TOWN OF HILDEBRAN
COUNCIL'S CHAMBER
ALBERT PARKHURST
MUNICIPAL COMPLEX

August 24, 2026
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.
COUNCIL PRESENT	The following members of the Board were present: Mayor Hildebrand and Council Members Ben Honeycutt, Mike Smith, Mike Stroupe, Terry Weaver, and Jody York.
STAFF PRESENT	The following staff members were present: Town Manager Logan Shook, Town Clerk Alice Sanders, Finance Officer Fredrick Rankins, Events Coordinator Haven Ward, Building and Grounds Maintenance Worker Gary Towery, and Town Attorney Jared Amos.
CITIZENS & MEDIA	See attached sheet.
INVOCATION	A moment of silence was observed.
PLEDGE OF ALLEGIANCE	Town Clerk Sanders led the pledge of allegiance to the U.S. flag.
APPROVAL OF AGENDA	Mayor Hildebrand announced that staff requested to add Consider Approval of New Monthly Gym Rates for Renter under New Business. There being no objections, Council Member Honeycutt made a motion to approve the agenda as amended. All voted in favor.
APPROVAL OF MINUTES	Mayor Hildebrand asked that the email from Attorney Amos sent to Council dated August 27, 2026 regarding CAST be attached to the minutes (Attachment L). Council Member Smith made a motion to approve the July 27, 2026 regular meeting minutes as amended. All voted in favor.
\SPECIAL PRESENTATION	Mayor Hildebrand announced that the Board would like to recognize Town Deputy, Joshua Buchanan. He asked that Sheriff Hinceman present the Burke County Sheriff's Office Letter of Commendation, Meritorious Conduct Award. Sheriff Hinceman stated that Deputy Buchanan jumped into chest-high water to save a child who was in distress at the Henry Fork waterway on May 20, 2026. The Town also presented Deputy Buchanan with a plaque in their appreciation of him serving the community.

PUBLIC COMMENTS	Tommy Wentz spoke in support of a 12-month moratorium on data centers and requested that the Town remove the two flock cameras in Town.
PUBLIC HEARING: INSTITUTING A TEMPORARY MORATORIUM ON DEVELOPMENT APPROVALS OF CRITICAL DIGITAL INFRASTRUCTURE FACILITIES	Mayor Hildebrand opened the public hearing at 7:09 p.m. Nick Tosco, Partner at Poyner Spruill, gave a presentation on the overview of data center moratoriums and ordinances in North Carolina. He provided information on data center activity in North Carolina, options for Council's consideration, statutory requirements under GS 160D-107, the process to adopt a moratorium, and jurisdictions with adopted regulations. Council asked if the Town could enforce electrical restrictions. Attorney Tosco stated that electricity is regulated by the NC Utility Commission and there's only so much the Town could regulate. Mayor Hildebrand asked if there were any public comments. Tommy Wentz asked if the moratorium is going to prevent construction of data centers within the year. Attorney Amos stated that the Town would not be approving any new permits for the next year if the Board adopts the ordinance. Mr. Wentz asked that if the Town already has regulations in place, is a moratorium needed. Attorney Amos stated that the Board could strengthen the ordinance and the moratorium will give the Board time to research and review. Roy Cooke asked if the Board knew what type of profit margins the facilities were making. Attorney Amos stated that the business is the property owner and the Town can't find that information unless it is publically traded. Mr. Cooke stated that the Town should be able to negotiate with the business in the future. There being no other comments, Mayor Hildebrand closed the public hearing at 7:26 p.m.
CONSIDER APPROVAL OF ORDINANCE INSTITUTING A TEMPORARY MORATORIUM ON DEVELOPMENT APPROVALS FOR	Mayor Hildebrand stated that the ordinance was presented for approval. Council Member Honeycutt made a motion to approve the ordinance of the Town Council of the Town of Hildebran instituting a temporary moratorium on development approvals for critical digital infrastructure facilities as presented. All voted in favor. A copy of the ordinance is hereby

