

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

**NOVEMBER 26, 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	Council observed a moment of silence.
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 and Mike Smith. Council Member Jody York was absent.
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	Two amendments to the agenda were presented. The first amendment is to add "Discussion Regarding Public Transportation Services in Town" under New Business. The second amendment is to add "Consider Request to Reduce Auditorium Rental Fees for Bruce Long Orchestra Rehearsal" under New Business. Council Member Herrell made a motion to approve the agenda, as amended. All voted in favor.
APPROVAL OF MINUTES	Council Member Smith made a motion to approve the October 22, 2018 regular meeting and closed session minutes. All voted in favor.
PUBLIC COMMENTS	None.
PUBLIC HEARING	Mayor Hildebrand opened the public hearings pertaining to a Zoning Text Amendment (ZTA) at 7:05 p.m. Planner Bleich discussed an amendment to ZTA 18-2 pertaining to allowing accessory structures used for security purposes in the front yard of properties zoned General Manufacturing. The amendment adds setback and size restrictions on the accessory structures. The Planning Board recommended approval of the amendment. A copy of the amendment to

ZTA 18-2 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 7:06 p.m.

OLD BUSINESS:  
CONSIDER APPROVAL OF  
ZTA 18-2

Council Member Messer made a motion to approve the amendment to ZTA 18-2 pertaining to allowing accessory structures used for security purposes in the front yard of properties zoned General Manufacturing. After discussion, Council requested clarification from the Planning Board regarding the setback of property lines. Council Member Messer withdrew her motion.

CONSIDER ANY  
NECESSARY ACTION  
(INCLUDING APPROVAL)  
IN REGARD TO AN  
AGREEMENT WITH  
BURKE COUNTY/SHERIFF  
SO AS TO OBTAIN A  
SECOND DEPUTY FOR THE  
TOWN OF HILDEBRAN

Council discussed the proposed agreement with Burke County/Sheriff to obtain a second deputy for the Town at the October regular meeting. After the meeting, Mayor Hildebrand reached out to several Burke County Commissioners to negotiate the agreement, without success. The agreement that was proposed at the October meeting had no changes. Council took no action and decided to not pursue a second deputy at this time.

CONSIDER APPROVAL OF  
RESOLUTION LEASING  
PROPERTY FOR ONE YEAR  
OR LESS TO FIRST NORTH  
CAROLINA

At the October regular meeting, Council was in agreement to lease the meeting room located at the Albert Parkhurst Municipal Complex at 202 S. Center St., to the East Burke Cav-A-Gears Robotics Team 6888 at no cost. Mayor Hildebrand was instructed by Laura Manka, Lead Mentor, to contact Marie Hooper with FIRST North Carolina in order to enter into an agreement for the lease. A resolution is presented for approval. Council Member Herrell made a motion to approve the resolution leasing property for one year or less to FIRST North Carolina at no cost. All voted in favor. A copy of the resolution is hereby incorporated by reference and made a part of these minutes (Attachment B).

DISCUSSION REGARDING  
CONSTRUCTION COSTS  
RELATED TO SPLASH PAD  
AND ADDITIONAL  
PARKING AT THE  
HILDEBRAN COMMUNITY  
PARK AS WELL AS  
FUNDING FOR SAME

Mr. Drum provided construction costs for a splash pad as well as costs for additional parking at the park. The estimates to fund both projects is between \$192,500 and \$269,500. These numbers include engineering services and a 10% contingency. Mr. Drum stated that the construction cost range is mostly due to how water would be supplied. One option is to recirculate the water, which would require a person monitoring/testing the water two times a day. The other option is to buy water from Icard

Township Water and allow that water to run into the sewer system after use. The additional parking should double the current number of spaces at 1<sup>st</sup> Street S.E.

Mr. Drum stated that a PARTF grant could be available for a 50% match in the future. Currently, the WPCOG is working on six PARTF grants from this region for the May 2019 deadline and competition for this upcoming year will be intense. The Town can pay for the project out of its own funds, if desired.

It was the consensus of Council to consider the project and discuss at the December meeting.

DISCUSSION REGARDING  
ACTION PLAN TO ADOPT  
THE MUNICIPAL SERVICE  
DISTRICT

Mr. Drum provided an action plan to adopt the municipal service district as well as a draft application for perspective businesses. The next step is to create a municipal service district in town and to prepare a mandatory report with all necessary standards and map as well as a list of all property owners in the proposed district. Council directed Mr. Drum to proceed with the action plan, as presented.

DISCUSSION REGARDING  
CRAFT SHOW AND  
PARADE

Staff provided updates to Council on the planning process for both the craft show and parade to be held on December 1, 2018.

NEW BUSINESS:  
CONSIDER APPROVAL OF  
PROCLAMATION FOR  
NATIONAL HOSPICE  
PALLIATIVE CARE  
MONTH

A proclamation was presented to Council for National Hospice Palliative Care Month. Council Member Messer made a motion to approve the proclamation for National Hospice Palliative Care Month. All voted in favor. A copy of the Proclamation is hereby incorporated by reference and made a part of these minutes (Attachment C).

CALL PUBLIC HEARING  
FOR DECEMBER 17, 2018  
FOR PROPOSED  
PROPERTY  
MAINTENANCE CODE

Planner Bleich informed Council that the proposed property maintenance code will need to be adopted at the December 2018 meeting, after a public hearing. The property maintenance code will cover nuisance, junk and abandon cars, minimum residential housing code, non-residential minimum code and abandoned mobile homes. Upon adoption of the code in December, the WPCOG will begin code enforcement within Town limits. Council will need to motion and vote to call the public hearing. Council Member Herrell requested to change the definition of a chronic violator under the nuisance section. He requested to change the violation period from calendar

year to a rolling twelve-month period. Planner Bleich will request the change. Council Member Herrell made a motion to call a public hearing at the December 2018 regular meeting. All voted in favor.

