

**TOWN OF HILDEBRAN  
TOWN HALL  
COUNCIL'S CHAMBER**

**AUGUST 24, 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 7:10 p.m.

**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, Finance Officer Fredrick Rankins, 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 Council Member Hildebrand.

**ADOPTION OF  
AGENDA**

Council Member B. Lowman made a motion to amend the agenda to add Street Paving Bids for Fourth Ave. N.E., Fifth Ave S.E. and First St. S.E. under Old Business. All voted in favor.

Council Member Banks made a motion to change the month of June to July for the Tax Collector's report and the Deputy Report under New Business as well as to add U.S. Motto/Resolution under New Business. All voted in favor.

Council Member Banks made a motion to approve the agenda as amended. All voted in favor.

**APPROVAL OF  
MINUTES**

Council Member Hollowell made a motion to approve the July 27, 2015 regular meeting minutes and the July 27, 2015 closed session minutes. All voted in favor.

**PUBLIC COMMENT**

Barry Hildebrand asked Council what its goal is concerning the old school building.

Troy Smart spoke about a down spout at the back of the building and was informed that the Town is handling the issue. He distributed an email to Council regarding the sign posts at the railroad along Hwy 70.

Richard Bell spoke about the number of Town employees.

Johnny Spencer expressed his displeasure with Council Member L. Lowman.

Michael Huffman spoke about the history of the Town and requested compromise among the Town and citizens.

**PUBLIC HEARING –  
NOTICE OF CLOSEOUT  
OF ZION INDUSTRIES**

Mayor Cook opened the public hearing for the notice of closeout of Zion Industries.

Sherry Long, from the Western Piedmont Council of Governments, reported that the public hearing is to receive citizens' comments before submitting Community Development Block Grant (CDBG) Economic Development project closeout documentation to the Department of Commerce. She explained that the Town received a CDBG that was used to install gravity sewer to Zion Industries and after the project was completed, the Town will need to de-obligate \$27,975.48 of the Appalachian Regional Commission (ARC) funds that were not needed. She reported that the project was a success and the construction of the sewer line is complete. Zion met its commitment to create five new jobs.

There being no comments, Mayor Cook closed the public hearing.

Council Member Hildebrand made a motion to authorize Mayor Cook to sign the closeout packet for the Department of Commerce as well as de-obligate the \$27,975.48 funds remaining and not used of the ARC funds. All voted in favor.

**OLD BUSINESS:  
LEASE AGREEMENTS  
WITH EBYAO AND  
HILDEBRAN/ICARD  
LITTLE LEAGUE**

Mayor Cook reviewed that Council had extended the deadline for East Burke Youth Athletic Organization (EBYAO) and Hildebran/Icard Little League to submit proof that they had filed the past three years of the 990 form to the IRS.

Bert Smith, Hildebran-Icard Little League President, provided years 2012 and 2013 and stated to the Clerk that he was unaware that past League Presidents were not submitting the forms and when he was made aware, he began filing in 2011. Mr. Smith provided a letter stating that tax year 2014 will be filed in November 2015.

Council Member B. Lowman made a motion to approve the lease agreement between the Town and Hildebran-Icard Little League from July 1, 2015 to June 30, 2016. All voted in favor.

Mayor Cook stated that EB YAO's financial representative, Johnny Davidson, Jr., CPA, provided a letter stating that he is working on getting the necessary paperwork to the Town. Mayor Cook stated that EB YAO has requested to rent the old girls' locker room and office for a fee until the issue is resolved.

Council Member Banks made a motion to rent the old girls' locker room and office in the gymnasium to EB YAO for \$5.00 per month until they are able to provide the necessary paperwork. Council Members Banks, Hildebrand, Hollowell and L. Lowman voted in favor of the motion. Council Member B. Lowman voted against the motion. The motion carried.

NAMING OF UNNAMED ROAD NEAR CLINE PARK DRIVE

Mayor Cook reported that the Planning Board had discussed the unnamed road near Cline Park Drive and had three recommendations for the Board, with Cline Park Court being its preference since the road is a dead end street. Council was in agreement and Council Member Hollowell made a motion to name the unnamed street Cline Park Court. All voted in favor.

DIGITAL SIGN POLICY

Mayor Cook stated that the Board needs to decide on a policy for advertising on the Town's digital sign. Town Clerk Sanders provided a draft policy based on previous discussions. Mayor Cook explained that by allowing nonprofits to advertise on the sign, it will require a considerable amount of time from staff. Council Member Hollowell stated that he had talked with other municipalities and no one allowed outside advertising due to the time involved. Council Member Hildebrand stated that allowing outside advertising would prevent the clutter of signs in the area. He stated that he had hoped that with the elimination of the sewer billing and collection, that staff would have more free time. Mayor Cook reported that taxes were just sent out and staff is consumed with collecting these payments as well as other additional tasks.