CRITICAL DIGITAL INFRASTRUCTURE FACILITIES	incorporated by reference and made a part of these minutes (Attachment A).
OLD BUSINESS: DISCUSSION OF NOISE POLLUTION ORDINANCE	Town Manager Shook stated that he reviewed the noise ordinance from Charlotte and their regulation for noise was at 85 decibels during the day and 60 to 65 decibels during nighttime hours after 11:00 p.m., which he considered reasonable. There was discussion about enforcement and Deputy Buchanan stated that any resident can call the Burke County Sheriff's Office if there is a violation after 11:00 p.m. No action was taken.
CONSIDER APPROVAL OF REVISION OF FY 26-27 SCHEDULE OF FEES ORDINANCE	Council discussed removing the non-refundable concession fees for the auditorium and a revision to the FY 26-27 schedule of fees is presented for approval. The security deposit will increase by $200 for those selling concessions. There being no discussion, Council Member Honeycutt made a motion to approve revision 1 to the Town of Hildebran ordinance establishing the schedule of fees and charges for fiscal year 2026-2027 with the revision that the non-refundable concessions fee is eliminated, and the security deposit for those selling concessions will now be $450.00 and will be refundable. All voted in favor. A copy of the ordinance is hereby incorporated by reference and made a part of these minutes (Attachment B).
CONSIDER APPROVAL OF QUOTE TO REPAIR THE GYM ROOF	Town Manager Shook stated that the gym is leaking in numerous places, and it's been 15-20 years since the roof has been replaced. The trees behind the gym are affecting the damage. Staff acquired two quotes and he reviewed both options. There was a brief discussion regarding the warranty from both companies. Council Member Stroupe made a motion to approve the quote from Conover Construction & Roofing, Inc. as presented to replace the gym roof in the amount of $75,585. All voted in favor. The second bid was from Custom Coatings Inc. in the amount of $92,976.25.
CONSIDER APPROVAL OF BUDGET AMENDMENT FOR GYM ROOF	Town Manager Shook stated that a budget amendment is needed for the roof replacement. Council Member Smith made a motion to approve budget amendment #01 to appropriate funds for repairs to the lower portion of the gym roof in the amount of $80,900. All voted in favor.

A copy of the amendment is hereby incorporated by reference and made a part of these minutes (Attachment C).

CONSIDER APPROVAL OF QUOTE TO REMOVE TREES BEHIND THE GYM AND ALONG S. CENTER ST. AT MUNICIPAL COMPLEX

Council had asked for quotes to remove trees along S. Center St. and behind the gym. Staff has submitted a quote for both options. Mayor Hildebrand stated that he proposed removing the two trees that are dead at the steps along S. Center St. and then move the park sign to make it more visible. Council Member Smith stated that once Duke Energy trims the trees, the rest of the tree will die. Council Member Weaver stated that the trees are impeding the brick wall and the longer the Town waits to cut them down, the more the roots will grow.

Council Member Stroupe made a motion to approve the quote from Chads Tree Experts, LLC as presented to remove 8 black walnut trees located behind the gym to prevent damage to the roof in the amount of $12,500. All voted in favor.

Council then discussed the trees located along S. Center St. It was clarified that the quote was from a certified Arborist. Mr. Towery stated that the quote also includes trimming 2 trees at Town Hall. The company stated that there were signs of decay in every tree along S. Center St. Council Member Stroupe stated that if the trees were removed, the Town can plant new trees.

Council Member Stroupe made a motion to approve the quote from Chads Tree Experts, LLC as presented to remove 10 maple and crepe myrtle trees along S. Center St. in front of the municipal complex and trim 2 trees at Town Hall for $6,000. Council Members Smith, Stroupe, Weaver, and York voted in favor of the motion. Council Member Honeycutt was opposed. The motion carried.

CONSIDER APPROVAL OF BUDGET AMENDMENT TO REMOVE TREES

Town Manager Shook stated that a budget amendment is needed to remove the trees around the municipal complex. Council Member Smith made a motion to approve budget amendment #02 as presented to appropriate funds for tree removal behind the gym and along S. Center St. and to trim the trees at Town Hall in the amount of $19,800. All voted in favor. A copy of the amendment is hereby incorporated by reference and made a part of these minutes (Attachment D).

