

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

**OCTOBER 22, 2018  
7:00 PM**

**REGULAR MEETING  
MINUTES**

CALL TO ORDER	Mayor Hildebrand called the regular meeting of the Town Council to order at 7:00 p.m.
INVOCATION	Bill Doss led an invocation.
PLEDGE OF ALLEGIANCE	Council Member Smith 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, Theresa Messer, Mike Smith and Jody York.
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	Three amendments to the agenda were presented. The first amendment is to add "Consider Support of East Burke High School Cav-A-Gears, Team 6888, FIRST Robotics Challenge Team" under Old Business. The second amendment is to add "Discussion Regarding Administrative Support Specialist Position and Upcoming Town Events" under New Business. The third amendment is to add "Discussion Regarding Splash Pad at the Town Park" under New Business. Council Member York made a motion to approve the agenda, as amended. All voted in favor.
APPROVAL OF MINUTES	Council Member Herrell made a motion to approve the September 24, 2018 regular meeting minutes. All voted in favor.
PUBLIC COMMENTS	Matthew Church voiced his opinion concerning the work schedule of a second deputy in case of emergencies, closed session procedures and contracted employees.
PUBLIC HEARING	Mayor Hildebrand opened the public hearings pertaining to Zoning Text Amendments (ZTA) at 7:08 p.m. by motion of Council Member Smith. All voted in favor.

Planner Bleich discussed ZTA 18-1 pertaining to changing the definition of dwelling unit as well as adding a definition for boarding houses. The Planning Board recommended approval of ZTA 18-1.

Planner Bleich discussed ZTA 18-2 pertaining to allowing accessory structures used for security purposes in the front yard of properties zoned General Manufacturing. The Planning Board recommended approval of ZTA 18-2.

Planner Bleich discussed ZTA 18-3 pertaining to increasing the maximum height of ground signs in the Interstate Overlay District to 120 feet. The Planning Board did not recommend approval of ZTA 18-3. A copy of the proposed ZTA is hereby incorporated by reference and made a part of these minutes (Attachment A).

There being no comments from the public, the hearing was closed by Mayor Hildebrand at 7:15 p.m.

**OLD BUSINESS:  
CONSIDER APPROVAL OF  
ZTA 18-1**

Council Member Messer made a motion to approve ZTA 18-1 pertaining to changing the definition of dwelling unit as well as adding a definition for boarding houses. All voted in favor. A copy of the ZTA is hereby incorporated by reference and made a part of these minutes (Attachment B).

**CONSIDER APPROVAL OF  
ZTA 18-2**

Council Member York made a motion to approve ZTA 18-2 pertaining to allowing accessory structures used for security purposes in the front yard of properties zoned General Manufacturing. All voted in favor. A copy of the ZTA is hereby incorporated by reference and made a part of these minutes (Attachment C).

**CONSIDER APPROVAL OF  
ZTA 18-3**

Council Member Herrell made a motion to not approve ZTA 18-3 pertaining to increasing the maximum height of ground signs in the Interstate Overlay District to 120 feet. All voted in favor.

**CONSIDER ANY  
NECESSARY ACTION  
(INCLUDING APPROVAL)  
IN REGARD TO AN  
AGREEMENT WITH  
BURKE COUNTY/SHERIFF  
SO AS TO OBTAIN A**

Town Manager Drum stated that he and Attorney Dill met with Bryan Steen, County Manager, Margaret Pierce, Deputy County Manager/Finance Director, Steve Whisenant, Burke County Sheriff, and James Reid (J.R.) Simpson, II, County Attorney, to discuss and negotiate the proposed contract for a second deputy for the Town of Hildebran. He reviewed the differences between the current contract with the first deputy and the proposed

SECOND DEPUTY FOR THE  
TOWN OF HILDEBRAN

contract for a second deputy. Mr. Drum explained that the main difference is that the County is asking the Town to be responsible for up to \$175,000 related to any workers' compensation insurance claim and an unlimited amount regarding general liability claims (such as faulty equipment or error in judgement) as well as automobile claims. The County will select, hire and train the deputy, as well as purchase all equipment (including the vehicle) and will be solely responsible for selecting and purchasing all insurance coverages and deductibles relating to the employee and equipment. The County will bill the Town the cost of the vehicle, and all necessary add-ons for the vehicle, over the next five years.

Mr. Drum stated that based on conversations with the Town's insurance, the N.C. League of Municipalities, the Town should not sign any contract whereby it assumes liability for the actions and equipment of the other party, especially when the other party is totally in control of the training/policies/procedures that guide the action of its employee (the Burke County deputy sheriff).

Attorney Dill stated that the County does not want to have any expense or liability for the second deputy. The Town would be taking on a risk that it had never taken on before. He stated that Council members could plead with the County Commissioners.

Mr. Drum stated that the second deputy would be a Town of Hildebran deputy, however, the County Sheriff would always have the final decision to pull the deputy for calls out of town, if needed.

It was the consensus of the Council to discuss with the County Commissioners and Council Member Herrell made a motion to postpone the decision regarding the contract until the November 26, 2018 regular meeting. All voted in favor.

