

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

**NOVEMBER 27, 2017  
7:00 PM**

**REGULAR MEETING  
MINUTES**

**CALL TO ORDER AND  
INVOCATION**

Mayor Cook called the regular meeting of the Town Council to order at 7:03 p.m. Jim Gorsuch led a prayer.

**PLEDGE OF ALLEGIANCE**

Attorney Redmond Dill led the pledge of allegiance to the United States flag.

**COUNCIL PRESENT**

The following members of the Board were present: Mayor Virginia Cook and Council Members Brenda Banks, Theresa Messer, Barbara Lowman, Lee Lowman and Jody York.

**STAFF PRESENT**

The following staff members were present: Attorney Redmond Dill, Town Manager Thomas Drum, Town Clerk Alice Sanders, Finance Officer Fredrick Rankins, and Administrative Support Specialist Laurie Brawley.

**CITIZENS & MEDIA  
PRESENT**

See attached sheet.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Clerk Sanders notated two changes to the October 30, 2017 Special Meeting Minutes. On page 2, paragraph 2, the ordinance number should be changed from 10/23/17 to 10/30/17. Also on page 2, paragraph 3, the resolution number should be changed from 10/23/17 to 10/30/17. Council Member Messer made a motion to approve the October 30, 2017 Special Meeting Minutes, as amended. All voted in favor.

**OLD BUSINESS:  
CONSIDER REVISED  
CONTRACT WITH BURKE  
COUNTY TO BILL AND  
COLLECT TAXES  
BEGINNING 7/1/18**

Council approved a contract with Burke County to bill and collect Town taxes beginning July 1, 2018 at the September regular meeting. After approval, the Budget Director, Paul Aimes, made a few revisions and the revised version was adopted at the County Commissioners meeting. The revised version is presented to Council for approval. Council Member York made a motion to approve the revised contract. All voted in favor.

**CONSIDER CONTRACT  
FOR SALE OF SANITARY  
SEWER COLLECTION**

Council discussed the sale of the sanitary sewer collection system at the October meeting. The topic was tabled until tonight's meeting. Kevin Greer, Public Utilities Director

SYSTEM TO CITY OF  
HICKORY

for the City of Hickory, was in attendance for any questions.

Council Member York requested that wording be changed on page 3, section 2.3, from “rates will be equivalent to the then current Outside rates” to “rates will be equivalent to the then current Inside rates.” Attorney Dill responded that Hickory has bought other systems and it is not fair to the inside City limit taxpayers that other citizens outside City limits would pay the same sewer rates as them. He did not believe the City would agree to that change.

Council Member York also had questions regarding section 2.2.2 and 2.3 and Exhibit A. Mr. Greer reviewed the proposed pricing structure for the Town over the next seven years. Mr. Greer explained that the protection built into all contracts is that any proposed increases for outside rates are based on the same percentage of increase approved for inside rates, which are determined by the City of Hickory Council.

Council Member York requested that the wording be changed on page 10, section 8-Operations Committee, from “the operations committee shall meet no less than annually” to “the operations committee shall meet two times a year.” Mr. Greer stated that the committee usually meets once a quarter and had no issues.

Council Member Messer asked how often rates are increased. Mr. Greer responded that rates are reviewed each year, effective July 1<sup>st</sup>. He explained that the City Council reviews power bill increases and sewer rates are only increased (based on inside rates) if the City Council approves increases. A 1% increase is typical to help cover chemicals, power, pipes and salaries.

Mayor Cook pointed out that the top of page 12, section 10.3 should be changed from “Catawba” to “Hildebran.”

Council Member York asked about page 13, section 10.14, regarding Counsel involvement. Attorney Dill stated that the Hickory City Attorney prepared the document and did an outstanding job.

Council Member York stated that she would like to see these changes made and brought back to the Board at the December meeting. Mr. Greer was unclear what changes, specifically, that were to be made.

Attorney Dill addressed Council and informed them that the City of Hickory's sanitary sewer collection system is a regional system, not just a city system.

Mr. Drum stated that the Town considered selling the system ten years ago. Burke County and the City of Hickory were looking at buying the system back then. At that time, there was discussion in the then current engineering study that said that Burke County might feel that there was some reimbursement that might be made for any expense they had back then. Based on that statement, Attorney Dill and Mr. Drum met with the County Manager, Finance Officer and their engineer and asked if they had any issues with the Town transferring the sewer system to the City of Hickory. They had no issues other than the City of Hickory working with them regarding Infiltration Inflow (I&I). Mr. Greer addressed the I&I issue and discussed how they are working to get this eliminated from the sewer system.