CONSIDER APPROVAL OF QUOTE TO INSTALL A GAZEBO

Town Manager Shook stated that staff met with Brushy Mountain Builders and obtained pricing for the purchase of a gazebo. He reviewed pricing for various sizes, colors, and features. He stated that there was one pre-owned gazebo that Council might be interested in. He also discussed the recommendation from Brushy Mountain to enter the gazebo from the existing area where the pavement and grass are flush, making ADA regulations easier to meet.

There was discussion about placement and size of the gazebo, warranty, features, and timeframe to install. Council was in agreement for staff to visit the site to examine the pre-owned gazebo and to delegate purchasing authority to the Town Manager.

Council Member Honeycutt made a motion to delegate purchasing authority to Town Manager Shook to purchase a gazebo up to $18,500. All voted in favor.

CONSIDER APPROVAL OF QUOTE FOR GRADING FOR GAZEBO

Council was in agreement to follow grading suggestions provided by Brushy Mountain Builders to lightly grade the existing blocked area then gravel and place the gazebo inside the circle. This method is more cost effective and will not require a retainer wall. Council agreed to forego approving any of the quotes provided in the agenda packet. Town Manager Shook stated that he had purchasing authority up to $5,000 and can approve the official quote from Brushy Mountain Builders once received. No action was taken.

CONSIDER APPROVAL OF BUDGET AMENDMENT FOR GAZEBO AND GRADING

Town Manager Shook stated that a budget amendment is needed for the purchase and installation of the gazebo. Council Member Honeycutt made a motion to approve budget amendment #03 as presented to appropriate funds to purchase and install a gazebo and related grading and preparation work in the amount of $20,000. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment E).

NEW BUSINESS: CONSIDER APPROVAL OF REVISION TO ORDINANCE TEMPORARILY CLOSING

Town Clerks Sanders stated the revision to the ordinance to temporarily close NCDOT roads for the EBHS homecoming parade is due to the EBHS football schedule being changed. Council Member Stroupe made a motion to approve revision 1 to the ordinance

NCDOT ROADS FOR EBHS HOMECOMING	declaring a road closure for the September 27, 2026 East Burke High School Homecoming Parade to move the date to October 11, 2026. All voted in favor. A copy of the ordinance is hereby incorporated by reference and made a part of these minutes (Attachment F).
CONSIDER APPOINTMENT TO EVENTS COMMITTEE TO FULFILL OPEN POSITION	Mayor Hildebrand stated that the application to fill an open position on the events committee was in the Board's packet. There being no discussion, Council Member Stroupe made a motion to appoint Donna Moore to the events committee fulfilling the term that became open due to another member resigning. The term will run through June 30, 2028. All voted in favor.
CONSIDER APPROVAL OF BUDGET AMENDMENT FOR BLUE SKY WORK	Town Manager Shook stated that the budget amendment presented is for all the work done in the auditorium basement due to the water damage. He stated that the amendment was approved last fiscal year, but it expired June 30, 2026. The Town has been waiting for approval from the insurance company. These funds will be reimbursed by insurance. Council Member Honeycutt made a motion to approve budget amendment #04 as presented to re-allocate funds set aside in the previous year to repair water damage in the basement of the auditorium in the amount of $178,000. All voted in favor. A copy of the amendment is hereby incorporated by reference and made a part of these minutes (Attachment G).
CONSIDER APPROVAL OF NEW MONTHLY GYM RATES FOR GYM RENTER, MATTER OF TIME	Town Manager Shook stated that Town Clerk Sanders worked up a rental agreement with Coach Ron with Matter of Time per his request. Coach Ron accounts for roughly 30% of the Town's entire rental revenue during the year. Given his high usage, staff feels it is better to schedule him in advance rather than trying to work it out week to week. With the new monthly rates, Coach Ron would be paying $15,840 to $16,800 a year at a minimum. He is still free to book any extra hours that he needs. There being no discussion, Council Member Stroupe made a motion to approve the new agreement with Ronshad Allen-Shabazz and Matter of Time M. O. T. LLC for monthly set rental rates of $1,800 during the off season and $840 - $1,000 (depending on hours) during rec ball season. All voted in favor.
FACILITIES REPORT	The August facilities report was provided for review.

