

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

**SEPTEMBER 28, 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.

COUNCIL PRESENT

The following members of the Board were present: Mayor Virginia Cook, Council Members Brenda Banks, Wendell Hildebrand, Jamie Hollowell and Lee Lowman. Council Member Barbara Lowman arrived at 7:03 pm.

STAFF PRESENT

The following staff members were present: Attorney Redmond Dill, Town Clerk Alice Sanders, Finance Officer Fredrick Rankins, Administrative Assistant Rebecah Isenhour and Town Planner Erin Schotte.

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 Ms. Isenhour.

**ADOPTION OF
AGENDA**

Council Member Hollowell made a motion to amend the agenda to add "Carolina Magazine Advertising Approval" and "Resolution Delegating Authority to Mayor or Town Clerk to Exempt in Writing Projects Under \$50,000 from the Mini Brooks Act According to GS 143-64.32" 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 Hildebrand made a motion to approve the August 24, 2015 regular meeting minutes and the September 14, 2015 special meeting minutes. All voted in favor.

PUBLIC COMMENT

Stephanie Higdon spoke about her personal life and her request to obtain records of attorney fees from the old school building lawsuit.

Troy Smart discussed the proposal from Council members to save the original part of the old school building.

Richard Bell spoke about his displeasure of Council approving the National Motto.

Johnny Spencer expressed his displeasure with Council.

Ben Honeycutt spoke about the money that Council has spent over the past year.

**PUBLIC HEARING – ZTA
2-2015: CHANGES TO
ARTICLE XI OF THE
ZONING ORDINANCE
CONCERNING
REGULATION OF SIGNS**

Erin Schotte introduced herself as the replacement for Laurie LoCicero as Town Planner.

Ms. Schotte reviewed the three suggested changes to the zoning ordinance concerning regulation of signs as follows: Projection signs will be allowed to extend six (6) feet from the building instead of four (4) feet. Window signs can cover up to 50% of the glass area instead of 25% of the glass area. 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 residentially zoned areas.

Mayor Cook opened the public hearing at 7:16 p.m. Richard Bell asked why the changes were necessary and if the changes will bring in any new businesses. Ms. Schotte responded that the first two changes were recommended from the Planning Board. She further explained that the third change was a result from Cambridge House contacting the Town and requesting to be allowed to have more advertising signs. She stated that she felt these changes would be more attractive to businesses, but did not have statistics.

Council Member Banks stated that a previous business owner left due to the inability to draw in customers due to a lack of signage and was in support of the changes.

There being no further comments, Mayor Cook closed the public hearing at 7:19 p.m.

**OLD BUSINESS:
ORDINANCE –
APPROVING CHANGES
TO THE ZONING
ORDINANCE
CONCERNING
REGULATION OF SIGNS**

Council Member Hildebrand made a motion to approve ordinance # 09-28-15 amending the zoning ordinance to approve the three changes concerning the regulation of signs as notated above. All voted in favor. A copy of this ordinance is hereby incorporated by reference and made a part of these minutes (Attachment A.)

**RESOLUTION –
APPROVING NAME OF
UNNAMED STREET**

Mayor Cook reviewed with Council that the unnamed street off of Cline Park Drive was officially named “Cline Park Court” at the August 24, 2015 meeting and a resolution is provided for approval. Council Member Hollowell made a motion to approve the resolution naming the street “Cline Park Court.” All voted in favor. A copy of this resolution is hereby incorporated by reference and made a part of these minutes (Attachment B.)

PARK WALKING TRAIL
ADDITION – QUOTES

Mayor Cook reported that there were no quotes provided at this time.

STREET
MAINTENANCE:
FOURTH AVE NE, FIFTH
AVE SE, AND FIRST ST
SE - QUOTES

Mayor Cook reported that West Consultants will have quotes later this week for resurfacing Fourth Ave NE, Fifth Ave SE and First St SE. Mayor Cook polled the Board and it was determined to wait until the next regular meeting to review the quotes.

RESOLUTION – GIVING
AUTHORITY FOR DAILY
DEPOSITS WHEN
MONEY ON HAND
REACHES \$250.00

Town Clerk Sanders read the resolution and explained that the statute requires all moneys on hand to be deposited daily unless the governing board gives authority that deposits shall be required only when the moneys on hand amount to as much as two hundred fifty dollars (\$250.00.) Council Member Hollowell made a motion to approve resolution 09-28-15B, authorizing deposits only when collections reach \$250.00, unless it is the last day of the month in which a deposit will be made regardless of the amount. All voted in favor. A copy of this resolution is hereby incorporated by reference and made a part of these minutes (Attachment C.)

NEW BUSINESS:
AUDIT REVIEW 2014-
2015

Eric Bowman, the Town's Auditor, reviewed several items from the 2014-2015 audit.

- The Fund Balance was reduced by \$44,576.00 leaving a total Fund Balance of \$1,867,313.00.
- Unassigned Fund Balance is \$980,603.00. He stated that most Towns of our size are suggested to have three to six months of reserves on hand and the Town has twelve months of reserves.
- Utility Funds show that revenues exceeded expenditures and there has been positive cash flow over the past two years.
- The Town's tax collection rate was 99.58% which he stated was probably the highest collection rate in the state and commended Clerk Sanders.
- Cash and Cash Equivalents showed that the Town has \$1,453,196.00 in General Fund in cash and the Utility Fund has \$855,475.00 of unrestricted cash with a total of \$2,308,672.00.

Mr. Bowman reported that the Town is in excellent financial shape and is in position to take on whatever project it wishes. He stated that the Town has no long term debt which is extremely positive.

