

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

**MARCH 25, 2019
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	Harold Greenhill led the invocation.
PLEDGE OF ALLEGIANCE	The Webelos/Pact 202 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 Clerk Alice Sanders, and Interim Town Manager/Finance Officer Fredrick Rankins.
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 Honeycutt had a change to the March 11, 2019 Special Meeting Minutes. Council Member Honeycutt made a motion to approve the January 28, 2019 closed session minutes, the February 25, 2019 regular meeting minutes, the February 25, 2019 closed session minutes and the March 11, 2019 special meeting minutes, as amended. All voted in favor.
PUBLIC COMMENTS	None.
PUBLIC HEARING	Mayor Hildebrand opened the public hearing at 7:03 p.m. to hear comments regarding the proposed establishment of a separate Municipal Service District (MSD) located within the Central Business District, and referred to as the "Town of Hildebran Business Improvement District" (BID). Planner Nestor stated that the establishment of the proposed MSD was created in order to appropriate funds for a facade improvement plan. The funds for the facade improvement plan will be provided by the \$44,000 grant

that was awarded to the Town by the NC Department of Commerce Division of Rural Economic Development. For those citizens that wish to be excluded from the MSD, he/she must do so in writing. The owner shall specify the tract or parcel, state with particularity the reasons why the tract or parcel is not in need of the services, facilities, or functions of the proposed district to a demonstrably greater extent than the remainder of the city, and provide any other additional information the owner deems relevant.

A question was asked about the boundaries of the MSD. Mr. Hunter explained that the boundaries were determined by the previous Town Manager and were based on the existing Central Business District with the removal of residential properties.

A question was asked about the distribution of the \$44,000 grant money. Mr. Hunter stated that the facade improvement plan would allow for property owners in the MSD to make improvements to their property, based on certain pre-determined criteria, and then request reimbursement from the Town. Depending on the availability of funds, program recipients will receive a maximum of \$1.00 in matching grant funds for each \$2.00 expended by the owner on an approved facade improvement. The maximum grant that may be awarded per facade is \$5,000 based on a minimum investment of \$10,000 by the owner.

Council Member Herrell stated that any project over \$10,000 may be approved by Council on a case by case basis.

Mr. Hunter stated that Council has the statutory authority to levy a separate tax on the properties located within the MSD that would be used only for those properties in the MSD; however, Council has stated that no additional tax will be levied.

Jennie Cook stated that her property located at 219 First St, SW was included in the proposed MSD. She stated that the purpose of the proposed MSD is to help those property owners in the district with facade improvements and she stated that she did not need any grant money and wished to be excluded from the MSD. She stated that she would submit the proper letter asking to be excluded.

There being no other questions or comments, Mayor Hildebrand closed the public hearing at 7:11 p.m.

**OLD BUSINESS:
DISCUSSION REGARDING
THE PROPOSED
ESTABLISHMENT OF A
SEPARATE MUNICIPAL
SERVICE DISTRICT**

Clerk Sanders provided the certificate showing notice of the hearing on establishing a Municipal Service District was mailed to owners of property shown on the Town of Hildebran parcel map.

Council Member Herrell stated that the intent of Council when it approved the process to implement an MSD for a facade improvement plan was based on comments from citizens that there needed to be improvements made to the Town as a whole. Council decided to use the \$44,000 grant money it was awarded for this project to improve facades and businesses and to revitalize the Town, not to impose taxes. He stated that he would never impose a tax on the property owners in the MSD.

Property owners within the MSD have five (5) days after the public hearing to submit a request in writing asking to be removed from the MSD.

**PRESENTATION FROM
HAROLD GREENHILL AND
COMMITTEE REGARDING
PLANS FOR OLD SCHOOL
BUILDING SITE**

Mr. Greenhill reported that the committee has been meeting to design a master plan for the site at the old school building. He stated that the committee prefers to only work on this area and not the entire Albert Parkhurst Municipal Complex, as Council suggested at the last regular meeting. He stated that the plan is to have the work completed in stages.

