

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

**JANUARY 28, 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** Theresa Hunt led a prayer.
- PLEDGE OF ALLEGIANCE** Clerk Sanders 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 Manager Thomas Drum, Town Clerk Alice Sanders, and Finance Officer Fredrick Rankins.
- CITIZENS & MEDIA PRESENT** See attached sheet.
- APPROVAL OF AGENDA** Four amendments to the agenda were requested, as follows:
1. Consider Approval of Resolution for Appointment of Review Officer
 2. Consider Approval of Splash Pad at the Hildebran Community Park
 3. Discussion Regarding Bus Transit in Town
 4. Closed Session for Personnel Reasons
- Council Member York made a motion to approve the agenda, as amended. Council Members Honeycutt, Messer, Smith and York voted in favor. Council Member Herrell was opposed. The motion carried.
- APPROVAL OF MINUTES** Council Member York made a motion to approve the December 17, 2019 regular meeting minutes and the December 17, 2019 closed session minutes. All voted in favor.
- PUBLIC COMMENTS** Bethany Mace and Heather Setzer with the Robotics Team thanked Council for the lease of the meeting room at the Albert Parkhurst Municipal Complex and provided an update about the team.

Matthew Church provided comments regarding the maintenance position and pictures of the facilities that Council Member York provided at the last meeting.

PUBLIC HEARING

Mayor Hildebrand opened the public hearing pertaining to ZTA 18-2 allowing accessory structures used for security purposes in the front yard of properties zoned General Manufacturing at 7:13 p.m.

Hunter Nester, Town Planner, reminded Council that the addendum to ZTA 18-2 was reviewed at the December 17, 2018 regular meeting and that Council had requested clarification from the Planning Board about the setback requirements. The Planning Board decided that the setback for the accessory structures would be 100’ from the front property line with the current requirements for the rear and side yards. He reviewed the changes of ZTA 18-2.

Matthew Church stated that someone wanted to come to Hildebran and he asked if this ZTA would allow that person to come. Mr. Nestor responded that it was his understanding that it would.

There being no further comments from the public, the hearing was closed by Mayor Hildebrand at 7:16 p.m.

**OLD BUSINESS:
CONSIDER APPROVAL OF
ZTA 18-2 PERTAINING TO
ALLOWING ACCESSORY
STRUCTURES USED FOR
SECURITY PURPOSES IN
THE FRONT YARD OF
PROPERTIES ZONED
GENERAL
MANUFACTURING**

Council Member Herrell made a motion to approve ZTA 18-2 pertaining to allowing accessory structures used for security purposes in the front yard of properties zoned General Manufacturing, as presented. All voted in favor. A copy of the ZTA is hereby incorporated by reference and made a part of these minutes (Attachment A).

**APPOINT WILLIAM
“BILLY” L. RICKLES, JR.
AS TOWN CODE
ENFORCER**

Council Member Messer made a motion to appoint William “Billy” L. Rickles, Jr. as the Town Code Enforcer. All voted in favor. Clerk Sanders will provide the oath of office to him at a later date.

**CONSIDER APPROVAL OF
INCORPORATING THE
“CODE ENFORCEMENT
PROPERTY
MAINTENANCE CODE” IN**

At the December 2018 regular meeting, Council officially approved the “Code Enforcement Property Maintenance Code” which needs to be incorporated into the Code of Ordinances. Council Member Herrell made a motion to incorporate the “Code Enforcement Property Maintenance

THE CODE OF ORDINANCES

Code” into the Code of Ordinances, repeal Section 3 and Section 5 of the Code of Ordinances, and adopt the revised version of the Code of Ordinances in its entirety. All voted in favor.

CONSIDER APPROVAL OF REQUEST FROM RELAY FOR LIFE TO USE COMMUNITY ROOM AND AUDITORIUM AT NO COST

At the December 2018 regular meeting, Council approved the use of the auditorium at no cost for the Relay for Life TAMS concert to be held on October 19, 2019. Representatives from Relay for Life have also asked for the use of the Auditorium on October 18, 2019 (for setup) and the community room on October 18-19, 2019 at no cost. Sherry Stilwell provided a letter with the official request.

Council Member Smith made a motion to grant the request from Sherry Stilwell/Relay for Life to use the auditorium on October 18, 2019 as well as the Community Room on October 18-19, 2019 at no cost for the purpose of a fundraiser event.

Council Member Herrell stated that the point of rental property is to make money and that the taxpayers paid over \$200,000 to renovate the auditorium. He asked that Council be consistent with its decisions when requests are brought before the Board to use the Town’s facilities at no cost. He reminded the Board that it chose to deny a similar request to Bruce Long.

Council Members Honeycutt, Smith and York voted in favor of the motion. Council Members Herrell and Messer were opposed. The motion carried.

