

**TOWN OF HILDEBRAN
ALBERT PARKHURST
MUNICIPAL COMPLEX**

**DECEMBER 18, 2017
7:00 PM**

**REGULAR MEETING
MINUTES**

At 7:00 p.m., Mabel Lowman, Burke County Clerk of Superior Court, provided the oath of office to Wendell Hildebrand (Mayor), Cole Herrell (Council Member), Ben Honeycutt (Council Member), and Mike Smith (Council Member) in the Community Room at the Albert Parkhurst Municipal Complex. A copy of the oaths of office are hereby incorporated by reference and made a part of these minutes (Attachments A, B, C, and D).

CALL TO ORDER

Mayor Hildebrand called the regular meeting of the Town Council to order at 7:15 p.m. in the Council's Chamber.

Due to the anticipation of high attendance over the next few months, Council Member York made a motion to move the January, February and March 2018 regular meetings to the Community Room at the Albert Parkhurst Municipal Complex. All voted in favor.

Council Member Herrell made a motion to recess the meeting to the Community Room for the remainder of the meeting. All voted in favor.

INVOCATION

Mayor Hildebrand opened the meeting in the Community Room and Jim Jacumin led a prayer.

PLEDGE OF ALLEGIANCE

The Boy Scouts Troop 898 led the pledge of allegiance to the United States flag.

COUNCIL PRESENT

The following members of the Board were present: Mayor Wendell Hildebrand and Council Members Cole Herrell, Ben Honeycutt, Mike Smith and Jody York. Council Member Messer was absent.

STAFF PRESENT

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

**CITIZENS & MEDIA
PRESENT**

See attached sheet.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Council Member York made a motion to approve the November 27, 2017 regular meeting minutes. All voted in favor.

OLD BUSINESS: None.

NEW BUSINESS:
APPOINT MAYOR PRO
TEM AND OATH OF
OFFICE

Council Member Honeycutt made a motion to appoint Council Member York as Mayor Pro Temp. There were no other nominations. All voted in favor.

Mabel Lowman, Burke County Clerk of Superior Court, provided the oath of office to Council Member York. A copy of the oath of office is hereby incorporated by reference and made a part of these minutes (Attachment E).

APPOINT COMMITTEE
REPRESENTATIVES

Council appointed representatives for the Town committees as follows:

Transportation Advisory Committee (COG) – York
WPCOG Policy Board – Honeycutt and Smith (Alternate)
Burke Economic Development – Herrell
Recreation and Tourism – Smith
Water Resource – Planner Becca Bleich
VEDIC – York
Library Board of Trustees - Hildebrand

Council Member Herrell made a motion to ratify the appointments as stated. All voted in favor.

2018 TOWN COUNCIL
REGULAR MEETING
SCHEDULE

A resolution was presented to Council for proposed dates for the 2018 regular meeting schedule. Council Member York made a motion to approve the resolution with the change that the meetings for January, February and March will be held in the Community Room. All voted in favor. A copy of the resolution is hereby incorporated by reference and made a part of these minutes (Attachment F).

2018 HOLIDAY SCHEDULE

Council Member Herrell made a motion to approve the 2018 holiday schedule. All voted in favor.

CONSIDER MOVING
PUBLIC COMMENTS
AFTER APPROVAL OF
MINUTES EACH MEETING

Council Member York made a motion to move public comments after the approval of minutes on agendas moving forward. All voted in favor.

PRESENTATION FROM
TIM LIMBO,
HICDC/EBYAO,

Tim Limbo, Hildebran-Icard Community Development Council and East Burke Youth Athletic Organization, gave a presentation to the Board regarding the pool and the connecting building. He stated that the roof has been

REGARDING THE POOL
AND YOUTH SPORTS

patched, but will need a new roof in the next few years. The estimate for the new roof is \$30,000-\$40,000. His estimate to get the pool running for the 2018 summer is \$15,000 to \$20,000. \$4,000 of that estimation is to paint the inside of the pool. He stated that he has someone that will help him work on obtaining grant money and if he can obtain enough funding by March 2018, he will open the pool and begin recruiting for life guards. Seven lifeguards are needed and each will need to complete a \$200 per person class in order to be certified. Three lifeguards will need to be onsite at all times as well as a concession stand worker. In April, he would have an inspection by the Burke County Health Department to see what needs to be fixed. In May, the pool would be painted and the vent covers replaced. The pool would be open June 9-August 26. He stated that due to the amount of time that the pool has sat vacant, he is unsure if the pump and filtration system works. After the pool funding is obtained and opened, he would then begin fundraising for the building. In addition to the roof, a new A/C unit is needed.