Attorney Dill stated that the utility fund has come a long way and commended the Council and staff.

**ELECTRICAL UPGRADE
AND ADDITIONAL
EQUIPMENT FOR TOWN
HALL FUNCTIONS –
APPROVAL**

Ms. Isenhour provided Council with a quote from Kayga Electric Company, Inc. for a receptacle add on to the front of the building for Town functions. Council Member Banks made a motion to approve the quote in the amount of \$1,540.00. Council Member Hildebrand asked why the Board is voting on the quote now when the equipment has already been installed. Mayor Cook reported that she had gotten a consensus from the Board, four to one, as approval. Attorney Dill stated that voting on the bid would ratify the Board's action. He stated that the amount of the bid was less than \$5,000 and he felt the Board did not need to take action, but he felt it was better to have the Board take action. Council Member Hildebrand stated that he wanted it notated that since the Town has taken over the Cruise Ins and Festival that more tax dollars have been spent than when HHDA ran the events. Mayor Cook informed the Board that she had approved a quote for \$875.00 for a power box for Town events. Council Members Banks, Hollowell, B. Lowman and L. Lowman voted in favor of Ms. Banks motion to approve the quote from Kayga Electric Company, Inc. Council Member Hildebrand opposed the motion. The motion carried.

FACILITIES REPORT

Ms. Isenhour reported that the depot, pavilion and gym continue to be rented.

AUGUST TAX REPORT

Tax Collector Sanders gave her report for the month of August 2015. A copy of the report is hereby incorporated by reference and made a part of these minutes (Attachment D.)

**DEPUTY REPORT
GARY TOWERY**

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

**COMMITTEE REPORTS
& UPDATES**

Transportation Advisory Committee (COG) – Mayor Cook reported that the TAC submitted several projects to the County. Exit 118 on the West side, exit 116, exit 112, and exit 98 will remove the two way traffic patterns, with exit 118 to begin within the next four years. She reported that the Town will receive \$775,625 grant money for the sidewalk on N. Center St. Another topic discussed was the decreasing population of the County. The Icard Bridge project is expected to be completed in October and the temporary traffic light on Hwy 70 will be removed in November. Mayor Cook commended Commissioner Jack Carroll for attending all TAC meetings.

Western Piedmont Council of Governments Policy Board - Council Members Banks and B. Lowman attended the meeting and reported that in addition to the report given by Mayor Cook, the Policy Board also discussed that more jobs in the medical field are projected in the future.

Burke Economic Development – Mayor Cook reported that she did not attend the meeting, but there was no action taken at the meeting.

Recreation & Tourism Committee – Council Member Hollowell reported that EBVAO is still working on their 990 forms and that basketball is getting ready to start.

Water Resource Committee – Ms. Schotte had no report.

VEDIC (Valdese) – Mayor Cook reported that there is one business that is interested in Hildebran. One of the problems that the Town is having is that there are no buildings in Hildebran for businesses to move into and the price for available property has inflated. She also reported that Taco Bell has begun building a new facility at exit 116.

CAROLINA MAGAZINE
ADVERTISING –
APPROVAL

Ms. Isenhour informed Council that the Town historically advertises a half page in the Carolina Magazine. She provided a quote for \$2,100.00 for a full page ad that is only \$300.00 more than the half page ad. Council Member Banks made a motion to approve the quote from SouthComm Publishing Company, Inc. for the full page ad for one year in the amount of \$2,100.00. All voted in favor.

RESOLUTION
DELEGATING
AUTHORITY TO MAYOR
OR TOWN CLERK TO
EXEMPT IN WRITING
PROJECTS UNDER
\$50,000 FROM THE MINI
BROOKS ACT
ACCORDING TO GS 143-
64.32

Town Clerk Sanders reported that GS 143-64.31, also known as the Mini Brooks Act, requires local government to put out to bid all services for architects, engineers, surveyors or construction managers at risk based on demonstrated competence and qualification without regard to cost. GS 143-64.32 allows local governments to exempt projects from the Mini Brooks Act where the estimated professional fees are less than \$50,000. The local government can delegate this authority to a staff designee. This resolution authorizes the Mayor or Town Clerk to exempt the Town from the Mini Brooks Act for projects that professional fees are less than \$50,000, in writing. Council Member Hollowell made a motion to approve resolution 09-28-15C. All voted in favor. A copy of this resolution is attached and made a part of these minutes (Attachment E.)

AUDIT APPROVAL

Attorney Dill requested the Board revisit the 2014-2015 audit and officially approve the audit. Council Member Hildebrand made a motion to approve the 2014-2015 audit as presented by Mr. Bowman. All voted in favor.

OTHER BUSINESS

Council Member Hollowell addressed Troy Smart regarding the proposal to keep the original part of the old school building. He

stated that the proposal was made in efforts to pull two sides together, not to win votes.

ANNOUNCEMENTS

Mayor Cook reported that the Redneck Festival held this past Saturday raised over \$10,000 and after expenses, the two recipients received over \$4,000 each.

Mayor Cook reported that the fireworks scheduled at the festival could not be performed due to rain and the company stated that the Town could choose another day to hold the fireworks or wait until Memorial Day. She also stated that the band that was scheduled to play did not charge the Town since they did not perform. She reported that 28 vendors attended the festival and the remaining cancelled due to the weather.

Council Member Hollowell announced that the Fire Department raised \$1,725 for the MDA and will continue to raise money to reach its goal of \$3,000.

ADJOURNMENT

All business being concluded, Council Member Hollowell made a motion to adjourn at 8:57 p.m. All voted in favor.

I attest these are the approved minutes of the Board.

Alice Sanders, Town Clerk

Virginia Cook, Mayor