CONSIDER APPROVAL OF ADDITIONAL TOWN STREETS TO BE PAVED

The contractor for the current street paving project has agreed to allow the Town to add more streets to the existing contract at the same price if the contractor is allowed more time to finish the project. The Town of Hildebran Paving Priorities worksheet, prepared by West Consultants in 2016, was provided to Council to review. Council Member Herrell suggested that the Town take the roads at the top of the list that are in the worst shape, except for Cline Park Court, since there are no residents or businesses on that street.

Council Member Herrell made a motion to approve a change order to the existing town street paving project to add the following streets, as well as any additional engineering fees:

- 1st Street, SE

1st Avenue, SW
Lisa Lane
Holly Ridge Court
4th Street, SW
All voted in favor.

**CONSIDER APPROVAL OF
RESOLUTION SETTING A
PUBLIC HEARING TO
CONSIDER THE PROPOSED
ESTABLISHMENT OF A
MUNICIPAL SERVICE
DISTRICT**

A resolution was provided to Council accepting a report from the Town Manager regarding the establishment of a Municipal Service District (MSD). Mr. Drum reviewed the report. He stated that he created the proposed map of the MSD based on guidance given to him from Council at the last meeting to use the existing Central Business District, not the Highway Business District. He stated that after he removed the majority of the residential properties as directed by Council at the last meeting, there were approximately thirty (30) owners in the district. Council can choose to expand the MSD, or create a new MSD, in the future. Mr. Drum stated that if the resolution is approved, the public hearing will be held on March 25, 2019. The first vote of the proposed MSD will be held at the April 23, 2019 regular meeting. The second vote of the proposed MSD will be held at the May 20, 2019 regular meeting.

Council Member Messer made a motion to approve the resolution accepting a report from the Town Manager, setting a public hearing and designating the Town Clerk to publish, mail and certify the notice for the public hearing to consider the proposed establishment of a Municipal Service District, as presented. All voted in favor. A copy of the resolution is hereby incorporated by reference and made a part of these minutes (Attachment B).

**UPDATE ON SITE SURVEY
AT THE OLD SCHOOL
BUILDING**

Mr. Drum provided the final site survey at the old school building, performed by West Consultants. No action was taken. A copy of the site survey is hereby incorporated by reference and made a part of these minutes (Attachment C).

**RESOLUTION FOR
APPOINTMENT OF THE
REVIEW OFFICER**

Clerk Sanders reported that the Town Planner, Rebecca Bleich, has taken another position and no longer works for the Town. Hunter Nester, Community and Regional Planner at the Western Piedmont Council of Governments (WPCOG), is working as the Town Planner until a permanent replacement is provided by the WPCOG. Mr. Nester will need to replace Ms. Bleich as the Town's Review Officer.

Council Member York made a motion to approve the resolution for the Burke County Commissioners to remove Rebecca Bleich as the Town’s Review Officer and appoint Hunter Nester as the Review Officer for the Town of Hildebran, as presented. All voted in favor. A copy of the resolution is hereby incorporated by reference and made a part of these minutes (Attachment D).

CONSIDER APPROVAL OF SPLASH PAD AT THE HILDEBRAN COMMUNITY PARK

Council has previously discussed installing a splash pad at the Hildebran Community Park. Mr. Drum had previously provided a report to Council detailing the estimated costs, grant monies available, parking options and water usage options. Mayor Hildebrand stated that he felt the splash pad is needed since the pool is no longer being used. Council Member Herrell agreed with Mayor Hildebrand and stated that the addition of the splash pad would bring in additional rentals for the depot and pavilion and attract young people to the Town. He stated that now would be the time to begin the work since it would take several months to secure grant money and for the splash pad to be installed. In addition, there is \$50,000 in future budgets that can now be redirected to the splash pad and facility maintenance since the new Town Hall has been paid in full.

Council Members York and Smith felt that it was more important to take care of current maintenance issues. After further discussion, Council Member Herrell made a motion to approve the addition of a splash pad, with the fresh water system, at the Hildebran Community Park. Council Members Herrell and Honeycutt voted in favor of the motion. Council Members Messer, Smith and York were opposed. The motion did not carry.

DISCUSSION REGARDING BUS TRANSIT IN TOWN

Brian Horton, Transportation Planning Manager at the WPCOG, provided a report to Council about the flex route program and provided a handout of where Town citizens work. He reminded the Board that a van service is available for Town residents. He stated that a fixed route is not in the immediate future for Hildebran. No action was taken.

**NEW BUSINESS:
DISCUSSION REGARDING VEDIC APPOINTMENT**

Council Member Herrell stated that Council had initially appointed Karen Robinson to serve as the Town’s representative on the VEDIC committee since no official Council Member was available. He stated that he wanted to reassess this appointment and suggested either a

member of Council attend or the Town Manager. Council Member York stated that she is working full time and no other Council Member was available to meet during the day. Council Member York made a motion to keep Karen Robinson as the Town's representative for VEDIC. Council Members Honeycutt, Messer, Smith and York voted in favor of the motion. Council Member Herrell was opposed. The motion carried.