CONSIDER REQUEST TO  
EXTEND DEMOLITION  
TIMELINE FOR PROPERTY  
LOCATED AT 327 US HWY  
70 EAST AS A RESULT OF  
MINIMUM HOUSING  
INSPECTION

Planner Bleich reported that a minimum housing inspection on 327 US Hwy 70 East was conducted on October 22, 2018 due to complaints from two tenants on the property. After inspection, the home on lot one was deemed condemnable because of the significant neglect and damage to the structure. A housing hearing was held on October 31, 2018 with the property manager, Paul Aulbach. Burke County gave Mr. Aulbach 60 days (December 31<sup>st</sup>) from the date of the hearing to demolish the home on lot one. Mr. Aulbach is requesting an extension to the end of March 2019 to complete the demolition due to financial obligations. He stated in his request that he and David Hildebran have decided to not rent any other trailers to individuals on a weekly or monthly basis. Planner Bleich informed Council that if it held to the December 31<sup>st</sup> deadline, and the house is not demolished by Mr. Aulbach, the Town will be responsible to follow the nuisance process/demolition financially.

After discussion, Council Member Honeycutt made a motion to give Mr. Aulbach only 60 days from the date of the order to demolish the home on lot one (December 31<sup>st</sup>). All voted in favor.

CONSIDER APPROVAL OF  
NEW TOWN HALL LOAN  
PAYOFF

Based on the suggestion from the Town auditor, a budget amendment was presented to Council to pay off the outstanding loan on the new Town Hall building. Mr. Drum stated that paying off the outstanding balance in full will save between \$3,000 and \$3,500 in interest. Council Member Herrell made a motion to approve the payoff of the BB&T Governmental Finance loan for the new Town Hall purchase in the amount not to exceed \$134,035.00 as well as budget amendment #01 in the General Fund to account for said payoff in the amount of \$134,035. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment D).

OCTOBER TAX REPORT

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

OCTOBER DEPUTY  
REPORT

The October deputy report was provided to Council to review.

COMMITTEE REPORTS

Transportation Advisory Committee (COG) – No report.

WPCOG Policy Board – No Report.

Burke Economic Development Representative – No report.

Recreation and Tourism Committee – No report.

Water Resource Committee – Planner Bleich reported that she had attended the storm water meeting and audits were reviewed.

VEDIC – Karen Robinson reported that the committee reviewed the financial report of profit and loss statements, balance sheet, the administrative budget and bylaws. No new loans were presented. VEDIC has handled 32 loan inquires this year. An insurance update was provided. A person that has the collateral for a loan insured can have the lien holder removed from the insurance policy without the lien holder’s knowledge.

Library Board – Mayor Hildebrand reported that the fall festival and hayride in October was a success with around 350 people in attendance.

DISCUSSION REGARDING  
PUBLIC  
TRANSPORTATION  
SERVICES IN TOWN

Jaelon Beakley, Plant Manager from Marves Industries, addressed Council regarding transportation needs for workers to get to and from work, specifically second and third shifts. Currently, the Greenway system does not extend to Hildebran. He requested assistance from the Town.

Brian Horton, Transportation Planning Manager at the WPCOG, presented Council with the current Greenway flex route and van service routes and fees. One option that the Town may adopt is to extend van service to Hildebran, although that would probably not address all of the transportation needs of the local industries. The Town would most likely be required to subsidize Burke Transit if it chose to move forward. Council decided to consider this topic at the December meeting.

CONSIDER REQUEST TO  
REDUCE AUDITORIUM

The Bruce Long Orchestra has rented the auditorium on December 14, 2018 for the purpose of holding a concert.

RENTAL FEES FOR BRUCE  
LONG ORCHESTRA  
REHEARSAL

Mr. Long has requested that the rental fees be reduced from \$50.00 an hour to \$25.00, for two hours, on December 13, 2018 for rehearsal purposes. Council Member Honeycutt made a motion to approve the request to reduce the rental rate to \$25.00 for two hours on December 13, 2018. Mr. Drum stated that varying rental rates can lead to issues and recommended a standard policy change instead of a case by case basis. Attorney Dill agreed with Mr. Drum. Council Member Honeycutt and Smith voted in favor of the motion. Council Members Herrell and Messer voted against the motion. Attorney Dill stated that due to the number of votes required to enter into a contract based on N.C. General Statute 160A-75, and the advice from the UNC School of Government (SOG), it is unclear if the number of votes needed to satisfy the requirement of the statute would be three or four votes in the affirmative. In a previous situation in which the Mayor could vote in case of a tie, the advice from the SOG was to wait until the full board is in attendance in order to clearly satisfy the requirements of the statute. No Council Member decided to change his/her vote and as a result, Attorney Dill stated that the motion failed to pass.

OTHER BUSINESS

Clerk Sanders stated that a gentleman had presented pictures of Christmas decorations for Council to consider. Council took no action.

Council Member Herrell requested to pave more roads in the near future based on the updated street priority list performed by West Consultants in 2016. Mr. Drum stated that it is possible that the Town could do a change order under the current street paving contract with the same prices. Mr. Drum stated that any additional street paving might be able to be completed by the existing May 2019 deadline.

ANNOUNCEMENTS

None.

ADJOURN

All business being concluded, Council Member Messer made a motion to adjourn at 8:10 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