

**TOWN OF HILDEBRAN  
TOWN HALL**

**APRIL 27, 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, 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 Ms. Isenhour.

**ADOPTION OF  
AGENDA**

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

**APPROVAL OF  
MINUTES**

Council Member Hollowell made a motion to approve the February 23, 2015 closed session minutes, March 23, 2015 regular meeting minutes, March 23, 2015 closed session minutes and the April 6, 2015 special meeting/budget workshop meeting minutes. All voted in favor.

**PUBLIC COMMENT**

Richard Bell expressed his thoughts about perception of the Council's actions and the public comment process.

Ben Honeycutt read a statement regarding the old school building, cruise ins and attorney fees for the pending lawsuit.

Cindy Reed asked why the Town's Easter egg hunt cost \$3,000.00.

**PUBLIC HEARING  
ZONING TEXT  
AMENDMENT 1-2015**

Mayor Cook opened the public hearing at 7:09 p.m. Planner LoCicero explained the ZTA for proposed text amendment concerning temporary health care structures per NC General Statute 160A-393.5.

Donna Moore asked if the structures will have to have its own hook up to water and sewer or can it use the existing systems of the house. Ms. LoCicero stated that it would depend on the existing lines of the house and Attorney Dill stated that if there

was public water and sewer at the house there would not be a problem.

There being no other discussion, Mayor Cook closed the public hearing at 7:15 p.m.

**OLD BUSINESS:**

ZTA 1-2015 -  
APPROVAL

Council Member Banks made a motion to approve the proposed text amendment concerning temporary health care structure per NCGS 160A-383.5. All voted in favor.

**POLICY APPROVALS:**  
BUDGET  
AMENDMENT  
PROCESS AND  
PUBLIC COMMENT  
PROCESS

Mayor Cook read the proposed budget amendment process policy. Council Member Hildebrand made a motion to approve the policy. All voted in favor.

Mayor Cook read the proposed public comment process. There was concern that sections two and three might prevent people from speaking. Attorney Dill encouraged citizens to turn in written remarks. It was the consensus to reword those sections in the policy and bring back to the Board at the next meeting. No action was taken.

SNOW REMOVAL  
BIDS FOR FY 2015-  
2016 - APPROVAL

Ms. Sanders stated that after the direction from Council, a request for proposal (RFP) for snow removal service was put out to bid for fiscal year 2015-2016. Six contractors were contacted. Two contractors submitted a bid but one did not submit all of the paperwork required which resulted in only one qualified bidder: Jensen Lawn & Landscaping. Ms. Sanders pointed out that the current snow removal contract does not include snow removal from individual driveways from the result of scraping the roads and the RFP did require the extra work. She noted that the quote provided by Jensen Lawn & Landscaping gave a base bid to clear town streets and included an additional \$15.00 per driveway for the additional work.

Council Member L. Lowman expressed his concerns and displeasure with snow being scraped into driveways preventing citizens from getting out. Mayor Cook stated that the contractors were made aware of the requirement to leave driveways clear and there was only one qualified bidder. She stated that the contractors provided feedback that they are going to price them individually for each driveway due to the amount of time and mileage required. There was discussion about providing driveway clearing, from the result of the scraped snow, on an on call basis.

Council Member Banks made a motion to accept the bid from Jensen Lawn & Landscape. Council Member L. Lowman asked if the driveways will be done automatically or on an on call basis.

Attorney Dill stated that Council must award as a base bid or the whole bid. Council Member Banks amended her motion to accept the bid for snow removal of town parking lots and streets from Jensen Lawn & Landscaping based on the base pricing, and not to include scraping individual driveways, in the amount of \$725.00 per time. All voted in favor.

**NEW BUSINESS:  
SEWER BILLING &  
COLLECTIONS/ICARD  
TOWNSHIP WATER  
CORPORATION-  
DISCUSSION**

Mayor Cook informed Council that she and Ms. Sanders attended the Icard Township Water Corporation's (ITWC) Board meeting on April 13, 2015 to request ITWC to bill and collect sewer for the Town. A second meeting was held on April 17, 2015 with Jim Gorsuch and Jon Pons to discuss conditions and pricing. She turned the floor over to Jon Pons with ITWC.

Mr. Pons summarized the discussion of the meetings to Council. He stated that ITWC could bill and collect sewer for the Town. He stated that after the sewer funds are collected, ITWC would send the Town a check. He explained that the sewer charges would be added to the current water bill and become a utilities bill. If a short payment of a bill occurs, the money will be applied equally to water and sewer charges.

Mr. Pons explained that if the bill is not paid in full by the 10<sup>th</sup> of the month, a 10% penalty will be applied, which matches the Town's current process. After two consequent months of nonpayment, the water is subject to disconnection.

Mr. Pons stated that ITWC would not be able to collect and keep sewer deposits, but could facilitate the process by holding the sewer deposit and have the citizen complete a sewer contract and submit to the Town on a monthly basis. The Town will be responsible for new sewer taps and maintenance of the sewer lines. He pointed out that there are 131 citizens that have sewer but not water and this would require additional mailings for ITWC.

Another issue discussed was that this process would be held on a six-month, trial basis. The cost will be a one-time fee of \$500.00 to upgrade ITWC's software. Monthly costs will be \$2.00 per account per month. It was clarified that the \$2.00 will be absorbed by the Town, not residents.

Mayor Cook emphasized that this process will greatly help with the collections of sewer bills since ITWC will disconnect water if the bill is delinquent. In addition, ITWC accepts debit and credit cards and offers online payments and bank drafts. A monthly report of payments, call log, collections check and an invoice will be sent to the Town on a monthly basis.

