

**TOWN OF HILDEBRAN
TOWN HALL**

**January 27, 2014
7:00 p.m.**

**REGULAR MEETING
MINUTES**

- CALL TO ORDER** Mayor Cook 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 Cook, Council Members Banks, Hildebrand, Hollowell, B. Lowman and L. Lowman.
- STAFF PRESENT** The following staff members were present: Attorney Redmond Dill; Office Manager Fredrick Rankins; Town Clerk Alice Sanders; and Administrative Assistant Rebecah Isenhour.
- CITIZENS PRESENT** See attached list.
- MEDIA** No one from the media was in attendance.
- INVOCATION** Mayor Cook called for a moment of silence.
- PLEDGE OF ALLEGIANCE** The Pledge of Allegiance to the United States flag was led by T.K. Capps who is a resident of the Town and attended school here in 1949.
- ADOPTION OF AGENDA** Council Member L. Lowman made a motion to amend the agenda by adding a closed session pursuant to General Statute 143.318.11 (5) (a) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease after "New Business."
- Council Member Hollowell made a motion to approve the agenda as amended. All voted in favor.
- APPROVAL OF MINUTES** Council Member Banks made a motion to amend the December 16, 2013 Regular Minutes to add her name on page 3 as being sworn in by the Clerk of Superior Court, Mabel Lowman.
- Council Member Banks made a motion to approve the minutes as amended. All voted in favor.
- SPECIAL SPEAKER** Burke County Sheriff, Steve Whisenant, spoke about his concerns with substance abuse in the County. He provided statistics demonstrating the increase in crime, overdose deaths, emergency department visits, and outpatient prescriptions being prescribed in the County. Mr. Whisenant stated that he wanted to partner with the Town and community with a four-prong plan that includes law enforcement, educating the public, treatment and reaching out to faith-based communities. He provided

staff with a list of treatment agencies and asked if there were any volunteers to be in a video of people sharing personal experiences with substance abuse that will be viewed at the schools, to contact him. He stated that the next meeting will be February 15th and everyone is invited. The location and time is to be determined.

PUBLIC COMMENT Rex Lail, President of the Hildebran Heritage Development Association (HHDA), thanked the Mayor and Council for their support and asked for a \$2,500 donation for the Memorial Day weekend fireworks and for the HHDA festival.

**RESPONSE TO
CITIZEN
COMMENT SHEET** No citizen comment sheets were submitted.

**OLD BUSINESS:
ANNEX BUILDING
DEMOLITION
QUOTES** Mayor Cook stated that Council will discuss the annex building demolition quotes after the Closed Session.

**NEW DUPUTY CAR
UPDATE/OLD
DEPUTY CAR AND
BICYCLE** Mayor Cook reported that the Town purchased a specialty bicycle in the amount of \$850 several years ago for the Deputy at that time. She also stated that once the old deputy car has the Sheriff's equipment removed, the Town will not have much use for the car. She asked Council to consider selling the bicycle and the old deputy car and using the funds to purchase a small pickup truck for Maintenance Technician Bivens to use for Town business. She stated that he is currently using his personal vehicle. She requested Council to consider this action at the next Council meeting.

Concerning the new Deputy car, Mayor Cook reported that the Town has been granted an extension to the lease with Burke County until June 30, 2014 and distributed a copy of the lease to Council. She explained that the lease was supposed to have been signed July 1, 2013 but was overlooked and the County Manager explained that the County cannot insure the vehicle until the lease has been signed. She reported that the new vehicle has been in Raleigh for the past five weeks and once the lease has been signed, it will be presented to the Commissioners on Tuesday, January 29, 2014 and then they can insure the car. She stated once the car is insured, the vehicle can have the new equipment installed and will then be ready for use. She stated that once the new vehicle is used, the insurance on the current vehicle will be terminated. She stated the lease was simply an extension. She explained that the previous agreement stated that the Town will purchase the vehicle and pay the Deputy's salary, and the County will insure, maintain and pay for gas for the vehicle. She stated that this lease would extend that agreement until June 30, 2014 and a new contract will be presented on July 1, 2014.