**DISCUSSION REGARDING
PROPOSED HILDEBRAN
DEPUTY CONTRACT WITH
BURKE COUNTY/SHERIFF
EFFECTIVE JULY 1, 2019**

Attorney Dill reviewed the concerns about the insurance the Town would be responsible for if the Town agreed to accept the proposed deputy contract with Burke County/Sheriff, effective July 1, 2019. He stated that Council held a joint meeting with the Town of Connelly Springs on March 20, 2019. As a result from that meeting, a letter was sent to Bryan Steen, County Manager, and the County Commissioners requesting them to consider revising the indemnification provisions to conform to provisions currently in Section XIII of the agreement between the Burke County Sheriff's Office and the Burke County Board of Education, dated August 22, 2018. Mr. Steen responded; however, the response did not address the total indemnification if any accident involving the Towns' deputies were to arise.

After further review of the proposed contract and discussions, Council directed the Clerk to draft a letter to Mr. Steen and the County Commissioners requesting an extension to the deadline to approve the contract. A copy of the letter is hereby incorporated by reference and made a part of these minutes (Attachment A).

**CONSIDER APPROVAL OF
REVISED TOWN OF
HILDEBRAN 2019
CALENDAR OF EVENTS**

Clerk Sanders stated that the rain date for the Fall Yard Sale is scheduled for October 19, 2019. This date is the same day as the Relay for Life TAMS concert fundraiser. There would not be enough space for both events. Ms. Sanders requested to change the original date to October 5, 2019 with a rain date of October 12, 2019. Council Member Herrell made a motion to approve the first revision to the Town of Hildebran 2019 Calendar of Events to move the Fall Yard Sale dates to October 5, 2019, with a rain date to October 12, 2019. All voted in favor. A copy of the events is hereby incorporated by reference and made a part of these minutes (Attachment B).

**CONSIDER REQUEST
FROM HHDA FOR
ADDITIONAL FUNDING
FOR EVENTS**

Hildebran Heritage and Development Association (HHDA) requested \$20,000 from the Town for the FY 19-20 season for events. This amount is an increase of \$5,000 from the FY 18-19 season. The money will be used for the cruise ins, fireworks, September festival, Christmas parade and tree lighting.

Johnny Childers read a detailed list of expenses that the \$20,000 would be used for:

Bands (8 @ \$800 ea)	\$6,400
Festival	\$1,280
Fireworks	\$5,000
Licensing Fee – Cruise Ins	\$ 300
Liability Insurance	\$1,000
REACT	\$1,800
Printing & Advertising	\$ 700
Maintenance & Upkeep	\$1,000
Volunteer Labor	
(4ppl x 7 hrs x 5 Cruise Ins)	\$1,400
(6ppl x 8 hr Festival)	\$ 480
(1per x 20 hrs Pre Festival)	\$ 200
(6ppl x 4 hrs Parade)	\$ 240
(1per x 20 hrs Pre Parade)	\$ 200

Attorney Dill asked for clarification regarding the amounts requested for volunteer labor. Mr. Childers stated that the

workers are volunteers. The cruise ins are fundraiser events for HHDA. He stated that the volunteer workers are not being paid. He stated that the volunteer labor charges will be money that will go into HHDA's account and be used to pay other bills. The people that volunteer do so in order for HHDA to provide a museum and the cruise ins.

Rex Lail, President, HHDA, stated that HHDA will help fundraise for other Town events. He stated HHDA had 8-10 volunteers. During the cruise ins, HHDA solicits non-profits in the community, such as local churches and the fire department, to sell food. The money made from the sale of food goes back to the non-profits in the community.

Council Member Herrell asked for more clarification regarding the \$2,520 charge for volunteer labor. He asked what that money would be used for. Mr. Childers replied that the money would go into HHDA's account to pay for its bills.

Council Member Smith stated that he felt it was a win-win situation and agreed to allocate the \$20,000 to HHDA for the events so that the Town would not have those responsibilities.