CONSIDER SUPPORT OF  
EAST BURKE HIGH  
SCHOOL CAV-A-GEARS,  
TEAM 6888, FIRST  
ROBOTICS CHALLENGE  
TEAM

At the September regular meeting, the East Burke Cav-A-Gears Robotics team provided a letter to the Board asking for sponsorship and/or a location for the team to meet since the school did not have a room for them. After the meeting, Council Member Smith showed the team the meeting room located at the Albert Parkhurst Municipal Complex and there was much interest.

Mr. Drum stated that there is a new statute that allows municipalities to allocate money to schools. He stated that the statute would probably allow the Board to offer East Burke High School a lease for the meeting room at no cost for the purpose of the Cav-A-Gears team to meet. The Board was in agreement. Council Member Smith made a motion to lease the meeting room, located at the Albert Parkhurst Municipal Complex, to East Burke High School for the sole purpose of a meeting space for the Cav-A-Gears Team 6888, FIRST Robotics Challenge Team, so as to “encourage and enhance local student participation in all Cav-A-Gears Team 6888 practices and events” on a yearly basis at no cost. All voted in favor. Clerk Sanders stated that the Board would need to adopt a resolution and she would present it at the November 26, 2018 meeting for approval.

**NEW BUSINESS:**

**CONSIDER APPROVAL OF HHDA USING THE OLD SCHOOL BUILDING SITE FOR A TREE LIGHTING TO BE HELD ON DECEMBER 1, 2018**

Mayor Hildebrand stated that HHDA would like to use the old school building site for a tree lighting on December 1, 2018. He stated that HHDA would place a wreath on the tower, have Santa that night for children, sell hot chocolate, have carolers and have an opportunity for citizens to purchase a light on the tree and have his/her name announced. Council Member Messer made a motion to allow HHDA the use of the old school building site for the above mentioned events on the night of December 1, 2018. All voted in favor. Attorney Dill stated that HHDA should be careful around the tower and make sure no one gets injured.

**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).

**SEPTEMBER DEPUTY REPORT**

The September deputy report was provided to Council to review.

**COMMITTEE REPORTS**

Transportation Advisory Committee (COG) – The DOT is currently working on the I-40 bridge replacement at Berea Church Rd and resurfacing I-40.

WPCOG Policy Board – Council Member York reported that Kim Colson, Director of Environmental Quality, gave a presentation on water infrastructure.

Burke Economic Development Representative – Council Member Herrell reported that there is movement on a

couple of businesses coming into Town; up to 100 jobs could be created.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC – Karen Robinson reported that the committee discussed updates on loans and proposed loans; reviewed applications for new grants; reviewed bylaws; updated its website; reviewed marketing and communication practices; and is asking two other municipalities to join VEDIC.

Library Board – Mayor Hildebrand reported that attendance and use of the library is up, the Valdese Library expansion will be done in about a year, and the Hildebran library and senior center is hosting a fall festival and hayride on Monday, October 29, 2018.

DISCUSSION REGARDING  
ADMINISTRATIVE  
SUPPORT SPECIALIST  
POSITION AND UPCOMING  
TOWN EVENTS

Mr. Drum reported that Laurie Brawley, Administrative Support Specialist, resigned effective October 18, 2018 and asked Council its wishes regarding backfilling the position. It was the consensus of Council not to replace Ms. Brawley at this time. Council requested staff to continue with the craft show and parade as scheduled with help from Council members.

DISCUSSION REGARDING  
SPLASH PAD AT THE  
PARK

Council Member Smith stated that he would like to get estimates to install a splash pad at the park, including grants. Mr. Drum stated that grants take eight to twelve months to receive and most require an engineer to oversee the project. An architect will be needed to add additional parking. He stated that when only Town funds are used, the project is fairly easy. He stated that 1<sup>st</sup> Street, S.E. will be paved next year.

OTHER BUSINESS

Mr. Drum reported that four out of five roads of the Town street paving project have been completed. 5<sup>th</sup> Street Place, S.W. may not be completed until May 2019; however, that could change due to weather. Additional gravel and shoulder work has been done in front of mail boxes on 11<sup>th</sup> Street, N.E.

CLOSED SESSION

Council Member Herrell made a motion to enter into closed session at 8:02 p.m. pursuant to NC General Statute 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of

appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. All voted in favor.

Council Member York made a motion at 8:43 p.m. to return to open session. All voted in favor.

Council Member Herrell provided Mr. Drum with specific tasks for the next meeting as follows:

1. Provide a written plan for feasibility of a splash pad at the park to include an estimate, including engineering fees, and grant money that can be used for the project. In addition, address the need for additional parking as well as paving of 1<sup>st</sup> Street, S.E.
2. Provide a progress report on the Christmas parade and Christmas craft show.
3. Create a plan for a Municipal Service District including guidelines/standards for applications. Mr. Drum asked if Council would continue to work with Calvin Reyes and his group on this project. He stated that a contract with a scope of services and fees would need to be approved before any work could be done by the group.

Mr. Drum stated that all the legwork can be done over the next few months; however, the applicable statute for Municipal Service Districts cannot become effective, nor can any funds be expended, until the first of the fiscal year after the ordinance that creates the Municipal Service District is adopted (July 1, 2019).

#### ANNOUNCEMENTS

There are trees at the library/senior center close to Main Ave West that are rotten and in danger of falling. Mayor Hildebrand will address the issue with the library board.

#### ADJOURN

All business being concluded, Council Member Herrell made a motion to adjourn at 8:55 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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Wendell Hildebrand, Mayor