Council Member Hildebrand made a motion to extend the lease entitled "Lease of Motor Vehicle to be used as Sheriff's Vehicle" with Burke County until June 30, 2014. Council Members Hildebrand and Banks voted in the affirmative.

Mayor Cook explained that if the lease was not signed, the County would not insure the car and the car would remain in Raleigh unless the Town wants to insure, maintain and pay for gas and that the funds are not in the budget at this time. She stated that discussions about the FY 2014-2015 Budget will begin in March. She stated that the contract with the County has been in place since 2008. She explained that the contract is renewable and that the Sheriff will meet with the Town Manager to discuss the new contract starting July 1 and any agreement will come before Council before a decision is made.

There was discussion about the maintenance issues with the car in the past and Attorney Dill stated that part of the contract states that the Town must provide a serviceable vehicle and the current car does not meet the terms of a serviceable vehicle. He stated that the Town could decide to not provide a Town Deputy and have the Sheriff Department do its regular patrol as they do for everyone else, or the Town could find another way to start its own police department or the Town could extend the contract to get the new vehicle here to use.

Council Member L. Lowman asked for the timeframe to get the new vehicle here and ready for use. Mayor Cook stated that the car could be here by the end of next week and Light-N-Up, LLC could get the equipment installed within a week. Office Manager Rankins stated that the staff and the Deputy will work together with other state troopers and other Sheriff's vehicles to determine the necessary items to install.

Council Member B. Lowman asked how long it will take to review the equipment that will be placed in the vehicle. Mayor Cook stated that the staff is reviewing that this week.

Council Member Hollowell stated he wanted all safety equipment on the car. He voted in the affirmative of extending the lease.

Council Member L. Lowman asked what type of leverage the Town would have with the contract beginning July 1 if the Town extends the lease now. He stated that any maintenance issues would be addressed with the dealership since the vehicle is new. Mayor Cook stated that the Town is providing a vehicle that the County is not paying for and that our Deputy would assist other Towns if needed and if our vehicle is needed for other services within the County, and our Deputy is not using it, the County has the right to use the vehicle. She explained that the

Town is helping the County by providing a vehicle and another Deputy at the expense of the Town. She stated that if the Town's Deputy needs assistance, other Deputies can provide backup and vice versa. She stated there are benefits to the Town and to the County.

Burke County Sheriff, Steve Whisenant, stated that he is a big advocate of community police because the Deputy gets to know the people, the businesses and who the people are that are committing crimes.

Attorney Dill stated that the leverage the Town would have is that the County gets a Deputy to add to the force with the Town paying the salary and the County also gets the vehicle with the Town paying for the car. He explained that the Town benefits are that it gets a Deputy that is covered by the County's insurance and a trained person that doesn't have to go to the BLET and the Town gets a police force without all of the contingent liability. He stated the Town would not lose any leverage. He stated that the Town would get a reliable car on the road. He stated that this is the cheapest way to get a police force without having to go through all the additional costs and expenses.

Council Member B. Lowman asked if other Towns have the same agreement with the County and Attorney Dill stated that Connelly Springs has the same agreement.

The motion passed unanimously.

**NEW BUSINESS:
PAINT THE
AUDITORIUM
STAGE FLOOR-
QUOTE**

Administrative Assistant Isenhour requested to table discussing painting the auditorium stage floor until the February 24, 2014 meeting to get quotes and more information. Council was in agreement.

Ms. Isenhour stated that she is working on planning two events in March and April and is working with other organizations to hold events in the auditorium. She reported that the stage lighting project is projected to be completed by the first of February. She also reported that she is working on a campaign to sell new seats in the auditorium and will provide Council with more information regarding the campaign. She also stated that she is working on marketing strategies for upcoming Town events.

