

**TOWN OF HILDEBRAN  
COUNCIL'S CHAMBER  
ALBERT PARKHURST  
MUNICIPAL COMPLEX**

**OCTOBER 30, 2017  
7:00 PM**

**SPECIAL MEETING  
MINUTES**

CALL TO ORDER AND  
INVOCATION

Mayor Cook called the special meeting of the Town Council to order at 7:02 p.m. Cole Herrell led a prayer.

PLEDGE OF ALLEGIANCE

Council Member B. Lowman 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, Theresa Messer, Barbara Lowman and Jody York. Council Member Lee Lowman was absent.

STAFF PRESENT

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

CITIZENS & MEDIA  
PRESENT

See attached sheet.

APPROVAL OF AGENDA

Council Member B Lowman made a motion to approve the agenda. All voted in favor.

APPROVAL OF MINUTES

Council Member Messer made a motion to approve the September 25, 2017 regular meeting minutes. All voted in favor.

OLD BUSINESS:

CONSIDER APPROVAL OF  
CONTRACT TO COMPLETE  
THE BAT EVICTION AT  
THE OLD TOWN HALL  
ALONG WITH REQUIRED  
BUDGET AMENDMENT

The original contract for \$16,766.00 to evict the bats in the old Town Hall, located at 202 S. Center St., was approved by Council in December 2014 (FY 14-15); the original contractor was Blueridge Wildlife Control, LLC. They did a portion of the work when the contract was approved amounting to \$5,029.80. The project was put on hold until there was a decision about the old school building and breezeway. Since 2014, Terminix Wildlife bought Blueridge Wildlife. Terminix has agreed to honor the original contract from 2014. The remaining work of the project, sealing the building and evicting the bats, totals \$11,736.20. This amount was not in the current budget and a budget amendment will be necessary. Council Member Banks made a motion to approve the contract with Terminix Wildlife (Terminix Service, Inc.) in the amount of \$11,736.20 to complete the bat eviction at the Albert Parkhurst Municipal Complex. All voted in favor.

In relation to the contract approved hereinabove, Council Member Messer made a motion to approve General Fund budget amendment #4 in the amount of \$11,737.00. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment A).

NEW BUSINESS:

CONSIDER ORDINANCE  
DECLARING A ROAD  
CLOSURE FOR THE 2017  
HILDEBRAN CHRISTMAS  
PARADE

Council had previously approved an ordinance to close the road for the Christmas parade from 1:00 – 3:00 p.m. Subsequently, Council approved the parade to begin at 4:00 p.m. A revised ordinance to close the road from 3:00 – 5:00 p.m. was presented for approval. Council Member Messer made a motion to approve ordinance #10-30-17. All voted in favor. A copy of the ordinance is hereby incorporated by reference and made a part of these minutes (Attachment B).

CONSIDER RESOLUTION  
FOR APPOINTMENT OF  
THE REVIEW OFFICER  
FOR THE TOWN OF  
HILDEBRAN

A resolution was presented to remove Erin Schotte as the Town’s Review Officer and appoint Rebecca “Becca” Bleich as the Town’s Review Officer. The resolution also requests that the Burke County Board of Commissioners appoint Rebecca “Becca” Bleich as Review Officer under the NC General Statutes for the Town and its planning area. Council Member B. Lowman made a motion to approve resolution #10-30-17. All voted in favor. A copy of the resolution is hereby incorporated by reference and made a part of these minutes (Attachment C).

CONSIDER ALTERNATE  
TO TEARING DOWN CELL  
TOWER:

Mr. Drum reported that he was contacted by Vertical Bridge about a proposed contract to keep the cell tower, at a reduced rent rate, in order to allow time for them to market the tower to potential wireless tenants. The proposed contract was presented. Council Member B. Lowman made a motion to deny the request. All voted in favor.

