

**TOWN OF HILDEBRAN
TOWN HALL**

**MARCH 23, 2015
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. and called for a moment of silence.
- COUNCIL PRESENT** The following members of the Board were present: Mayor Virginia Cook, Council Members Brenda Banks, Wendell Hildebrand, Jamie Hollowell, Barbara Lowman and Lee Lowman.
- STAFF PRESENT** The following staff members were present: Attorney Redmond Dill, Town Clerk Alice Sanders, Finance Officer Fredrick Rankins, Town Planner, Laurie LoCicero and Administrative Assistant Rebecah Isenhour.
- CITIZENS PRESENT** See attached list for other citizens.
- MEDIA** No one from the media was in attendance.
- PLEDGE OF ALLEGIANCE** The Pledge of Allegiance to the United States flag was led by Town Clerk Sanders.
- ADOPTION OF AGENDA** Council Member Banks made a motion to amend the agenda to add 'Resolution for Town to Accept Portion of First Street SE' under Old Business. Council Member Hildebrand made a motion to add 'Cruise In Discussion and Vote.' Mayor Cook suggested this topic be placed after Closed Session. Mayor Cook requested to move 'Advertising and Discussion of Town Events' after Cruise In Discussion and Vote. Council Member Hollowell made a motion to approve the amendments to the agenda. All voted in favor. Council Member Hildebrand made a motion to approve the amended agenda. All voted in favor.
- APPROVAL OF MINUTES** Council Member Hildebrand made a motion to change the first sentence of the last paragraph on page 5 to read: Barry Hildebran spoke about his father, removing the word "late." Council Member B. Lowman made a motion to change the first sentence on page 3 to read Richard "Bell" instead of Bill. Council Member Hollowell made a motion to approve the February 23, 2015 regular meeting minutes as amended. All voted in favor.
- PUBLIC COMMENT** Richard Bell questioned the education level of the Council. He asked why the Planning Board was not consulted regarding the school building decision and pointed out the value of the floors in the building. He quoted NC General Statute 143-318.14(a) regarding broadcasting or recording meetings.

Elsie Childres asked that her previously submitted questions to Council be held until later. She asked if she has a comment or question to present to Council for a response, what the timeframe is to submit the request. Mayor Cook responded that if a request is made at a Council meeting, a response will be given at the next regular meeting, as long as it does not involve a matter before the court.

Beverly Nichols spoke about the complaints and letters sent to Betty and Brian Martin regarding the pallets and the nuisance lot ordinances. She stated that the pallets are not in violation of R20 zoning because pallets are rotated or repaired on a weekly or biweekly basis and are not sold at that location. She stated that Mr. Martin has done this for the past 11 years and did this 6 months prior to the May 17, 2005 letter. She emphasized that there is no business on that property. She stated that the fine should be waved and letters and phone calls should cease and the R20 zoning code does not apply.

**OLD BUSINESS:
RESOLUTION FOR
TOWN OF
HILDEBRAN TO
ACCEPT PORTION
OF FIRST STREET
SE (03-23-15)**

Mayor Cook reported that Council has previously voted and approved to take the portion of First Street SE beginning at the intersection of Fifth Ave SE and First Street SE and ending at the intersection of Fourth Ave SE and First Street SE and the resolution is needed for DOT and Powell Bill requirements. She read the resolution for Council. Council Member Banks made a motion to accept resolution 03-23-15. All voted in favor. The resolution is hereby incorporated by reference and made a part of these minutes (Attachment A.)

**NEW BUSINESS:
AUDITORIUM
ELECTRICAL
UPGRADES-
QUOTES**

Ms. Isenhour provided Council with two quotes in the agenda packet. Each contractor provided quotes for three items. The first item is to improve lighting under the canopy between the senior center and the auditorium. The second item is to improve lighting in the auditorium stairway from the band room to the stage and to the landing that leads outside the stairs. She suggested adding a drop ceiling, at a cost of about \$1,000, to help regulate the temperature and save energy costs. The third item is to add additional light switches in the auditorium for safety reasons. Mr. Hollowell requested to have fire rated ceiling tiles for the drop ceiling. Council Member Hollowell made a motion to approve the quote from Hoilman Electric Company, Inc. for the electrical work in the amount of \$2,673.34. All voted in favor.

An additional quote from Herron Electric & Control Inc. was provided in the amount of \$4,800.00.

**SECURITY LOCKS
FOR DOORS IN
THE AUDITORIUM-
QUOTE**

Ms. Isenhour reported that she had been informed that people who were using the basement of the auditorium building had used the stairs to enter the auditorium without permission. Ms. Isenhour provided a quote from Hardware Distributors, Inc. to install a locking

exit device that will allow easy exit from the stage side, but will require the use of a key to move from the stairwell onto the stage. Council Member L. Lowman made a motion to accept the quote from Hardware Distributors, Inc. in the amount of \$1,570.88. All voted in favor.

ADVERTISING ON
DIGITAL SIGN-
DISCUSSION

Ms. Sanders suggested that a policy be adopted regarding advertising on the digital sign for any non-Town events. She provided a list of items for the Board to consider in order to determine the policy, which included: who can advertise; proof of eligibility; content; length of time the ad runs; cost to advertise; final approval of requests; staff time to manage the requests; and the revision of the ground sign policy at the CVS intersection, if needed. After discussion, the Board decided to allow non-profit groups to advertise on the digital sign. The conditions will be that the group must be in Town limits, has a 501c3 status and has filed the necessary reports with the IRS yearly. In addition, the content of the message must be for an event and no charge will be assessed for the advertisement. Ms. Sanders will draft a policy for the Board to consider.

