

**April 13, 2021**  
**MINUTES OF REGULAR MEETING**  
**TOWN OF MAIDEN**

The Maiden Town Council met on Tuesday, April 13, 2021 at 6:00 p.m. for their regularly scheduled meeting, held in the Town of Maiden Council Chamber.

Present for the meeting were, Mayor Max Bumgarner Jr., Mayor Pro Tem Danny Hipps, Councilmembers Trina Michael, Beth Rudisill, Bob Sigmon, and Ronnie Williams.

Also, present were Town Manager Todd Herms, Town Attorney Scott Conrad, Town Clerk-HR Officer Wanda Barnes.

Others attending: See attached sheet.

The meeting was called to order at 6:00 p.m. by Mayor Max Bumgarner Jr.

The invocation was given by Councilmember Ronnie Williams

The Pledge of Allegiance was led by Councilmember Ronnie Williams

4. Approval of the Agenda

**MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO APPROVE THE AGENDA AS AMENDED. TO ADD E. UNDER NEW BUSINESS. THE PETITION REQUESTING ANNEXATION FOR MULTIPLE PROPERTIES OFF STARTOWN RD AND ELBOW RD. MOTION CARRIED UNANIMOUSLY 5-0.**

5. Approval of Regular Meeting Minutes

**MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO APPROVE THE 3/9/2021 & 3/25/2021 MINUTES AS AMENDED. MR. PRIDEMORE NAME CORRECTION. MOTION CARRIED UNANIMOUSLY 5-0.**

6. Citizens Request & Comments

Councilmember Trina Michael recognizes Samantha Saunders from Maiden Business Association. Mrs. Michael states the Easter Mystery Egg event was organized and I appreciate the business association efforts. Councilmember Ronnie Williams states, I think it was great and the kids were running all over Food Lion. Thank you. Mrs. Samantha Saunders states, I'm glad you enjoyed it. Piedmont hardware had over 150 participants all signed up for the big drawing. A lady name Sandra won the \$200 gift card from Food Lion. I want to address the council and thank you for voting down the housing development. The businesses do want growth, but me personally I felt like it was too

much of a concentration. We want housing and development, but that was too much density. In the past the council meetings were recorded and put on Facebook. Some of the citizens said they miss the posting on Facebook. They could watch it after their baseball games or practices. They necessarily do not need to interact, but they do want to be informed as to what's going on. Mayor Pro Tem Danny Hipps states, the IT Department is working on the equipment to record the council meeting.

Councilmember Beth Rudisill asks, are we scheduled for our first Jive after Five in May? Is it on the schedule? Town Manager, Mr. Todd Herms states, under the current CDC guidelines as we understand they regulate outside events to 100 people. I think that's going to be very difficult to have it in May. I think we might have it in June. We are trying not to cancel any events but rearrange the dates to fall under the CDC and Governor's order. Mayor Pro Tem Danny Hipps states, I know what they're allowed at football games which is outside and it's definitely more than 100. The CDC would not be in favor. Mr. Herms states, there are special exemptions for certain events and I think sporting events is one of them. I was going to recommend pushing it to June. Mayor Pro Tem Danny Hipps states, I would be in favor of still having the event. Mr. Herms states, it's also important to know that is gospel night. Mayor Pro Tem Danny Hipps states, we normally have less than a 100 on gospel night and they will have the ability to social distance. I would like to manage what we can, to try and get back to normal. Councilmember Rudisill states, the event is May 21<sup>st</sup>. Will June 15<sup>th</sup> make a difference? Mayor Pro Tem Danny Hipps, states what is the limit for indoor events? Mr. Herms states, 50 indoors and a 100 outdoors. The current Executive Order requires face coverings in all indoor settings, 11:00 PM curfews on sale of alcohol, indoor mass gathering limit to 50 people, outdoor to a 100 people, increases capacity at museums aquariums, retail business, shops, barbers and salons to 100%. Indoor 75% and outdoor for restaurants, breweries, wineries, amusement parks, gyms and pools. 50% indoor and outdoor for bars, conference, receptions, venues, sports arenas, and other live performances. Councilmember Ronnie Williams states, Police Chief do you have any comments. Police Chief Tracy Ledford states, we need to follow the Executive Order and not put our officers in a bad position. Mr. Herms states, We should know something before the end of April, because the Executive Order expires April 30<sup>th</sup>. We meet again in May and we will plan to have the event unless something drastically changes before then. May meeting we will update council and we can go from there. I will have a meeting with Scott and Tracy and we will come up with a plan that will keep us within the governor's orders and provides entertainment to our citizens.