Council Member Herrell stated that he felt that \$20,000 was too much. He stated that HHDA had a year to fundraise and has other corporate sponsorships. If the Town allocated \$20,000 as requested, HHDA would be getting the entire amount of all events paid for by the Town, and the Town would be giving HHDA additional money (\$2,520) to pay other bills. He emphasized that HHDA is a non-profit organization.

Stephanie Higdon stated that not all sponsorships provide monetary donations. Some sponsorships provide merchandise for donations.

Council Member Herrell stated that he understood that HHDA was spending money for Town sponsored events, however, he felt that a non-profit is set to help the Town and it is not the Town's purpose to support the non-profit. The entities should work hand in hand. He did not feel it was fair to fund 100% of events. He asked the Board for their opinions.

After further discussion, Council Member York moved to call the question.

Council Member Smith made a motion to allocate \$20,000 to HHDA for events in FY 19-20. Council Members Honeycutt, Smith, and York voted in favor of the motion. Council Members Herrell and Messer were opposed. The motion carried.

There was discussion about moving the time capsule and Attorney Dill stated that the time capsule was not on Town property and Council could take no action.

NEW BUSINESS:

**CONSIDER APPROVAL OF
AUDIT CONTRACT FOR
YEAR ENDING JUNE 30,
2019**

The Contract to Audit Accounts for year ending June 30, 2019, by S. Eric Bowman, PA, was presented for approval. Interim Town Manager Rankins stated that the contract is the same as previous years, with the exception of a decreased expense due to the sale of the sewer system. Council Member Honeycutt made a motion to approve the Contract to Audit Accounts by S. Eric Bowman, PA, for year ending June 30, 2019, as presented. All voted in favor.

**CONSIDER APPROVAL OF
REVISED GENERAL
RECORDS SCHEDULE
DATED MARCH 1, 2019**

Clerk Sanders stated that the Government Records Section of the State Archives of North Carolina is transitioning the process for updating local records retention schedules to a new model. Under the new model, they will update all of the general records on an annual basis. This change will allow them to keep local records retention periods consistent with State records retention periods where applicable, creating greater consistency in records management. The first revision for General Records, dated March 1, 2019, is presented for approval. Council Member Herrell made a motion to approve the General Records Schedule for Local Government Agencies, as presented. All voted in favor. A copy of the 2019 Local Government Agencies General Records Retention and Disposition Schedule approval sheet is hereby incorporated by reference and made a part of these minutes (Attachment C).

**FEBRUARY DELINQUENT
TAX REPORT**

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

FACILITIES REPORT

The February facilities report was provided for review.

FEBRUARY DEPUTY
REPORT

The February deputy report was provided to Council for review.

COMMITTEE REPORTS

Transportation Advisory Committee (COG) – Council Member York stated that the bridge repair on I40 at Berea Church Rd. is still underway. I40 surfacing project has slowed and should begin in May. There is maintenance beginning on castle bridge.

WPCOG Policy Board – No report.

Burke Economic Development Representative – No report.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC – Karen Robinson reported that one VEDIC loan was paid off by the client which has freed up additional money for relending. VEDIC and WPCOG sponsored a free program on Business Security. The ARC grant is still pending. VEDIC has updated its website. The Town of Rhodhiss was added to the bylaws. VEDIC requests Towns to provide to them a list of available properties suitable for new businesses. Rutherford College has a new business. There are five new loans pending.

Library Board – No report.

CLOSED SESSION

Council Member Messer made a motion at 8:21 p.m. to recess into closed session pursuant to N.C.G.S 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.

Mayor Hildebrand called for a five minute recess and returned to closed session at 8:28 p.m.

Council Member Herrell made a motion to return to open session at 8:54 p.m. All voted in favor.

OTHER BUSINESS

None.

ANNOUNCEMENTS

None.

ADJOURN

All business being concluded, Council Member Herrell 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

Wendell Hildebrand, Mayor