Council Member Hollowell made a motion that all content displayed on the digital sign be Town related. All voted in favor.

GROUND MAINTENANCE AT RAILROAD AND HWY 70A/QUOTES

Council was presented with two quotes for the cleanup along the railroad at Hwy 70A. Mayor Cook explained that the company that was awarded a contract last month included concrete and debris removal in his quote and the other companies were not aware that the Town was interested in the additional tasks and did not include that in their quotes. Mayor Cook reported that she did receive permission from the railroad to remove the concrete, stumps and debris, as long as workers

remained 10 feet from the tracks and informed the railroad when the work will be performed.

After discussion, Council requested a quote for all concrete to be removed, for stumps and foreign debris to be removed, and for the area to be graded smooth so that Town maintenance employees can mow the area moving forward. No action was taken regarding the quotes from A-Scape Above and Ikerd Grading.

BUDGET AMENDMENT-  
GROUND  
MAINTENANCE AT  
RAILROAD AND HWY  
70A

No action was taken on the ground maintenance quotes and a budget amendment is not needed.

STREET PAVING  
PROJECTS-FOURTH  
AVE S.E., FIFTH AVE  
N.E. AND FIRST ST. S.E.  
AND TOWN PARK  
PAVING PROJECTS

Council was presented with preliminary cost estimates obtained from West Consultants for resurfacing on Fourth Ave N.E, Fifth Ave S.E and First St. S.E. A second estimate was for Town park projects to tie in the paved walking trail to the concrete walkway and to build a new walking trail around the Frisbee golf course.

Mayor Cook reviewed the cost estimates for the streets with Council and confirmed the work will be paid for using Powell Bill funds. She also reviewed the cost estimates for the park paving projects, and stated that Powell Bill funds cannot be used for either of these projects. She stated that there are enough budgeted funds in the park line item to complete the project to tie in the paved walking trail to the concrete walkway and there will be enough park funds left to add one more play equipment item.

Council Member Hollowell requested quotes to tie in the paved walking trail to the concrete walkway. Council was in agreement.

NEW BUSINESS:  
SECURITY SYSTEM FOR  
TOWN HALL-  
DISCUSSION

Administrative Assistant Isenhour presented Council with preliminary quotes for a security system for Town Hall and the park and reported about repeated vandalism at the park. Mayor Cook stated that Deputy Towery brought the need for better security to her attention. Deputy Towery stated that he would like 4-6 cameras in Town Hall and would like to be able to see cameras placed at the park entrances in order to see license plates.

Council requested that the security system be put out to bid with Hunter Electronics LLC and Audio/Video Enterprises, Inc. to include two, eight-camera systems with high definition with the system attaching to the Town's existing network. A budget amendment will be needed.

Mayor Cook stated that the audio equipment in the room is on loan but the Town will purchase an audio/video system in order to handle any citizen overflow. She stated the cost will be less than \$1,000.00 and will be taken from the General Fund.

AMENDMENT TO  
SEWER POLICY -  
APPROVAL

Mayor Cook reported that Clerk Sanders has provided an amendment and a few minor revisions to the sewer policy. Council Member B. Lowman made a motion to approve the changes to the sewer policy. All voted in favor.

ZTA SIGN ORDINANCE  
REVISION – CALL  
PUBLIC HEARING

Planner LoCicero reported that the Planning Board has suggested three revisions to the Town's sign ordinance to include: projection signs allowed to extend six feet from the building, instead of four; window signs can cover up to 50% of the glass area, instead of 25%; and long term care facilities and day care facilities have been added to the list of "schools and churches" that are allowed to have up to three signs in residential zoned areas.

Council Member Hollowell made a motion to hold a public hearing at the September 28, 2015 regular meeting for comments about the ZTA sign ordinance revision. All voted in favor.

SEPTEMBER FESTIVAL -  
DISCUSSION

Mayor Cook stated that Council requested to discuss the official name of the festival held in September and also needs to set a budget for advertising. Council Member Banks made a motion to call the festival "Town of Hildebran Fall Festival." All voted in favor.

Ms. Isenhour stated that advertising fees vary and depend on the venue of the ads, color or black and white, and the frequency. She provided costs for newspaper ads, radio, TV and Facebook campaigns. Mr. Rankins stated that the current budget includes one color opening and one color closing advertising.

Council Member Hollowell made a motion to allow \$2,000.00 be allocated for advertising for the festival. Ms. Isenhour suggested that vendor fees be allocated for additional advertising costs. She stated that she has collected approximately \$1,000.00. Council Member L. Lowman voiced his concern for those vendors that have committed to

participating to be successful and made a motion to allocate \$3,000.00 to the advertising expenses and use the \$1,000.00 from the vendor fees for advertising. Council Member Hollowell rescinded his previous motion. All voted in favor to Council Member L. Lowman's motion for a total of \$4,000.00 for advertising.

#### FACILITIES REPORT

Ms. Isenhour reported that the ceiling in the auditorium has been repaired.