## 7. Consent Agenda

### A. Finance Officer's Report – February

**MOTION MADE BY MAYOR PRO TEM DANNY HIPPS AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO APPROVE THE FINANCE OFFICER'S FEBRUARY REPORT; MOTION CARRIED UNANIMOUSLY. 5-0.**

## 8. Presentation

### A. Electricities Award

Mayor Max Bumgarner Jr. presents the Electricities Line Appreciation award to Mr. Shane Stines, Kevin Sanders and Bryan Duckworth.

Mr. Herms states, we have been chosen to be featured in the upcoming Electricities annual report, based on this award. Other cities were chosen for the award, but we were chosen. They will come out in late April to take the pictures. . Mr. Shane Stines have been promoted to the Town's Head Lineman. Mr. Kevin Sander will continue working until everyone's training is completed.

Councilmember Ronnie Williams states, I would like to plan something for the Lineman's appreciation week in the month of April. Mr. Herms states we give the Lineman SWAG and lunch for appreciation day.

#### B. Community Development Block Grant Coronavirus Response Project CDBG-20V3530

Mrs. Sherry Long from WPCOG presenting the Community Development Block Grant Coronavirus Project CDBG-20V3530 states, congratulations, the town has received a grant in the amount of \$560,974.00. Its everything that we asked for. We've got \$100,000 set aside to be able to pay utility rent and mortgage payments for residents of the Town of Maiden,\$377,177.00 for Wi-Fi improvements, \$72,800 for some Bleacher improvements for social distancing in the recreation Department and almost \$51,000 in administration. With this money comes strings and that's why we're here tonight to talk about it. In your packet there is 8 documents that are required to be adopted in order to move forward with the application or to receive our release of funds. One is the fair housing plan for fair housing complaint procedure, equal employment opportunity procurement plan, for example: the section 3 plans, section 504 plan language access plan the administration contract council of governments had a sub recipient agreement with the Eastern Catawba free Christian ministries so that they could administer the utility portion, because the town can't write those checks directly to residents. It has to go through a nonprofit. All of those are in your packet tonight and I can go through those individually or we can talk about them as a group. I can answer any questions or if you are comfortable with them, you can move forward with the adoption of the grant

Mayor Pro Tem Danny Hipps states, we spent a lot of time discussing and working on it. I just commend you on all your efforts and we sincerely appreciate what you have done. It was done with professionalism and consideration. Mrs. Long states, there were 28 awarded in state and our region received four of the grants. Councilmember Beth Rudisill states, this money was very restricted as to what you could use it for. It just wasn't a wide-open amount of money, to do what you want. Lots of people say backpack program or help the schools, but this money was designated. I just want to say that I do think as a council we did a good job of trying to navigate through the available monies. Mrs. Sherry Long States, there are other monies available and coming through every day. They received \$4.2 million to do homelessness activities which could be anything from developing housing to rental vouchers and congregate living. There's plenty to go around and you are in your Lane by helping people in your community. Councilmember Ronnie Williams asks, is there anything we're not doing? Mrs. Sherry Long states, you're authorizing us to administer your grant. The fair housing plan requires that you do an activity every quarter and so we run ads in the newspaper and we mailed letters out to the Realtors. By helping people in your community and doing the requirements. Citizen Mary Henry ask, if the public will be made aware of the Wi-Fi service and how to apply for the rent and utilities money. Mrs. Sherry Long states, we will post it on the website, but we have some regulation that we must put in place first. They must be a Maiden resident and can show they had a COVID related incident then they qualify for mortgage, rental and utility assistance. We have a \$100,000 allocate for that.