**FARMERS
MARKET DATE
DECISION**

Administrative Assistant Isenhour suggested the Town's farmers market be held May 1 to Oct 31, 2014 on Tuesday's from 8:00 a.m. to 1:00 p.m. and to change the Saturday date to Thursday's from 2:00 p.m. to 6:00 p.m. She reported that the Town received \$5,000-\$7,000 in grants for the market and explained the inspection process required for the grants. Ms. Isenhour is looking to find sponsors for live music. Council was in agreement with the dates and times suggested by Ms. Isenhour.

RAILROAD
UPDATE AT HWY
70A

Mayor Cook stated that she met with the Track Engineer over Western North Carolina about the large hole at the railroad and he instructed all workers to stay away from that area and that he would get the necessary engineers to take care of the problem and it could take up to a couple of months. Mayor Cook stated that any residents seen at the area will be arrested by the Railroad for trespassing due to the danger. Mayor Cook stated she will keep Council informed of the progress.

PROPERTY TAX
UPDATE

Town Clerk Sanders stated that the tax collection rate report was in the agenda packet and over \$3,000 had been collected since she had printed the report and the updated percentage collected was now 91.38%. She stated that delinquent tax letters will be mailed February 3 and the Town will advertise any outstanding real property taxes in April, after Council's approval.

DEPUTY REPORT,
GARY TOWERY

Deputy Towery introduced himself. He stated that he has been a resident for over 50 years and he believes in patrolling, being proactive and being seen. He gave his December monthly report.

COMMITTEE
REPORTS &
UPDATES

Transportation Advisory Committee (COG) – Mayor Cook reported that the bridge on 33rd street has been removed and it will take 6-7 months to replace it. She reported that it will be widened and have a bicycle area on both sides.

Western Piedmont Council of Governments Policy Board – Council Member Hildebrand stated no meeting was held.

Burke Economic Development – Mayor Cook stated that she was not notified of the meeting.

Recreation & Tourism Committee (COG) – Council Member B. Lowman stated that she needs to meet with Mike Orders.

Water Resource Committee – Planner Pilkenton was not in attendance.

VEDIC (Valdese) – Mayor Cook stated that three loans for economic development were discussed and two were approved.

FACILITIES
UPDATE

No report at this time.

Mayor Cook reminded Council about the Western Piedmont Council of Government annual meeting on Tuesday, January 28 and pointed out the memo from Town Clerk Sanders concerning public records and Official Meetings.

CLOSED SESSION

Council recessed into closed session at 7:55 p.m. pursuant to General Statute 143-318.11 (5) (a) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on

behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Council Member Hollowell made a motion to return to open session at 8:12 p.m. All voted in favor.

Council Member Banks made a motion for the Town to authorize Attorney Dill to contact the Burke County School Board to present the Town's offer to acquire the property, commonly known as the annex building, upon mutual acceptance of terms and conditions and present that back to the Board. All voted in favor.

OTHER BUSINESS

Mayor Cook stated that the East Burke High School band requested a donation from the Town to assist the band with their trip to Normandy, France. Office Manager Rankins stated that there is a line item for miscellaneous appropriations that has \$300 in it that could be used. Attorney Dill asked if the Town can legally make a donation to the school system. Office Manager Rankins stated that he didn't know if it was technically the school system but was for the band. Council took no action.

Council Member B. Lowman wanted to report to the Deputy that she left three messages on the Town's voicemail and no one returned her call. She asked for an overview from the Deputy for what the number is for and when a resident should call the number.

ANNOUNCEMENTS

Mayor Cook reminded all Council members that issues discussed during closed sessions are confidential and are not to be discussed with anyone. She reported that the closed session minutes will be sealed and are still confidential.

Town Clerk Sanders stated that the past three months of minutes and agendas are now placed on the Town's website and will be kept current.

ADJOURNMENT

All business being concluded, Council Member Hildebrand made a motion to adjourn at 8:24 p.m. All voted in favor.

I attest these are the approved minutes of the Board.

Alice Sanders, Town Clerk

Virginia Cook, Mayor