He stated that the community pool will not carry itself and in the past, the net loss each year is approximately \$5,000. Admission charges were discussed as well as other ideas to help bring in more patrons.

Jim Jacumin spoke to the Board about the pool. He opined that over 500 children have learned to swim and enjoyed the pool over the years. He stated that he would donate two stainless steel pumps and would help with the fundraising efforts. Mr. Jacumin clarified that the ownership of the pool and building could be transferred to another entity as long as it is used for a youth facility.

Mr. Limbo also discussed EBVAO. During basketball, indoor soccer and football seasons, approximately 400-600 people come into Town over the weekends and shop at local restaurants and stores. There are 138 athletes ranging from 5-15 years of age. It costs \$95 a team to participate, \$1,425 this year. New basketball jerseys will be purchased at a cost of \$3,000. Burke County pays for referees. There are about 8 games each Saturday during basketball season.

PRESENTATION FROM
CALVIN REYES
REGARDING THE HENRY

Calvin Reyes presented to the Board an update on the Henry River Mill Village project. He explained that the village is going to be restored. The plans include a 160 person resort, 2 restaurants on site, and public access to the

RIVER MILL VILLAGE
PROJECT

water ways including white water rafting. The restoration cost will be between \$5 million to \$7 million and will be done in phases. They are working on their national registry nomination and hope to be completed by February. They created a nonprofit to focus on educational outreach for the property. He hopes to have a drawing of the company store by the first of the year to turn it into a banquet hall and restaurant. A survey has been completed on the property and there is now power. He stated that in the future, he plans to have a spring festival and a Christmas village. The challenges for the project include infrastructure and working with DOT on bridge construction over the next 2 years. He has been working with Sherry Long at the Council of Governments for grants.

Council Member Herrell asked that if the Village was voluntarily annexed into the Town, what would be the benefits. Mr. Reyes stated that he would expect help from the Town with infrastructure issues, especially sewer. He stated that the property values of the village would rise which would mean more tax revenues for the Town. The village would bring an influx of money into the Town with the visitors as well as highlight the Town. He hopes to create 75 new jobs. Within 5 years after completion, he projects \$10 million per year in revenue, with \$2 million in profits.

Mayor Hildebrand asked Attorney Dill if someone wanted to be annexed for the purpose of obtaining sewer, would the City of Hickory extend sewer to them. Mr. Dill stated that the City of Hickory would most likely ask for input from the Town and would probably agree if it was cost effective.

Mr. Reyes also discussed using their additional 30 acres of land to put a community with ½ acre lots for families.

PRESENTATION FROM
HAROLD GREENHILL AND
DISCUSSION REGARDING
THE FUTURE OF THE OLD
SCHOOL BUILDING SITE

Harold Greenhill presented to the Board ideas for the old school building site. He reviewed ideas that have been previously discussed as follows:

1. Connect the breezeway to the tower.
2. Permanent covered stage or amphitheater for concerts.
3. Memorial garden for veterans/armed forces at the back portion of the tower. Plaques can be purchased for fundraising.

4. Brick walkway leading to the stage, incorporating the royal logo. 500 bricks can be sold at \$100 a brick for a total of \$50,000.
5. Brass plaques on the stairs in the tower.

He stated that to start the project, it would involve identifying the perimeter of the site, getting a survey to locate existing structures and utilities, and developing a taskforce involving staff, Council and citizens both in Town and outside Town limits.

Council Member Herrell asked what the purpose of the tower would be. Mr. Greenhill stated that the lower part could be used for concessions and possibly restrooms. He stated that the main purpose of the tower is a multigenerational symbol. The tower could be open for people to go up and to walk on the breezeway.

Council Member Herrell asked if the tower was safe. Mr. Drum stated that the tower is structurally sound but not usable. He stated that an architect or structural engineer will need to evaluate it and can provide a list of what needs to be done in order for it to be usable. The cost will be pricy, but the Town has no idea how much at this point. Mr. Greenhill stated that he had pledged months ago and if Council agrees to move forward with the project and obtains a cost estimate, fundraising can begin.