FACILITIES REPORT

Mr. Drum reviewed the facilities report and provided quotes for pressure washing, landscaping at the Albert Parkhurst Municipal Complex, removal of the Scots Pine tree in front of the gym entrance, landscaping at the park, the removal of ivy growing up 47 trees in the park, and attic/room remediation of bat guano on the 3rd floor of the Albert Parkhurst Municipal Complex. Mr. Drum pointed out that the quotes for pressure washing and landscaping at the park are for a one-time event and will need to be maintained.

There was discussion about maintenance personnel and it was the consensus that one part-time worker cannot meet all of the Town's needs.

Council Member Herrell made a motion to direct the Town Manager to hire an additional part-time worker to work during normal business hours, buy a pressure washer, approve quote #303 from The Grounds Keeper to trim shrubbery and mulch around the Albert Parkhurst Municipal Complex in the amount of \$2,850 and approve quote #306 from The Grounds Keeper to remove the large Scots Pine tree in front of the gym entrance in the amount of \$2,700. All voted in favor.

Council Member Herrell made a motion to approve the quote from Terminix for attic/room remediation of bat guano and the removal of all ceiling tiles on the 3rd floor of the Albert Parkhurst Municipal Complex in the amount of \$57,821.32. All voted in favor.

Mr. Drum stated that a budget amendment would need to be approved for the aforementioned approved quotes. Council Member Messer made a motion to approve Budget Amendment #02, General Fund, to fund removal of bat guano and cleanup on the third floor at the Old School Building, and various landscaping tasks at the Albert L. Parkhurst Municipal Complex, including the removal of the large Scots pine tree beside the gym at the

parking lot, in the amount of \$64,000. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment E).

2018 FACILITY RENTAL REPORT

Clerk Sanders provided a report demonstrating income from all facility rentals for 2018 as well as all events in 2018. No action was taken.

Council also discussed the mold issue in the Band Room in the auditorium. The room had flooded due to a leak in the past. Mold is currently dormant underneath the raised floor and the humidity is monitored on a monthly basis. Mr. Drum stated that Council could tear out the entire complex of flooring or treat the mold and then repair the flooring. Council Member Honeycutt made a motion to tear out all of the raised flooring in the Band Room. All voted in favor.

CONSIDER 2019 TOWN EVENTS

Clerk Sanders provided a report of last year’s events held by the Town and a recommendation for this year’s events. Council was in agreement with the suggestions with the exception of adding a craft show in November 2019. The events will include a farmers market, two community yard sales, one craft show, and assisting HHDA with the Christmas parade. Council Member Herrell made a motion to approve the 2019 Town Events, as amended. All voted in favor. A copy of the events is hereby incorporated by reference and made a part of these minutes (Attachment F).

Clerk Sanders asked Council if it preferred meat and dairy to be sold at the farmers market. It was the consensus to allow these items.

DECEMBER TAX REPORT

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

DECEMBER DEPUTY REPORT

The December deputy report was provided to Council to review.

COMMITTEE REPORTS

Transportation Advisory Committee (COG) – No report.

WPCOG Policy Board – Council Member Honeycutt reported that he would email the minutes to Council.

Burke Economic Development Representative – No report.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC – Karen Robinson reported that the committee's audit was completed. The Town of Glen Alpine has joined VEDIC. Some qualifying VEDIC loans might be transferred to bank loans in order for clients to get a better loan rate and free up more money for re-lending. VEDIC and WPCC are having a free program on Business Security at the Higher Education Bld Room 248 from 5:30 – 7:30 p.m. on February 21st. One new loan was approved. VEDIC has a new website. VEDIC has made \$5 million in loans, creating 451 new full-time jobs and 159 part-time jobs. 75% of all loans have been made in Burke County.

Library Board – The library is hosting a cultural event on May 4th from 12:00 – 4:00 p.m. Storytelling, dancing and a food truck will be at the library.

CLOSED SESSION

Council Member York made a motion at 8:45 p.m. to recess into closed session according 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. Council Members Honeycutt, Messer, Smith and York voted in favor. Council Member Herrell was opposed. The motion carried.

Mayor Hildebrand called for a five minute recess and called the meeting back to order at 8:50 p.m.

Council Member Honeycutt made a motion to return to open session at 9:30 p.m. All voted in favor.

OTHER BUSINESS

Council Member York made a motion to call a special meeting on February 11, 2019 at 6:15 p.m. in the Council's Chambers located at 202 South Center St. for the purpose of consideration of the termination of the Town Manager's employee agreement/contract. Council Members Honeycutt, Smith and York voted in favor. Council Members Messer and Herrell were opposed. The motion carried.

ANNOUNCEMENTS

None.

ADJOURN

All business being concluded, Council Member Smith made a motion to adjourn at 9:33 p.m. All voted in favor.

I attest these are the approved minutes of the Board.

Alice Sanders, Town Clerk

Wendell Hildebrand, Mayor