

**TOWN OF HILDEBRAN
WESTERN PIEDMONT
COUNCIL OF
GOVERNMENTS
CONF ROOM A1**

**OCTOBER 24, 2016
7:00 P.M.**

**REGULAR MEETING
MINUTES**

**CALL TO ORDER AND
INVOCATION**

Mayor Cook called the regular meeting of the Town Council to order at 7:00 p.m. Willie Messer led a prayer.

**PLEDGE OF
ALLEGIANCE**

Fredrick Rankins led the pledge of allegiance to the United States flag.

COUNCIL PRESENT

The following members of the Board were present: Mayor Virginia Cook and Council Members Brenda Banks, Barbara Lowman, Theresa Messer, and Jody York. Council Member Lee Lowman was absent.

STAFF PRESENT

The following staff members were present: Attorney Redmond Dill, Town Administrator Thomas Drum, Town Clerk Alice Sanders and Finance Officer Fredrick Rankins.

**CITIZENS & MEDIA
PRESENT**

See attached sheet.

**ADOPTION OF
AGENDA**

Mayor Cook requested to amend the agenda to add "Consider Approval of Refund Request to HHDA for Ice Machine Purchase" under Old Business. Council had no objections. Council Member York made a motion to approve the agenda, as amended. All voted in favor.

**APPROVAL OF
MINUTES**

Council Member York made a motion to approve the September 26, 2016 regular meeting minutes. All voted in favor.

OLD BUSINESS:

**CONSIDER AWARD OF
CONTRACT FOR CRACK
SEALING ON TOWN
STREETS**

Benji Thomas, PE, from West Consultants LLC, presented a report to the Board regarding the bidding results for the crack sealing of town streets. There was one bid submitted from Remac Inc. of Freeman, Virginia in the amount of \$2.25 per pound, with a fee of \$750.00 for bonds and mobilization. There is an estimated quantity of 12,000 pounds to provide crack sealant on various streets for preservation. The reason the contractor gets paid by the pound, rather than by a fixed fee for the whole project, is because it is fairly unpredictable how many pounds it would take without measuring each single crack. It is an educated guess based on the mileage of the street that will be done and how the streets look. It could be less or more than the stated amount. If it goes over, they will come back to Council for approval. Even though there was only one bid received, \$2.25 per pound is a good price based on other projects West

Consultants has bid out over the year. Mr. Drum pointed out that the bid is well under the estimated cost provided previously, which was around \$40,000. It was confirmed that the cost would be paid by Powell Bill funds. Council Member B. Lowman made a motion to accept the bid from Remac Inc., in the amount of \$27,750, not to exceed \$40,000, and to authorize Mr. Drum to execute the contract with West Consultants LLC. All voted in favor.

CONSIDER APPROVAL
OF ORDINANCE
DECLARING A ROAD
CLOSURE FOR
CHRISTMAS PARADE

Mayor Cook informed the Board that the DOT requires that the Board approve an ordinance declaring a road closure for the purpose of the Christmas parade. Council Member Banks made a motion to approve Ordinance #10-24-16, declaring a road closure. All voted in favor. A copy of this Ordinance is hereby incorporated by reference and made a part of these minutes (Attachment A).

CONSIDER AWARD OF
CONTRACT TO FILL
HOLE BEHIND OLD
SCHOOL BUILDING

Mayor Cook asked staff to obtain a quote to fill the hole at the back of the old school building. A quote from Moss-Marlow is provided in the amount of \$6,770. Mr. Drum reported that David Deal, from Moss-Marlow, discussed with him about filling the hole. Mr. Deal stated that over a period of three to four months, he would be able to fill the hole with old cement rubble from his construction projects. The cost to acquire the materials will be substantially less than filling it now. The opening that is exposed is surrounded by a fence. There is a cavity that continues under the ground from the parking lot toward the school, assumed to be the old sewer system. There is about six inches of concrete at the top of the cavity and two to three feet of dirt on top of the concrete. Mr. Drum stated that it is not a high probability that a person would fall in the hole, unless someone climbs over the fence and jumps in the hole. In his opinion, the Board has time to wait for it to be filled. He stated that the hole fell in when heavy equipment ran over it. The hole is surrounded by a six-foot fence and is secured. He stated that only a vehicle or heavy equipment driving over it would allow the hole to get worse. He stated that he felt the Town would save about \$2,000 to \$3,000 by waiting to fill it.

Mr. Drum reported that water was pumped out of the hole about three to four months ago by the City of Hickory at no cost. Over time, there is more water that has built up. Council decided to wait and reevaluate the hole over the next three to four months.