CONSIDER CONTRACT  
FOR SALE OF SANITARY  
SEWER SYSTEM TO CITY  
OF HICKORY

In August 2016, Council approved a contract for MartinMcGill Management Consulting to perform a financial assessment of the sewer system with the cost to be split equally with the City of Hickory. The report has been finalized and the City of Hickory has offered to purchase the Town’s sewer system. A proposed contract and accompanying October 4, 2017 letter from the City of Hickory were presented. Mr. Drum stated that the report from the engineer (MartinMcGill) came back valuing the sewer system at \$1.2 million. The City of Hickory is

willing to offer that amount to the Town, however, rates would go up immediately in order to recoup the money that they would need to begin investing in the system. The City of Hickory has also offered a second option to the Town. They will pay \$500,000 and will transition the rate increases over the next seven years, until July 1, 2025. On July 1, 2025, Hildebran's citizens would then be paying Hickory's then current outside rate for sewer services. He stated that if the Town keeps the sewer system, the State requires that the Town put money into the system to replace lines and pump stations, etc. The Town does not currently have any capital improvement plan in place for the wastewater collection system.

Mr. Drum explained that small towns usually forego large planned capital improvements in enterprise funds in order to keep rates low and citizens happy; however, that will only last for so long. He explained that many boards believe that state and federal funds will pay for the costs without any strings attached; however, state/federal grants and loans usually require municipalities to increase rates to ensure that future debt service, maintenance and capital improvements are taken care of.

In summary, Mr. Drum explained that even if the Town keeps the sewer system, rates will still increase due to the future capital improvements that will be needed to the system. At this time, Mr. Drum could not say whether the future rate increase would be more or less than what will happen if Hickory owns the system. The Town would have to first hire an engineer to do an assessment of where necessary infrastructure repairs and replacement would be needed.

Mr. Drum stated that he and Attorney Dill had met with Kevin Greer regarding the terms of the contract. The contract is similar to the contract that the City of Hickory used with other Towns in the past.

Attorney Dill stated that the Town has never put back money into a Capital Improvement Plan for the sewer system. For years the Town has subsidized the sewer with sales tax money. It has only been the last few years that the Town has been able to break even and cover the operating costs of the system.

Calvin Reyes, a representative from the Henry River Mill Village, addressed the Board and was concerned that if the

sewer system was sold to Hickory, he would not be able to get sewer services at the Village. Mr. Drum stated that the City of Hickory has the financial ability to expand utility services much quicker than the Town. He reported that the Western Piedmont Council of Governments had researched certain grants and loans regarding this particular project and found that there were not any available mainly due to the Town's low sewer rates. So, in essence, Mr. Drum reiterated that planned capital improvements, as well as system expansion, will cause sewer collection rates to increase if the Town retains ownership of the system. In this particular case, rates may increase for in-town residents in order to pay for an out-of-town sewer line.

Attorney Dill stated that the Town had no funds to expand the sewer system to an area outside of Town limits, under the interstate, to the Village. He stated that the Town would have to go through a long economic study to determine if it was worthwhile to the Town to annex the Village. Running utilities to the Village would be cost prohibitive and there is no grant money or loans available. The only feasible way to run sewer to the Village would be to increase sewer rates that would affect every sewer user.

After further discussion, Council Member B. Lowman made a motion to table the decision until the November 27, 2017 meeting. Council Members B. Lowman, Messer and York voted in favor. Council Member Banks was opposed. The motion carried.

CONSIDER ANY  
NECESSARY ACTION  
(RESOLUTIONS,  
CONTRACT AWARDS,  
APPOINTMENT OF  
OFFICIAL  
REPRESENTATIVE, ETC.)  
RELATED TO OBTAINING  
DISASTER ASSISTANCE  
FROM THE STATE  
REGARDING THE  
OCTOBER 23, 2017  
WEATHER EVENT

Mr. Drum reviewed with the Board the process with the State during emergency management. He and Mayor Cook met with the State regarding public assistance to the Town, not private residents or businesses. He stated that the Town did not have any infrastructure damage discovered at this time. However, there was some damage to Town Hall and other buildings, as well as some damage to the park equipment. Building and playground equipment damages are insured. However, there were around 40 trees that fell at the park, and insurance will not cover removal. The Forestry Service and Bridges Crew have cut up many of the trees at the park and will continue to work for several weeks, but removal from the site will probably have to be contracted out.