REVISION TO THE
NUISANCE LOT
COMPLAINT FORM

Ms. LoCicero reported that the Mayor had asked her to review the nuisance lot complaint process and form. She stated that the current policy requires that all nuisance complaints reported by a citizen requires the name and address of the person submitting the complaint. Ms. LoCicero submitted a revision to the form that allowed the form to be submitted anonymously. She stated that the decision to make this change in the Town policy would be the decision of the Board. Mr. Hollowell asked for Attorney Dill's opinion. Attorney Dill stated that he did not like the idea of an anonymous form because it could lead to a bad neighbor issue between people. Ms. LoCicero, based on her experience from other towns that allow forms to be submitted anonymously, agreed with Attorney Dill. Council took no action.

ZONING TEXT
AMENDMENT
CONCERNING
TEMPORARY
HEALTH CARE
STRUCTURES

Ms. LoCicero provided a draft of a zoning text amendment (ZTA) concerning temporary health care structures. Ms. LoCicero reported that last year the state legislature created a new law that allows temporary health care structures on single family homes for the purpose of caring for a mentally or physically impaired person. She reviewed the ZTA with the Board. She reported that the Planning Board, at its meeting in March, voted unanimously to approve the ZTA. She explained that a public hearing is required prior to the Board's approval. Council Member Hollowell made a motion to call a public hearing for the proposed ZTA at the April 27, 2015 regular meeting. All voted in favor.

FACILITIES
REPORT

Ms. Isenhour gave a report about the events and bookings for the auditorium, gym and depot. She announced that the Town will host

an Easter egg hunt at the park on March 28, 2015 from 2:00-4:00 p.m. Mayor Cook asked for volunteers to help set up and hide the eggs.

FEBRUARY TAX
REPORT

Ms. Sanders provided the tax report for the month of February 2015. The tax report is hereby incorporated by reference and made a part of these minutes (Attachment B.)

DEPUTY REPORT
GARY TOWERY

Deputy Towery provided his report for the month of February 2015.

COMMITTEE
REPORTS &
UPDATES

Transportation Advisory Committee (COG) – Mayor Cook reported that she did attend the meeting and had no new information to report.

Western Piedmont Council of Governments Policy Board - Council Member Hildebrand stated that the next meeting is March 24, 2015.

Burke Economic Development – Mayor Cook reported that there were meetings held in closed session and she had no report.

Recreation & Tourism Committee – Council Member B. Lowman reported that this is the last week for indoor soccer and softball and baseball will be starting. She also reported that the pool will have lifeguard positions available for this season.

Water Resource Committee – Ms. LoCicero reported that a consultant was at the meeting to discuss a water shed plan for Clark’s Creek in Newton. The water quality conference and storm water issues in the legislature were also discussed.

VEDIC (Valdese) – Mayor Cook reported that the meeting was held in closed session and she had no report.

CLOSED SESSION

Council Member Hollowell made a motion at 7:52 p.m. to recess into closed session pursuant to General Statute 143-318.11 (a) (3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged and (a) (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. All voted in favor.

Council Member B. Lowman made a motion to return to open session at 8:58 p.m. All voted in favor.

Council Member B. Lowman made a motion that after consideration, the Town will sponsor the cruise ins and festival. Council Members

Banks, Hollowell, B. Lowman and L. Lowman voted in favor. Council Member Hildebrand voted against the motion. The motion passed.

Council Member L. Lowman made a motion to rescind the motions previously approved by the Board for any monetary allocations to Hildebran Heritage Development Association earmarked for the cruise ins and festival. All voted in favor.

OTHER BUSINESS

Finance Officer Rankins reported that budget amendments were needed for the sewer. The first amendment is to install a tap for Ralph Sain who had an agreement with the County for a free 6” tap. He explained that since the Town now owns the sewer line, the Town will be responsible for the tap. Mr. Sain has only asked for a 4” tap. If the City of Hickory does the tap, it will cost \$2,700. If an approved Contractor does the tap, it will cost around \$1,800. He asked for a \$2,700 budget amendment and the Town will spend the money based on the final costs.

The second budget amendment is for the repairs of two motors that burned out at a pump station. The repairs were performed by the City of Hickory. The amount of the repairs was \$4,056.40.

Council Member B. Lowman made a motion to approve the first budget amendment for the 4” tap for Ralph Sain not to exceed \$2,700. All voted in favor.

Council Member B. Lowman made a motion to approve the second budget amendment for the repair of the motors not to exceed \$4,100. All voted in favor. The budget amendments are hereby incorporated by reference and made a part of these minutes (Attachment C.)

Mayor Cook called for two special meetings for budget workshops. Council Member Hollowell made a motion to hold special meetings on April 6, 2015 and April 20, 2015 at 6:00 p.m. in the Meeting Room at Town Hall for the purpose of budget workshops. All voted in favor.

ANNOUNCEMENTS

Council Member Hollowell announced that the Fire Department has a grant for smoke detectors and installation for citizens.

**ADVERTISING
AND DISCUSSION
OF TOWN EVENTS**

Ms. Isenhour provided a quote to the Board for advertising on WHKY for a 30 second commercial, three times a week, for \$1,404. The commercials will last the entire market season and is not limited to farmers market news. Ms. Isenhour stated that the radio station will reach a broad number of people that do not live in the Town and the advertisement will also be placed on the station’s website, Twitter and Facebook accounts. Council Member Banks made a motion to approve the quote from WHKY for advertising, as well as a budget amendment, in the amount of \$1,404.00. All voted in favor. The

budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment C.)

ADJOURNMENT

All business being concluded, Council Member L. Lowman made a motion to adjourn at 9:08 p.m. All voted in favor.

I attest these are the approved minutes of the Board.

Alice Sanders, Town Clerk

Virginia Cook, Mayor