PRESENTATION FROM
REX LAIL REGARDING
HHDA TAKING OVER THE
RESPONSIBILITY OF
CRUISE INS

Rex Lail, Hildebran Heritage Development Association (HHDA) President, gave a presentation to the Board regarding HHDA. He stated that HHDA held a festival beginning in 2006 and began cruise ins in 2007. He requested that HHDA begin overseeing the cruise ins with the Town being a sponsor for \$15,000. HHDA would also oversee the Hildebran Heritage festival in September. The cruise ins will be once a month from May to September and include fireworks in May. HHDA will be responsible for paying REACT, obtaining bands, licenses and permits, advertising, setup and take down, cleanup/emptying trash, obtaining sponsors and food vendors/permits. Town employees would not be involved in the cruise ins.

Council Member Herrell asked how much the Town paid for cruise ins. Mr. Drum stated that the Town paid no more than \$1,000 per cruise in, not counting festivals. With festivals, the cost was approximately \$2,000, maybe a little more. \$10,000 was budged for cruise ins and \$5,000 was budgeted for fireworks in FY 17/18.

There was discussion about food permit regulations from Burke County and Mr. Drum recommended Council require any necessary food permits be obtained by churches in case of potential lawsuits.

Council Member Smith made a motion to allow HHDA to oversee the monthly cruise ins and festivals. After discussion, Council Member Smith amended his motion to allow HHDA to oversee the monthly cruise ins and festivals; provided, that all permits, licenses, traffic control for road closures and food permits are obtained, and to allow \$6,000 for the May festival, fireworks and cruise in and the June cruise in. All voted in favor.

DISCUSSION ON HOLDING
A BUDGET WORKSHOP
FOR THE NEW COUNCIL

Council Member Herrell stated that he would like for Council to review the current budget to possibly shift funds around to meet the current needs of the Council. Council Member Herrell made a motion to hold a special meeting/budget workshop on Monday, January 22, 2018 at 5:00 p.m. in the Community Room at the Albert Parkhurst Municipal Complex building. All voted in favor.

DISCUSSION REGARDING
THE COUNCIL TOURING
EXISTING BUILDINGS
AND GROUNDS AND
DISCUSSION ON RENTAL
PROPERTY MARKETING
STRATEGIES

Mr. Drum suggested that the Council tour the facilities when it meets on January 22nd at 5:00 p.m. Everyone was in agreement.

REVIEW POLICY
REGARDING SPENDING
AUTHORITY OF TOWN
MANAGER WITHOUT
COUNCIL APPROVAL

Mayor Hildebrand reported that the current spending authority by the Town Manager without Council approval is \$5,000. Council Member Herrell stated that he understood that limit during the Capital Projects, which are now closed. Mr. Drum stated that the Council goes through the budget workshop and approves the budget. The Budget Officer is the Town Manager if you have a Council-Manager form of government. Once the budget is adopted, the Budget Officer has the ability to do certain things as long as it complies with all state statutes regarding spending. In the private sector, you can do anything you want as long as there is not a law against it. In municipal government, you can't do anything unless there is a statute that allows you to do it. Once Council approves the budget, the Budget Officer can only do things within the limits of the law. The general statutes allow Council to give the Budget Officer up to \$50,000 to spend

without approval. The Council prior to the current Council allowed \$5,000, which is reasonable. There has to be a level of trust between Council and Manager. If every small contract or purchase has to go before Council for approval, the efficiency of government will decrease sufficiently. There are some things that happen that need to be taken care of right away. More than one quote is typically acquired prior to any spending. Past major expenses and costs were discussed.

Council Member Herrell made a motion to amend the Expenditures, Contracts and Construction Change Orders Policy to allow the Town Manager the authority to approve all expenditures, contracts, and construction change orders up to, and including, \$2,500 without the approval of the Town Council. All expenditures, contracts and construction change orders greater than \$2,500 shall be approved by the Town Council in an open meeting. All voted in favor. A copy of the policy is hereby incorporated by reference and made a part of these minutes (Attachment G).

CALL A PUBLIC HEARING
FOR JANUARY 22, 2018
FOR A CONDITIONAL USE
PERMIT FOR CELL TOWER
ANTENNAS

Planner Bleich provided a memo to Council stating that the Planning Board voted to recommend Council approve a conditional use permit for three Verizon antennas to be placed on the Duke Power tower at 9495 Wilson Road. It was clarified that the Town would not receive any funds for these towers. Council Member Honeycutt made a motion to call a public hearing and vote on the conditional use permit on January 22, 2018 at 7:00 p.m. in the Community Room at the Albert Parkhurst Municipal Complex. All voted in favor.