Mr. Drum stated that the October 23, 2017 weather event was declared a disaster by the Governor resulting in the

State paying 75% with the Town paying 25% of the total cost to the Town for cleanup, emergency services and infrastructure damage. The Town will have to reach a certain dollar threshold in total costs before the state will pay, but Mr. Drum did expect this to happen

Mr. Drum reported that the N.C. Department of Transportation will remove storm debris that fell into their right-of-way (16-17 miles); once that is removed, they are done. In the Town's case, any debris from private property that has been taken to the right-of-way of both state roads and Town roads will be the responsibility of the Town, if the Council chooses. The debris expert with the State believes there is around 1,000 cubic yards of debris to be picked up. The Town would bid the service out, which could run between \$20,000 to \$40,000. This cost will be in addition to the expense to clean up the trees in the park. The anticipated cost to the Town will be 25% of all expenses. Council Member B. Lowman made a motion to approve storm debris removal from the right-of-way of all Town and State roads within the Town limits of Hildebran; provided, the Town is not going to be responsible for the N.C.D.O.T.'s debris removal obligations. All voted in favor.

Council Member Banks made a motion to allow Mr. Drum to solicit bids and award the contract to the lowest responsive and responsible bidder for debris removal related to the October 23, 2017 event. All voted in favor.

Council Member Banks made a motion to appoint Mr. Drum as the official Town representative to meet with the State on any matters relating to the October 23, 2017 weather event. All voted in favor.

**SEPTEMBER FACILITIES  
REPORT**

Mayor Cook read the September facilities report.

**SEPTEMBER TAX REPORT**

Tax Collector Sanders reviewed the September tax report. A copy of the report is hereby incorporated by reference and made a part of these minutes (Attachment D).

Attorney Dill stated that the Burke County Commissioners approved the contract with the Town to bill and collect Town taxes beginning on July 1, 2018 with a few minor revisions. The revised contract will be brought to Council to approve the exact language as a precautionary measure at the November 2017 meeting.

SEPTEMBER DEPUTY REPORT

The September deputy report was provided to Council to review.

COMMITTEE REPORTS & UPDATES

Transportation Advisory Committee (COG) – Mayor Cook reported that the paving on 2<sup>nd</sup> and 3<sup>rd</sup> Street and Main Ave, West will be completed in the Spring.

WPCOG Policy Board – Council Member B. Lowman reported that there was an update on the STEM West initiative. The COG was presented with a \$75,000 check in order to continue to train teachers for STEM. Over 150 urgent home repairs have been done to homes in Alexander, Burke and Caldwell counties. Utility allowance decreases have occurred for section 8 housing. The Policy Board appointed a steering committee for the 2017 comprehensive economic strategy and met to guide their development and to improve the economy.

Burke Economic Development Representative – Mayor Cook reported that the meeting was held in closed session.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC – Mayor Cook reported that there were three businesses that were approved for loans in the County.

ANNOUNCEMENTS

Cole Herrell discussed National Pharmacy Month and provided facts regarding pharmacists' roles and the growing opioid epidemic.

PUBLIC COMMENTS

Wendell Hildebrand stated that if he is elected Mayor in November, he will serve his entire term and not resign early.

ADJOURN

All business being concluded, Council Member York made a motion to adjourn at 8:40 p.m. All voted in favor.

I attest these are the approved minutes of the Board.

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Alice Sanders, Town Clerk

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Virginia Cook, Mayor