DELINQUENT TAX REPORT

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

DEPUTY REPORT

The July deputy report was provided for review.

EVENTS COMMITTEE REPORT

The Events Committee report was provided for review.

COMMITTEE REPORTS

Transportation Advisory Committee (TAC) and Technical Coordinating Committee (TCC) – Town Manager Shook stated that the County and the towns are working on a transportation survey with an October deadline.

WPCOG Policy Board – No report.

Burke Development Inc. – Town Manager Shook stated that the Board discussed its financials, marketing, the Burke Business Park, and held election of officers.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC –No report.

Burke County Library Board of Trustees – No report.

OTHER BUSINESS: RENTAL FACILITY POLICY

Council Member Honeycutt stated that he noticed in the July minutes that the facility rental policy was revised to include a statement that the Town would not rent to anyone who owes money. He asked what that was in reference to. Council Member Stroupe stated there was record of a company that owed money to the Town and there was no record of it being paid. Council Member Honeycutt asked if there was a billing statement. Council Member Smith stated that there should be a court record of it. Mayor Hildebrand asked if there was a lease. Council Member Stroupe stated he assumed there was one. Mayor Hildebrand stated that the incident being discussed happened 15 years ago and there was no lease. Council Member Stroupe asked if this organization was in the building without a lease. Mayor Hildebrand stated that the organization was paying $750 a month and then it was doubled to $1,500 by the Mayor at the time, not Council. Karen Robinson, former Mayor, stated that a

council member at the time, Jennie Cook, made a motion to approve the lease for $1,500 and the motion passed, but this action was not notated in the minutes. Council Member Smith asked if the organization paid the regular fee. Mayor Hildebrand stated that the organization attempted to pay the fee and then he asked Ms. Robinson what happened. Ms. Robinson stated that the organization tried to pay $750 to the Town but it was not accepted because it was a partial payment of the $1,500. She stated that the approval of the lease was not in the minutes because the clerk at the time did not record it for her own personal reasons. She stated that there was a newspaper article that reported that the lease agreement of $1,500 was approved at a meeting and she will bring a copy of the paper for the Town. Council Member Honeycutt stated that there is no proof of a lease agreement in the Town records, and a newspaper article isn't proof of action at a meeting. Council Member Smith stated that they used the building and didn't pay. Council Member Honeycutt asked if Council made a lease agreement after the organization tried to pay the rent. Mayor Hildebrand stated that afterward, the Council voted and they didn't vote on the lease. It was turned down. Council Member Stroupe stated that the organization wrote their own lease and the attorney at the time advised Council not to accept it. Mayor Hildebrand stated that Council offered a lease to the organization and they declined. Then the organization offered a lease to the Town and the Town declined. Council Member Stroupe asked if the organization owed money prior to the lease agreement being declined. He asked where the $1,500 came from. Mayor Hildebrand had the same question because the amount was $750. Council Member Smith asked if they paid the $750. Mayor Hildebrand stated that they tried to pay the $750. Council Member Honeycutt stated the check that was given to the Town was torn up and handed back. Ms. Robinson stated that the check was handed back, not torn up. Council Member Honeycutt stated that she is incorrect. The check was made out to the Town, but it did not go into the Town's account. Mayor Hildebrand stated that he agrees if someone owes money they owe money. He stated that he doesn't think it's been proved that the organization owes any money. Council Member Stroupe stated that he didn't think that it has been disproved either. Council Member Smith stated that if they have done it one time, they will do it again. Council Member Honeycutt stated that you can't deny someone rental rights if you don't have proof that they