Council Member L. Lowman made a motion to sell the Town of Hildebran's sanitary sewer collection system to the City of Hickory and to approve and ratify the contract as presented. Council Members Banks, B. Lowman, L. Lowman, and Messer voted in favor. Council Member York was opposed. The motion carried.

**NEW BUSINESS:  
CONSIDER  
PROCLAMATION FOR  
NATIONAL HOSPICE  
PALLIATIVE CARE  
MONTH**

A proclamation was presented to Council for approval proclaiming November 2017 as National Hospice Palliative Care Month. Council Member Banks made a motion to approve. All voted in favor. A copy of the proclamation is hereby incorporated by reference and made a part of these minutes (Attachment A).

Conlee Clark, RN, BSN, Director of Professional Relations, Catawba Regional Hospice was in attendance and thanked the Council for its support.

**CONSIDER ADOPTION OF  
REVISED PERSONNEL  
POLICY**

A revised personnel policy was presented for approval; the primary emphasis was to bring said policy in line with the recently adopted Council-Manager form of government requirements, as well as clarifying various ambiguous sections. Mr. Drum stated that he reviewed other policies within the state and followed typical protocol for any ambiguous wording.

Council Member York asked to see the original version with changes. Mr. Drum stated that he would be glad to provide the original version, but the proposed policy was almost a total revision to match the Council-Manager form of government.

Council Member York asked about page 7, section 7b, and the hours determined for a part-time employee. Mr. Drum responded that a part-time employee is anyone that works less than full-time and works on average at least 20 hours per week and at least 1000 hours per year. A temporary employee works less than 20 hours per week on average and less than 12 continuous months (and less than 1000 hours per year). The two types of employees were defined in this revised policy.

Council Member York asked about page 10, section 6 regarding performance reviews. She wanted to see this section changed to read that a committee from the Council, with the Town Manager, be a part of employee reviews. Mr. Drum stated that that is normally not how it is done in a Council-Manager form of government and he would not recommend it be changed. Council Member L. Lowman stated that being over personnel is what Council hired Mr. Drum to do in order to keep the Council out of personnel.

Council Member York asked about page 11, section 11 in regards to the statement “work hours may vary...as determined by the Town Manager”, should read “...by the Town Council.” Mr. Drum responded that the personnel policy is standard language. He explained that when the Council adopts the policy, the Council gives guidance to the Manager in general. The statutes say that the Manager carries out the policies of the Town Board. He explained that when the Council adopts the budget for a full-time employee, there are so many hours per year for that person to work; including overtime. The Manager will determine the hours each week that person will work, but within the guidelines of the policy. The policy gives the guidance based on the statutes and law and then the Manager carries that out. The Manager is not trying to supersede the policy making authority of the Council, but he does carry out that policy.

Council Member L. Lowman made a motion to approve and adopt the personnel policy as presented. Council Members Banks, B. Lowman, L. Lowman and Messer voted in favor. Council Member York was opposed. The

motion carried. A copy of the policy is hereby incorporated by reference and made a part of these minutes (Attachment B).

CONSIDER AWARD OF CONTRACT TO MOSS-MARLOW FOR REPAIR OF 10-23-17 STORM DAMAGE AND APPROVAL OF ACCOMPANYING GENERAL FUND BUDGET AMENDMENT #5

As discussed at the last meeting, there was damage to Town Hall as well as other Town buildings as a result from the weather event that occurred on October 23, 2017. A quote from Moss-Marlow to repair the damage is presented for approval. The expense will be reimbursed by the Town's insurance, less the deductible; a budget amendment is presented to reflect the insurance reimbursement.

Council Member Messer made a motion to award the contract as proposed by Moss-Marlow to repair damage to the new Town Hall, as well as other municipal buildings, not to exceed \$14,670, and to approve the accompanying general fund budget amendment #5. All voted in favor. A copy of budget amendment #5 is hereby incorporated by reference and made a part of these minutes (Attachment C).

APPROVAL OF SEWER FUND BUDGET AMENDMENT #01 FOR THE TOWN'S PORTION OF THE SEWER STUDY

In August 2016, Council approved a contract for MartinMcGill Management Consulting to perform a financial assessment of the sewer system with the cost to be split equally with the City of Hickory. The report has been finalized. A budget amendment is needed to pay for the remainder of the Town's portion that is due this fiscal year. Council Member Messer made a motion to approve sewer fund budget amendment #01, in the amount of \$7,406. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment D).