Mayor Cook stated that a formal proposal would be presented to the Board at a later date.

RESOLUTION TO  
JOIN WESTERN  
PIEDMONT JOBS  
TRAINING  
CONSORTIUM -  
APPROVAL

Mayor Cook read resolution #04-27-15 to join Western Piedmont Jobs Training Consortium. Council Member B. Lowman 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 A.)

STREET REPAIR/11<sup>TH</sup>  
ST SW

Mayor Cook explained that 11<sup>th</sup> St SW has an issue with the culvert which is causing a dip in the road. A quote is provided by Evan Constructions Co. Inc. to dig and grade a ditch on the right side of the road and to install rip-rap at the end pipe on out flow. Powell Bill funds will be used to repair the road. Council Member Hollowell made a motion to accept the bid from Evan Constructions Company Inc. in the amount of \$2,450.00. All voted in favor.

FACILITIES REPORT

Ms. Isenhour reported that there is a sink hole near the building behind Town Hall by the building used by County Maintenance. She has worked with the City of Hickory to determine the location of the water issue and has contacted five contractors to provide quotes at the next regular meeting.

She reported that the depot at the park has a roof leak and quotes will be provided at the next regular meeting.

The Farmers Market will begin May 5<sup>th</sup>. She will be reporting on SNAP and possible grant funding soon.

She reported that the NC Department of Public Health and Human Services of the Division of Public Health and the Health Hazards Control Unit received an anonymous complaint that the Town or its contractor were distributing asbestos and lead paint within the old school building. She stated that she led the representatives throughout the building on April 22, 2015 and they left without incident or complaint.

MARCH TAX REPORT

Ms. Sanders provided the tax report for the month of March 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 March 2015.

Mayor Cook announced that Deputy Towery was the 2014 Community Police/Special Operations Officer of the Year and read

the award letter from Lt. Jacob Reynolds and Sheriff Steve Whisenant.

COMMITTEE  
REPORTS & UPDATES

Transportation Advisory Committee (COG) – Mayor Cook reported that there was a meeting regarding grants and that the Town will be applying for a federal grant for sidewalks in the range of \$600,000.00. The first deadline is June 30, 2015 and, if awarded, the funds would be available next year. There will need to be two engineering companies to work on this project. One company will design and the other will oversee the project.

Western Piedmont Council of Governments Policy Board - Council Member Hildebrand stated that the Board had the first reading of their budget and that there was grant money available for low income families with failing septic systems.

Burke Economic Development – Mayor Cook reported that Alan Woods is the new CEO for BDI.

Recreation & Tourism Committee – Council Member B. Lowman reported that softball and baseball is now being held and reported that the pool has lifeguard positions available for this season.

Water Resource Committee – Ms. LoCicero reported that June 17<sup>th</sup> will be the water quality conference and June 18<sup>th</sup> will be the air quality conference.

VEDIC (Valdese) – Mayor Cook reported that the meeting was held in closed session and she pointed out that funds are available for businesses.

OTHER BUSINESS

Attorney Dill stated that Council Member Hildebrand had presented a letter to the Board at a previous meeting requesting the Board to reconsider its action regarding the old school building. He stated that he gave improper advice and that Mr. Hildebrand has the right to make that motion even though he was not in the affirmative on the vote and gave Mr. Hildebrand the opportunity to make the motion. Mr. Hildebrand asked if he may consider that action in the future. Attorney Dill replied in the affirmative to Mr. Hildebrand and emphasized, that after further research, a Board member can make a motion to rescind a vote even if his original vote was not in the majority.

Council Member B. Lowman reviewed the current town policy regarding digital recordings which requires staff to delete recordings after the minutes of the meeting have been approved. Ms. Lowman made a motion to revise the town policy to require

staff to keep digital meeting recordings for six months. All voted in favor.

Mayor Cook discussed the delinquent sewer bill for Paul Aulbach. Council agreed to allow him to pay an initial \$2,200.00 and then make payments in the amount of \$400.00 per month, while also paying his current monthly bills, until the bill is current providing that there are no late payments. Mayor Cook stated that a contract will be signed by him and the Town. Council Member Hollowell asked why the bill was allowed to get so high. Mr. Rankins stated that the property has a well and cutting water off was not an option. The only recourse the Town had was to plug the sewer taps which would affect up to eight families. Mr. Rankins also pointed out that the meter on the well was broken and the owner would not fix it and that he would have to provide an estimate sewer usage for billing purposes. It was pointed out that the Town will be responsible for collecting all delinquent sewer debts. Mr. Hollowell requested that if a bill becomes severely delinquent in the future, to let the Board know immediately.

Mr. Rankins provided a budget amendment for the cruise ins for fiscal year 2014-2015. Council requested that staff research and determine a more accurate dollar amount for advertisements and to bring to the next budget workshop meeting. No action was taken.

Council Member Hildebrand made a motion to convene on May 11, 2015 for the recessed special meeting from April 6, 2015 to be held in the Meeting Room at Town Hall at 6:00 p.m. for a budget workshop and budget amendment approval. All voted in favor.

ANNOUNCEMENTS

Governor Pat McCrory spoke at the Western Piedmont Council of Governments at the annual meeting held on April 23, 2015 and had positive remarks about western North Carolina.

ADJOURNMENT

All business being concluded, Council Member Hollowell made a motion to adjourn at 8:28 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