**MOTION WAS MADE BY MAYOR PRO TEM DANNY HIPPS AND SECONDED BY COUNCILMEMBER BOB SIGMON TO APPROVE 1 – 8 OF THE COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS RESPONSE PROJECT CDBG-20V3530. MOTION CARRIED UNANIMOUSLY 5-0.**

9. New Business

A. Appoint New Yard of the Month Committee Member

Town Manager Mr. Todd Herms states, it's time to appoint someone for the yard of the month committee. I would recommend giving the mayor the authority to appoint someone, if you don't have a person in mind. We have one person that's rolling off this year. It is difficult to find people.

**MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER BETH RUDISILL TO GIVE THE MAYOR THE AUTHORITY TO APPOINT SOMEONE TO THE YARD OF THE MONTH COMMITTEE. MOTION CARRIED UNANIMOUSLY. 5 – 0**

B. Jive After 5 Discussion

Jive after five previous discussion

C. Discussion on other FY 2021-2022 Items

Town Manager Mr. Todd Herms states, there was two items that were not covered in the budget planning session that we held last month. The first was the sidewalk entrance to the Maiden recreation community center. The budget number is not an actual number. The budget is \$26,000 to convert this into a handicap spot. Term key number includes engineers, demo construction, landscaping, permits and a contingency in case we run into any issues. The vast majority of the cost is to remove the 60-foot Oak tree. The main cost is engineering and moving the tree. Mayor Pro Tem Danny Hipps ask, how many bids do we have? Mr. Herms states, this is just a budget number. We hope it comes in much lower. Mayor Pro Tem Danny Hipps ask what engineering is in the project? Mr. Herms states, if the project isn't completed correctly and someone falls. We will be held liable for it. There was a step at the courthouse that was less than an inch off and a lady fail. That less than an inch off of concrete cost the county a pretty penny. Mayor Pro Tem Danny Hipps ask if the engineer and the concrete companies are both aware of that? Mr. Herms states, Yes. Mayor Pro Tem Danny Hipps states, that's expensive for an engineer. Councilmember Trina Michael states, the cost would be greater with a lawsuit, if it wasn't done correctly. Mayor Pro Tem Danny Hipps state, that he doesn't know if the engineer will get you out of a lawsuit. Councilmember Trina Michael states, I don't think it does, but I think it shows that we put forward to every effort to have it done correctly. Mayor Pro Tem Danny Hipps states, I understand, I concur with that. I'm not sure if Todd wants to challenge this, but we pour a lot of concrete every day and do the exact same work. We get the same legal commitments from our concrete vendor or constructor with those same standards. To say this meets the ADA compliance. I'm not sure you can't get the same thing without the engineer. Mr. Herms state, I respectfully disagree in this instance and the reason why is there is a slope on the parking lot and were sloping the opposite way in one area. We're sloping in three different directions

to get the landing and I don't know if we had the expertise on staff. Mayor Pro Tem Danny Hipps states, I would definitely challenge us to do a little more homework and get a reputable concrete company. Mr. Herms states we're only at a budget number

The second item is a signage along 321 on both the northbound and southbound Lane. Like the other cities have a long 321. Councilmember Beth Rudisill ask, where is going to be. Mr. Herms states on 321, like the other cities have on 321. We do have to work with DOT with the lights and the size. Other signs have solar lights for power, but unsure if this will have the ability to be solar. We will have to run a power line to it. This is just a budget number. Councilmember Ronnie William states its well deserve and needed but would like for it to be solar. Councilmember Bob Sigmon states why we cannot have a sign coming in from Lincolnton like the sign from Newton? Mr. Herms states, It's a nightmare to maintain. It's been there forever and we will keep it up. Councilmember Beth Rudisill states, we can put it on the budget, but make sure we stay in the scale. Mr. Herms states I will find someone with knowledge about signs. Councilmember Ronnie Williams states, as long as it meets DOT standard move forward.

