Total	\$ -	\$ -	\$ -
Expense:				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
10-560-3750	C/O Vehicles	\$ (600)	\$ 600	\$ -
10-560-3740	C/O Equipment	\$ 70,000	\$ (600)	\$ 69,400
		\$ -		\$ -
	Total	\$ 69,400	\$ -	\$ 69,400
Finance Department Use Only:				
Amendment # 24-10				
Date Approved by Commission: 11-21-23				

Motion: (Rick Shew/Barry Mitchell) to approve the budget revisions as presented. Unanimously approved.

Informal Discussion:

Reports:

- Police Report – Included in Agenda Packet

- Code Enforcement Report

Case Number (YRMT-XXX)	Date Opened (YRMTDY)	Town	Property Address	Violation	Man Hours	Status	Deadline
HU2310-032	231009	Hudson	NCPIN: 2757659559	Nuisance - TJD	1	Order issued	231031
HU2310-116	231024	Hudson	701 Central St	JNMV	1	Owner Notified	231108
HU2310-117	231024	Hudson	709 Main St	JNMV	1	Owner Notified	231108
HU2310-118	231024	Hudson	709 Main St	Nuisance - Ovrgrth	1	Owner Notified	231108
HU2311-096	231117	Hudson	265 Justice Ave	JNMV	1	New Violation	240101
HU2311-097	231117	Hudson	284 Hilltop St	JNMV	1	New Violation	240101
HU2311-098	231117	Hudson	346 Legion Rd	Nuisance - Ovrgrth	1	New Violation	240101

- Finance Report

TOWN OF HUDSON MONTHLY FINANCIAL REPORT -OCTOBER 2023

[illegible]

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Sales Tax Revenue		
	PY	CY
3231	65,281.40	65,437.55
3232	52,458.44	54,889.54
3233	31,417.97	31,439.41
3234	12,594.74	13,739.54
3235	59,102.86	62,674.17
	220,855.41	228,180.21
% Increase		3.3%

- **Reminders:**

- Thanksgiving Lunch, 11/22, 12:00pm, Rec Center
- Chief Blevins Public Retirement Reception, 11/22, 2:00 to 4:00 pm, BOC meeting room
- Town Offices Closed, 11/23-11/24 for Thanksgiving
- Chief Blevins Private Retirement Ceremony, 11/29, 6:00 pm, HUB
- Movie in Windmill Park, "Polar Express," 12/1, 6:00 pm
- Christmas Makers Craft Show, 12/2, 10:00 am-5:00 pm, HUB
- Christmas Parade, 12/2, 2:00 pm
- Christmas Tree Lighting – 12/28, 6:00 pm

Adjournment:

Motion: (Larry Chapman/Jim Engelman) to adjourn the meeting. Unanimously approved.

Tamra T. Swanson, Town Clerk