CONSIDER SUSPENDING
SEWER BILLING FOR
TOWN CITIZENS WHO
WERE DISPLACED DUE TO
THE OCTOBER 23, 2017
WEATHER EVENT

Mayor Hildebrand reported that Council needs to decide if it wants to suspend sewer billing for Town citizens who were displaced due to the October 23, 2017 weather event. Council Member Herrell asked how many citizens are affected. Mr. Rankins stated that only a couple of people have made a request to date. Council Member Smith made a motion to suspend sewer billing for Town citizens who were displaced due to the October 23, 2017 weather event. All voted in favor.

UPDATE ON STORM
DEBRIS REMOVAL

Mr. Drum reported that the first bid request was sent to 15 contractors and one bid was submitted that was too high. A second bid request was sent out to thirteen contractors and four bids were submitted. The state will be paying 75% of the debris removal expense with the Town paying

25%. It is estimated that there is about 1,000 cubic yards of storm debris, some of that is still in yards and not at the street right-of-ways. After discussions with the state emergency management agencies, the debris can be chipped on site and disposed of at the Town park. The chipping prevents the 40 mile round trip to the landfill which lowers the cost of the bids. The second bid request reflected this change. In addition, limbs have to be chipped at the roadway before transported to the park. A third requirement is that any debris that cannot be chipped must be hauled to the landfill. Of the four bids received, each of those line items had a different contractor that was low bid. Mr. Drum is working to determine which bid is the actual lowest bid and is working with the state to see if the numbers are approved by them.

The previous Council approved Mr. Drum the authority to award the bid. Attorney Dill stated that he felt Council should allow Mr. Drum to award the bid in order to get the project started as soon as possible. Council was in agreement.

CONSIDER ALLOWING
NON-PROFIT
ORGANIZATIONS
AVAILABILITY TO
ADVERTISE ON TOWN
DIGITAL SIGNS

Mayor Hildebrand stated that when he was on the Board in years past, he thought that the purpose of the digital sign at CVS was to eliminate all the ground signs that was put in the grassy area and to allow the fire department to advertise their fundraisers. Clerk Sanders stated that the Board at the time created a sign policy for the grassy area that allowed the fire department and other nonprofits to advertise fundraisers with ground signs. It was the decision of the Board to only place Town business on the digital sign due to many issues that can arise if other types of advertising were requested from various groups.

Mr. Drum stated that in the past, the question was put out to other counties and municipalities if anyone allowed information on digital signs other than municipal business, and no one does. He stated that it would be a big problem trying to make everyone happy. Staff will have a burden determining who can and who can't advertise, and what purpose will be allowed. He also stated that part of the reason towns don't allow it is because of the doctrine called public purpose. Municipalities can only do things that they are granted by the statutes and those actions must be for a public purpose. Examples of public purpose include water, sewer, fire, recreation, and building inspections. Advertising nonprofits is not considered a public purpose.

Council Member Herrell stated that he felt the sign should be used for more advertising other than holidays and council meeting information. Mayor Hildebrand stated that he thought the initial purpose of the digital sign was to keep the grassy area clean of ground signs and allow the information to be posted on the digital sign instead.

Council Member Honeycutt made a motion to allow nonprofits to advertise special events, in Town limits, on the digital signs. All voted in favor.

CONSIDER CURRENT STAFFING NEEDS

Council Member Herrell stated that a lot of changes will be occurring in the next years, including the sewer being sold. He requested updated job responsibilities for staff moving forward. Mr. Drum will report at the January meeting.

NOVEMBER FACILITES REPORT

Mr. Drum stated that the cell tower behind the old school building site is now down. The band room still needs to have mold mitigation. The work on the new Town Hall damage due to the October 23, 2017 weather event will begin today and other buildings and the park will begin after that.

NOVEMBER TAX REPORT

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

NOVEMBER DEPUTY REPORT

The November deputy report was provided to Council to review.

COMMITTEE REPORTS

None at this time.

OTHER BUSINESS:

Attorney Dill stated that he felt the Town should form a committee for economic development to promote the Town. Council Member Herrell stated that he wanted to work with the community to better the Town for the future.

ANNOUNCEMENTS

None at this time.

PUBLIC COMMENTS

Michael Huffman stated that he wants to see the pool opened and wants businesses and citizens to get involved in rebuilding the Town.

Troy Smart thanked the Board for running for Council and caring about the Town. He voiced his opinion regarding the cruise ins, HHDA, and nonprofit rental fees.

Jessica Sanchez thanked the Council and gave her support.

ADJOURN

All business being concluded, Council Member Herrell made a motion to adjourn at 9:56 p.m. All voted in favor.

I attest these are the approved minutes of the Board.

Alice Sanders, Town Clerk

Wendell Hildebrand, Mayor