D. Memo & Auditors Contract.

Finance Director Dianne Lowe states, we have used the auditors in the past for many years, they did a great job and I would like to use their service again. Councilmember Trina Michael states is this contract renewed every year. Ms. Lowe states, it's a three-year contract.

**MOTION WAS MADE BY COUNCILMEMBER DANNY HIPPS AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS. TO APPROVE THE NEW AUDITORS CONTRACT FOR LOWDERMILK & CHURCH COMPANY. WITH MOTION CARRIED UNANIMOUSLY. 5 – 0**

E. Petition Annexation – Startown Rd and Elbow Road

Town Manager Mr. Todd Herms states, the petition requesting annexation for the multiple properties off of Startown Road and elbow Road. It is to annex roughly 14 acres. This request is to direct the clerk to investigate the application. They've already bought the property.

**MOTION WAS MADE BY COUNCILMEMBER BOB SIGMON AND SECONDED BY MAYOR PRO TEM DANNY HIPPS. TO DIRECT THE CLERK TO INVESTIGATE THE PETITION APPLICATION. MOTION CARRIED UNANIMOUSLY. 5-0**

10. Old Business

A. Discussion on Building Structure at Training Site

Director Public Works Bryan Duckworth states, in your packet is two quotes on some buildings for the electricities western North Carolina training site that is in Maiden officially. We have had two

classes. Everybody is thoroughly happy with the training grounds. Other municipalities have attended the classes. The building is a 24 by 80 structure. We have looked at two types, prefabricated metal building open concept with the last 15 feet enclosed for storage. We've also looked at a site-built shelter similar to what is over at the rec center playground. equipment same size 80 feet by 24 with the last 15 feet enclosed for storage. We want some direction from council whether you prefer to go metal prefabricated or site built. Mayor Pro Tem Danny Hipps states, is there any other cost in addition to general construction. Mr. Duckworth states, just general construction and permits. Councilmember Beth Rudisill states, what is the time frame with prefabricated. Mr. Duckworth states, six to eight months. Councilmember Ronnie Williams states, if something happens with the Electricities contract, the building would not be a waste. Mayor Pro Tem Danny Hipps states, is there a ElectriCities grant that would supplement the cost. Town Manager Mr. Todd Herms states, no.

**MOTION WAS MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY MAYOR PRO TEM DANNY HIPPS. TO APPROVE THE BIDDING FOR THE PREFABRICATED BUILDING FOR THE ELECTRICITES TRAINING BUILDING . MOTION CARRIED UNANIMOUSLY. 5-0**

B. South F Avenue

Planning and Zoning Director Blake Wright states, renaming South F. Ave in honor of the late coach Tom Brown. South F. Ave being outside of our town limits would require us to approach the County for changing that road name. We've coordinated with NCDOT on this. They recommended what several other counties and cities have done is an honorary designation where the actual street name doesn't change because that can impact the folks that live on that road having to change their driver's license, voting records, insurance billing, etc. but it would allow us to put another name above the road in honor. Another option for a Rd that is in town limits that does not seem to have anyone living along it, would be Miles Lane which is across the street there as you're entering the neighborhood. That is inside town limits, so that we can handle all of the paperwork and designations. Councilmember Ronnie Williams states, what about contacting the school about Coach Brown recognition going into the high school driveway. Councilmember Beth Rudisill states, I like that idea the best. It gives him the most recognition. Councilmember Ronnie Williams states, can we table it until you do more investigating?