didn't pay a bill. Mayor Hildebrand asked for someone to state the name of the organization so the Clerk will know who not to rent to. Clerk Sanders stated that the incident in discussion happened before she came to the Town. Council Member York stated that the Council needs to know as well and that there should be a record of what happened in the minutes. Mayor Hildebrand stated that he is concerned about the $750 and what happened to that. Council Member Honeycutt asked why the Town rented to this organization three times after this incident occurred and nothing was said. He stated that they are basically the only group that has rented the auditorium since then. Mayor Hildebrand asked Ms. Robinson what happened to the $750. She stated that she handed the check back to Cathy Stallings because the Town couldn't accept a partial payment of the $1,500 that Council approved as a lease agreement. Council Member York asked if there were minutes concerning the lease agreement in question. Mayor Hildebrand stated that everyone has access to the same minutes that he does and there is no mention of a lease agreement in the minutes. Council Member York stated that it sounds like this fell through the cracks and that this should have been a Council decision and there was no record of a vote on a lease agreement.

There was more discussion regarding the Town's proposed lease being declined and the organization's proposed lease being declined and there being no other records after that. Council Member Stroupe stated that there isn't any evidence that the organization paid for that month. He stated there is a letter on Town's stationary that asked the organization to pay the $1,500 that was signed by Ms. Robinson, the Mayor at the time. He stated that he hasn't seen anything that said it was or wasn't paid. He stated that he assumed there was a lease agreement in place and if not, then the organization didn't have a right to be in the building. Council Member Honeycutt stated that they had a lease with the school district. Council Members stated that the Town is not the school district. Council Member Stroupe stated that there had to be a lease for the organization to rent the building and if there wasn't a lease, then they did not have a right to be in the building. He does not know what happened to the lease agreement or the minutes. Council Member Smith stated that if they owe the money then they need to pay. Council Member Honeycutt stated that the Town has to show the proof that there was a lease and that the

money is owed. Council Member Stroupe stated that the proof that they owe the money is the letter written on Town stationary that was sent to the organization that they owed the Town money signed by the Mayor at the time. He stated that is the only proof that the Town has and he doesn't know what happened to the rest of it.

Mayor Hildebrand asked for someone to tell who the organization is. Council Member Stroupe stated that the name on the letter from the Town was addressed to CAST.

There was more discussion reiterating the views on both sides. Attorney Amos asked if Council wanted staff to look into this matter and Council was in agreement to have him research the agreement or a bill that was owed.

ANNOUNCEMENTS
SURPLUS FENCING

Clerk Sanders stated that the old fencing that was deemed surplus was sold to Fister Fence in the amount of $1,031.

ROYAL PARK FESTIVAL

Event Coordinator Ward stated that the Royal Park Festival will be held this weekend on September 5th from 11:00 a.m. - 9:00 p.m.

PAVILION QUOTE

Town Manager Shook reviewed the two quotes received for a pavilion. Staff met with Brushy Mountain and he stated its best to wait until after the Town events to begin. New numbers will be provided next month.

AUDITORIUM PIPE INSULATION

Town Manager Shook stated that he acquired a quote for protecting the new auditorium pipes from Cliff's Plumbing. They suggested heat lamps to turn on and off and he has contacted Top Quality for a quote. They will also look at the gym door lock.

AUDITORIUM STEPS

Town Manager Shook stated that the steps at the auditorium stage to the basement are worn and he has contacted Frank Nolan to epoxy them for $3,600.

MUSEUM SET UP

Town Manager Shook stated that the Town is still waiting to hear back from HHDA to see if they have the help to set up the museum. Suggestions for volunteers were discussed.

ATTACHMENTS TO THE MINUTES

Council Member Stroupe asked that the letter to CAST and other documents be added to the minutes for public record. Council had no objections. The three documents

are hereby incorporated by reference and made a part of these minutes (Attachments I, J, and K).

ADJOURN

All business being concluded, Council Member Stroupe made a motion at 8:40 p.m. to adjourn. All voted in favor.

I attest these are the approved minutes of the Board.

_____ _____

Alice Sanders, Town Clerk Wendell Hildebrand, Mayor