CONSIDER APPROVAL
OF REFUND REQUEST

Mayor Cook reminded the Board that Troy Smart requested that the Town refund \$500 to Hildebran Heritage and Development Association (HHDA) for its portion of what it paid for the ice

TO HHDA FOR ICE
MACHINE PURCHASE

machine. She stated that the Town has paid \$371.98 for plumbing when the machine was moved from the old HHDA room to Town Hall and \$81 for a drip pan. She stated that the County has not approached the Town regarding the ice machine. Council Member Banks made a motion to approve a refund of \$500 to HHDA for its portion of the ice machine purchase. All voted in favor.

NEW BUSINESS:
CONSIDER APPROVAL
OF THE RECORDS
RETENTION AND
DISPOSITION
SCHEDULE AND
AMENDMENT

The Records Retention and Disposition Schedule from September 12, 2012, and amendment dated October 1, 2016, need to be approved by the Board. Council Member B. Lowman made a motion to approve the schedule and amendment. All voted in favor.

CONSIDER REVISION
OF THE ZONING FEE
SCHEDULE TO ADD
APPLICATION FEE FOR
ANNEXATION REQUEST

Mayor Cook stated that advertising costs for an annexation request application fee were not listed on the current Zoning Fee Schedule. A proposed \$200 fee is presented to the Board to cover the advertising charges for an annexation request application fee (per request). Council Member Banks made a motion to approve the revision to the Zoning Fee Schedule. Council Members Banks, B. Lowman and Messer voted in favor. Council Member York was opposed. The motion carried.

CONSIDER
AMENDMENT TO THE
PERSONNEL POLICY TO
STATE THAT THE
PERSONNEL MANAGER
(TOWN
ADMINISTRATOR) HAS
HIRING AND FIRING
AUTHORITY

Mr. Drum reminded the Board that when it approved the contract for his employment with the Western Piedmont Council of Governments (WPCOG), the understanding of the contract was that the Administrator would have hiring and firing authority. When he was going through the process to replace the Administrative Support Specialist position, he reviewed the personnel policy to make sure he was following procedure. He did not see that the policy had been updated to reflect that the Personnel Manager has the authority to hire and fire, it still rests with the Board. In trying to make the personnel policy be in agreement with the contract that the Town signed with the WPCOG when hiring him, he is requesting to put in print the intention of the Board. He stated that during the hiring process, he would hire the person and introduce the person as the new hire to the Board instead of asking for approval. He stated that he has over 30 years of experience in this process.

Council Member B. Lowman stated that she originally wanted a full-time administrator and had concerns with a part-time administrator having the authority to hire and fire because he cannot supervise employees all the time. Council Member

York stated that she felt hiring and firing should stay with the Board.

Attorney Dill reminded the Board that it had already unanimously signed a contract with the WPCOG delegating that authority to the Administrator. He stated that if the Board decides to have a policy different than the contract, it will raise issues. Council Member Banks asked if the WPCOG contract would be void. Attorney Dill stated that one of the principal reasons that the Board went with a town administrator was for consistent oversight of employees. If the Board is concerned about supervision, any employee would have the right to appeal an adverse action to the Board and that the Board would want its Administrator to have authority over his employees. He also stated that there was discussion about a full-time administrator in the past, however, the majority of the Board at the time felt like it was better to start with a part-time position and most likely move to full-time position in the future. He stated that the Board should be uniform in its actions. Council Member Banks made a motion to amend the personnel policy to state that the Personnel Manager (Town Administrator) has been delegated hiring and firing authority. Council Members Banks and Messer voted in favor. Council Members B. Lowman and York were opposed. Mayor Cook voted in favor of the motion, breaking the tie. The motion carried.

FACILITIES REPORT

Mayor Cook reviewed the September facilities report.

SEPTEMBER TAX REPORT

Tax Collector Sanders reviewed the September tax report. A copy of the report is hereby attached and made a part of these minutes (Attachment B).

SEPTEMBER DEPUTY REPORT

Deputy Towery reviewed the September Deputy report.

COMMITTEE REPORTS & UPDATES

Transportation Advisory Committee (COG) – Mayor Cook reported that work on Hwy 70 is still being done.

WPCOG Policy Board – Council Member B. Lowman reported that the Board elected officers. The WPCOG received a \$175,000 grant to rehabilitate houses in Catawba and Alexander Counties for those in need.

Burke Economic Development Representative – Mayor Cook reported that several companies are looking at coming into the County to build houses that would have 50-100 units per site. Most will be related to the math and science center in Morganton and will be completed within five years. The Fonda

Flora State Trail along Lake James should be completed within three years.

Recreation and Tourism Committee – Council Member York reported that Mr. Limbo with EBVAO informed her that on October 29, 2016 they will be having their football homecoming. Football playoffs are coming up. Basketball signups are upcoming. The HICDC received a \$200 donation for pool repairs. Mr. Limbo was able to get the bank signature cards for HICDC completed. Cancer awareness event was held recently.

Water Resource Committee – Ms. Schotte had no report.