11. Ordinance/Resolutions

A. Ordinance # 10 -2021 An ordinance to Amend The FY 2020-2021 Budget In the General Fund And Water Sewer Fund.

Town Manager Mr. Todd Herms states, this ordinance is to amend the fiscal year 2020-2021 budget in the general fund and water sewer funds. Last year we cut the budget tremendously. We've gotten better projections. I'm still taking the conservative approach, but I would like to up the revenues for sales tax item 39 article article 40 article 42 and the tax. I would like to decrease the transfers from water and sewer fund 98 from 5% to 1%, which would be a decrease of 97.5. We're increasing four revenues, were decreasing one revenue, and we're bringing them more in line with actual projections. That is a net change in the general fund for \$407,545.00 in the water fund with lowering the revenues by \$97,955 in the water and sewer fund to reflect that decrease of transfer from water sewer

into general. We're changing 5 revenues to more adequately project the current projections. I will put it into the capital outlay for other improvements in the street Department.

We have currently bided out several streets and one curving project is a small section of N 9<sup>th</sup>. Mayor Pro Tem Danny Hipps states, are those the road on the priority list? Mr. Herms states, only one on the list that isn't on the priority list, its Union Street. In the bids, we gave them to October 1, 2021 to complete the project. The bids will be back in for the May meeting.

**MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER BOB SIGMON. TO APPROVE THE ORDINANCE TO AMEND THE FY 2020-2021 BUDGET IN THE GENERAL FUND AND WATER SEWER FUND. MOTION CARRIED UNANIMOUSLY. 5-0**

- B. Ordinance #11-2021 An Ordinance to Amend The FY 2020-2021 Budget In the Water Sewer Fund & Water Plant dam Fund.

Town Manager Mr. Todd Herms states, this ordinance is to amend the fiscal year 2020-2021 budget in the water sewer fund and water plant. The sewer line for old Tavern Lane. We enter into an agreement with the people who bought it. They guarantee the money with a credit card on file. We're going to upgrade the sewer line because it's too small. This is to pay for upgrading that sewer lines turnkey project. Instead of taking it out if the fund balance, I recommend taking it out of the water plant dam fund, because there's almost \$400,000 in there.

**MOTION WAS MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY COUNCILMEMBER TRINA MICHAEL. TO AMEND THE FY 2020-2021 BUDGET IN THE WATER SEWER FUND & WATER PLANT DAM FUND. MOTION CARRIED UNANIMOUSLY. 5-0**

- C. Ordinance #12-2021 An Ordinance to Amend The FY 2020-2021 Budget in the General Fund Town Hall.

Town Manager Todd Herms states, we're spending \$40,000 on cameras, so this budget amendment is to pay for AV in this room so we can broadcast on our website. This project will not get started until sometime in August.

**MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY MAYOR PRO TEM DANNY HIPPS. TO AMEND THE FY 2020-2021 BUDGET IN THE GENERAL FUND TOWN HALL. MOTION CARRIED UNANIMOUSLY. 5-0**

- D. Ordinance #13 -2021 Capital Project Budget Ordinance For Community Development Block Grant CDBG-V3530.

**MOTION WAS MADE BY MAYOR PRO TEM DANNY HIPPS AND SECONDED BY COUNCILMEMBER RONNIE WILLIAM. TO ACCEPT THE ORDINANCE #13-2021 CAPITAL BUDGET ORDINANCE FOR COMMUNITY DEVELOPMENT BLOCK GRANT CDBG-V3530. MOTION CARRIED UNANIMOUSLY. 5-0**

12. Closed Session

A. Personnel Manager's Evaluation ( N.C.G.S. 143-318-.11(3) Open 7:18 Closed: 7:56

13. Adjourn

**MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER BOB SIGMON ADJOURN AT 7:56 PM. MOTION CARRIED UNANIMOUSLY. 5-0**

Respectfully Submitted:

Wanda Barnes, Town Clerk

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**Max Bumgarner Jr., Mayor**

**ATTEST:**

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**Wanda Barnes, Town Clerk**