CONSIDER SEWER FUND LEAK RELEASE REQUEST (MICHAEL GREENE)

Mr. Rankins explained that Michael Greene, who lives on 10<sup>th</sup> Street, SE, had a water leak in his yard at the water meter that did not go into the Town's sewer system. The Town has already released two months of sewer bills, totaling 16,000 gallons, on 10/3/17. Mr. Greene received another bill with the leaked usage and has asked for another month's release. He paid the \$25.00 fee, as described in the Town's sewer policy, to make the request to Council. The remaining leak amount is 30,000 gallons. Council Member Banks made a motion to approve the release of 30,000 gallons sewer usage from Mr. Greene's account. All voted in favor.

Mr. Rankins informed Council that Icard Water contacted him in regards to customers that were forced out of their homes due to the 10/23/17 weather event. Icard Water has decided to release billings for those customers while they are out of their homes. Icard Water has asked if the Town will also release sewer billing for those displaced customers. The current sewer policy states that if there is zero usage, customers still receive a minimum bill which is currently \$18.00 each month. Council needs to determine if the minimum sewer billing will occur for those displaced from their home due to the weather event. Icard Water will supply the names and addresses of those affected and will state that water has been cut off due to storm damage. It was the consensus of Council to wait until the December meeting to discuss.

CONSIDER TAX REFUND  
TO LERETA, LLC

Leretta, LLC, a mortgage company, sent a check to pay an incorrect tax bill (based on the parcel ID#). As directed by Leretta, the check was applied to that bill. Leretta has since corrected the error and has requested a refund of \$11.25. Council will need to approve the request. Council Member Messer made a motion to approve the tax release request of \$11.25 to Leretta, LLC. All voted in favor.

SURPLUS AND SELL  
MISCELLANEOUS  
CHRISTMAS AND OFFICE  
ITEMS

Ms. Brawley has provided a list of items that the Town no longer needs. The list is presented for surplus and sale. Council Member York made a motion to surplus and sell the items listed; the Town Manager will administer the sale of all surplus items. All voted in favor. A copy of the list is hereby incorporated by reference and made a part of these minutes (Attachment E).

OCTOBER FACILITIES  
REPORT

The October facilities report was presented.

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 F).

OCTOBER DEPUTY  
REPORT

The October deputy report was provided to Council to review.

COMMITTEE REPORTS &  
UPDATES

Transportation Advisory Committee (COG) – Mayor Cook reported that there will be turn lanes put in at Food Lion, B&B Grocery and BB&T in the Spring. Additional street paving will begin in the Spring.

WPCOG Policy Board – No report.

Burke Economic Development Representative – Mayor Cook reported that two new companies will open in Burke County. One will be in the industrial park at exit 97 and the other company will be at exit 103.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC – Mayor Cook reported that there were three applications for loans and that all should be approved. The companies will be in Burke County.

Attorney Dill stated that when he and Mr. Drum met with the County officials, they broached the subject of the County taking control of the gym usage since the gym is underutilized.

**OTHER BUSINESS:**

**STORM DEBRIS REMOVAL**

Mr. Drum stated that the Town sent bids out to 12 to 13 contractors soliciting bids for storm debris removal. The Town received one bid that was too high. Mr. Drum has discussed the issue with the Division of Emergency Management. Mr. Drum negotiated with the contractor that did submit the sole bid and the contractor reduced his price, but Mr. Drum is waiting to hear back from the state. Staff is informing citizens to continue to bring storm debris to the roadside right of way. Mr. Drum also contacted the Town of Long View for assistance but they are busy with their own debris removal.

**CLOSURE OF TWO CAPITAL PROJECTS**

Mr. Drum stated that there were two capital projects, the cleanup repairs at the old Town Hall and the new Town Hall that have been closed. The remaining money will be moved into the general fund. The old Town Hall has \$1,670.87 and the new Town Hall has \$175.81 that can be moved back into the general fund. Council Member York made a motion to approve closing out both capital projects and moving the remaining funds into the general fund. All voted in favor.

Ms. Brawley reviewed the craft show and trunk'r treat events and reminded everyone about the parade on December 2, 2017.

**ANNOUNCEMENTS**

None at this time.

PUBLIC COMMENTS

None at this time.

RECOGNITION OF  
OUTGOING ELECTED  
OFFICIALS

Mayor Cook recognized outgoing Council Members Banks, B. Lowman and L. Lowman by resolution.

Mayor Pro Tem L. Lowman recognized outgoing Mayor Virginia Cook by resolution.

Council Member Messer made a motion to approve the resolutions of appreciation #11-27-17, #11-27-17A, #11-27-17B and #11-27-17C. All voted in favor. A copy of these resolutions are incorporated by reference and made a part of these minutes (Attachment G, H, I, and J).

ADJOURN

All business being concluded, Council Member Banks 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