Mayor Cook reported that one of the physical education teachers from East Burke High School would like to use the disc golf course during school at the park and in return, she would like some of their service groups to clean up the overgrowth around the course baskets.

#### JULY TAX REPORT

Mayor Cook reported that the taxes were mailed on August 14, 2015. The July tax report was provided in Council's packets. The report is hereby incorporated by reference and made a part of these minutes (Attachment A.)

Mr. Rankins stated that currently the sales and use tax is distributed by 75% point of sale and 25% population and the state is proposing to redistribute the taxes based on a 50/50 percentage which will increase the amount of funds the Town could receive in the future.

#### DEPUTY REPORT GARY TOWERY

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

#### COMMITTEE REPORTS & UPDATES

Transportation Advisory Committee (COG) – Mayor Cook reported that the State will be controlling its allocated funds which will affect the Town. She reported that she is trying to keep the traffic light on Hwy 70 that was installed due to the bridge work at Icard Elementary School.

Western Piedmont Council of Governments Policy Board - Council Member Hildebrand had no report.

Burke Economic Development – Mayor Cook reported that there was a restructure among the organization and it voted to eliminate the Executive Board in order to have quorums and be able to vote on issues. Hildebran has one vote out of fifteen. She stated that two manufacturing businesses will be coming into the Town bringing twenty jobs.

Recreation & Tourism Committee – Council Member Hollowell reported that football and indoor soccer has started.

Water Resource Committee – Ms. LoCicero had no report.

VEDIC (Valdese) – Mayor Cook reported that Elizabeth Poteat is the new VEDIC Director. Any small business is encouraged to contact VEDIC for possible funding opportunities.

**OLD SCHOOL BUILDING** Attorney Dill stated that the old school building case went to court and the plaintiffs have appealed the court's decision. He stated that he was contacted approximately two weeks ago by Council Member Hollowell who stated that he and Council Member L. Lowman had discussions about talking to HHDA to see if there were any common grounds regarding the property. As a result, Mr. Dill contacted HHDA's attorney, Mr. White, and asked him if he would like to meet with him, Council Member Hollowell and perhaps Mr. Childers. The group of four met on Friday afternoon and had a long discussion and toured the old school building structure, which he stated is in a poor state of repair. He stated that they talked to Mr. Childers to see that, if possible, as determined by engineers, to perhaps revamp the Town's goals and save the 1917 building, remove the two wings, and keep the iconic tower as a gesture of the Town's good faith. He stated that Mr. Childers and Mr. White seemed to be receptive to the idea and stated they would get back to Attorney Dill. He stated that sometime thereafter, HHDA discussed the matter with Preservation North Carolina, or some other historic group, that changed their position to all or nothing. HHDA wants to save all of the building, or the litigation continues.

Attorney Dill stated that while the Town would like to accommodate all of HHDA's wishes, the Town feels like it has gone as far as it can contingent upon what its plans are for the area as far as a new Town Hall and large meeting room. He stated that the Town's plans for the 1917 free standing building was to turn it into a large Council chambers and community meeting room that would suit the needs of the public. He stated that those plans may not be possible now based upon what happens here. He stated that Council Member Hollowell and L. Lowman need to be commended because they did not have to reach out. He commended them, Mr. Childers and Mr. White for the cordial meeting and the effort they put forth in trying to find a middle ground and that he was sorry they could not find a solution, but the Town tried and Mr. Childers and Mr. White tried to find a middle ground. Attorney Dill thanked everyone involved and appreciated their time and efforts.

**U.S. MOTTO -  
RESOLUTION**

Mayor Cook introduced Audie Yancy from the U.S. Motto Action Committee. Mr. Yancy gave an invitation to the Board to

place the national motto, "In God We Trust," in or on the Government building at no cost to the Town.

Attorney Dill stated that he appreciated the presentation and suggested to the Board to consider what other Counties and Towns are doing, locally, so that the Town is on the same page. Mayor Cook stated that the Town of Rhodhiss and Burke County have accepted this request. Council Member Banks made a motion to accept the invitation from the U.S. Motto Action Committee to place the national motto, "In God We Trust," on the Town Hall building. Mayor Cook read the resolution. Council Member Hollowell made a motion to approve the resolution. All voted in favor. The resolution is hereby incorporated by reference and made a part of these minutes (Attachment B.)

Mayor Cook gave a report about the trees that have been planted at the Park for the memorial for Chelsey Lester. A bench and monkey grass will be purchased in the future.

OTHER BUSINESS

Council Member Hollowell thanked everyone for helping the past Saturday for the Emergency Services Appreciation Day and suggested recognizing workers each year.

ANNOUNCEMENTS

Mayor Cook reported that Ms. Isenhour is working on getting the flag pole at Town Hall fixed.

ADJOURNMENT

All business being concluded, Council Member L. Lowman made a motion to adjourn at 9:20 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