VEDIC – Mayor Cook had no report.

OTHER BUSINESS

Council Member York stated that she would like to take some time before backfilling the Administrative Support Specialist position and would like to see all job descriptions more concise. She had concerns since some of the events in the past have not happened this year. Mayor Cook stated that over the past year, the Town was not able to hold some of the events due to the fire at the Town Hall complex and insurance issues. She stated that more events in the spring, and the car shows in the summer, could possibly be held and the Town is currently hosting the Christmas parade. She stated that the Clerk and Finance Officer do not have available time to absorb the Administrative Support Specialist's job responsibilities. Ms. York reported that some of the duties that are currently shown on the job descriptions are being done by more than one person.

Mr. Drum stated that the Board needs to decide if it wants to continue doing events in the future. He stated that any event needs to be planned up to a year ahead of time. He explained that the Clerk, Finance Office and the Administrator roles have very specific duties and they require concentration and uninterrupted time and it is difficult to do these duties if the employee has to stop to answer the phone or run errands, which is the case many times with the Clerk and Finance Officer. He further explained that the Finance Officer uses after hours to catch up on his duties. Both the Clerk and Finance Officer are interrupted to handle public information tasks. The Administrative Support Specialist fills in the gaps and runs errands, including picking up the mail and taking deposits to the bank. There is only one town vehicle, which is the Maintenance Technician's responsibility, and it is not a best practice for him to pick up mail and take bank deposits. These tasks would require precautions so that everyone is held accountable. Mr.

Drum stated that he would recommend a separate vehicle for staff to run errands. He emphasized that the Administrative Support Specialist role is the glue that holds everything together and prevents the other employees from being distracted and concentration broken.

Council Member Banks stated that she would like to keep the Farmers Market and felt that it would be extremely hard for the other two employees to run. Mr. Drum stated that if there was not an events coordinator and the Board expected the two employees to oversee events, there will be several issues. The main responsibilities of the Clerk and Finance Officer will suffer if they are expected to be running events. He reiterated that both positions require a lot of quiet time and concentration.

Council Member York stated that she was glad that Mr. Drum is acknowledging these issues about the positions because when she was an employee of the Town, she did not get that. She further stated that she felt the Board should determine if there will be events held in the future and if the position should be part time. She is not convinced there is enough work to justify a full-time person. Mr. Drum stated that it would certainly depend on how many events the Town decides to have.

Mr. Drum stated that if the Board puts off hiring based on whether or not the Town holds any events, or hires a part-time person if there are no events, it will limit the number of people that will apply and will probably not be as good of a pool of the candidates that we are currently receiving. If the position is put off until January, the pool of the candidates will change and the process will start over, and the hiring will most likely not happen until March. He informed the Board that the Clerk and Finance Officer are currently making do, but it is putting more pressure on them to get their particular jobs done. In his opinion, their jobs are more important than the Administrative Support Specialist position, however, that position is very important in order for the Clerk and Finance Officer to complete their jobs. He stated that by waiting, it will only put more pressure on the current employees.

Council Member Banks stated that she felt the Board owes it to the citizens to have events. Mayor Cook reviewed the current events: two craft shows, a festival, parade, Memorial Day, cruise-ins, and the Easter Egg hunt. She stated that the band and workers for the cruise ins need to be contacted in January. The Administrative Support Specialist's role was to oversee the rentals of the park, depot, gym and auditorium as well as the sound systems. Currently, Mr. Rankins has to leave the office to

show the depot for rentals. Mr. Drum stated that there were a lot of things that Ms. Bova did, such as keeping the website and the Town's Facebook accounts up to date, showing the facilities, and answering the phones. He stated that having someone dedicated to answering the phones is vital. Even though some things look small, they are actually huge. He opined that he would prefer a full-time position even if there was some down time. There was enough work to fill those hours. He stated that it was a Board decision and he respected that decision. Mayor Cook opined that a full-time person is needed for that job.

Council Member York requested further discussion when all Board members were present. Mayor Cook will contact Council Member L. Lowman and will call a special meeting when he is in town. Mr. Drum will continue reviewing resumes.

ANNOUNCEMENTS

Deputy Towery informed the Board that there were a lot of street lights that are out and there are missing street signs.

Mayor Cook announced that the Christmas parade will be held on December 3rd. Applications are available on the Town's website.

PUBLIC COMMENT

Richard Bell commented on his displeasure of the Council's meetings, topics and actions.

Cheyenne Lovelace apologized for her behavior towards the Council and stated that she felt it was justified that Town Hall is currently located at the WPCOG due to the safety of all employees and citizens.

ADJOURNMENT

All business being concluded, Council Member B. Lowman made a motion to adjourn at 8:05 p.m. All voted in favor.

I attest these are the approved minutes of the Board.

Alice Sanders, Town Clerk

Virginia Cook, Mayor