

**TOWN OF HILDEBRAN
TOWN HALL
COUNCIL'S CHAMBER**

**NOVEMBER 23, 2015
7:00 p.m.**

**REGULAR MEETING
MINUTES**

**CALL TO ORDER AND
INVOCATION**

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 Virginia Cook, Council Members Brenda Banks, Wendell Hildebrand, Barbara Lowman and Lee Lowman. Council Member Jamie Hollowell was absent.

STAFF PRESENT

The following staff members were present: Attorney Redmond Dill, Town Clerk Alice Sanders, Finance Officer Fredrick Rankins, and Administrative Assistant Rebecah Isenhour.

CITIZENS PRESENT

See attached list for other citizens.

MEDIA

No one from the media was in attendance.

**PLEDGE OF
ALLEGIANCE**

The Pledge of Allegiance to the United States flag was led by Council Member Hildebrand.

**ADOPTION OF
AGENDA**

Council Member B. Lowman made a motion to amend the agenda to add "Town Manager Discussion" under New Business. All voted in favor. Council Member Banks made a motion to approve the agenda as amended. All voted in favor.

**APPROVAL OF
MINUTES**

Council Member B. Lowman made a motion to approve the October 26, 2015 regular meeting minutes. All voted in favor.

PUBLIC COMMENT

Richard Bell emphasized that Council is a servant of the people.

Michael Huffman stated that he wants everyone to come together and get along.

Vivian Wilson suggested an open forum to discuss the old school building.

**PUBLIC HEARING-
ADDITION OF
EMERGENCY
MANAGEMENT
ORDINANCE TO THE
CODE OF ORDINANCES**

Mayor Cook opened the public hearing at 7:12 p.m. She explained that the hearing is for an amendment to the code of ordinances concerning the emergency management ordinance. The proposed ordinance provides an avenue whereby the Mayor of the Town of Hildebran can take action on an emergency basis. In order for the Town to be eligible for funds from FEMA during emergencies, the Town must have an ordinance in place and the Mayor must declare a state of emergency.

Richard Bell asked where the ordinance came from. Ms. Sanders responded that the ordinance was derived from a template from another town posted on the UNC School of Government's emergency management website page. Mr. Bell asked how applicable it was to Hildebran. Mayor Cook responded that the ordinance allows the Town to receive FEMA funds in case of an emergency. Mr. Bell clarified that any ordinance would work and that the Town used an ordinance from the UNC School of Government. Mayor Cook confirmed.

Michael Huffman asked if the ordinance would help people be aware of what is going on around them during emergencies. Mayor Cook stated that the ordinance allows the Town to apply for federal funding through FEMA if anyone has damages during a state of emergency.

There being no other comments, Mayor Cook closed the public hearing at 7:14 p.m.

**OLD BUSINESS:
EMERGENCY
MANAGEMENT
ORDINANCE
APPROVAL**

Council Member Hildebrand made a motion to adopt the emergency management ordinance. All voted in favor. A copy of the ordinance is hereby incorporated by reference and made a part of these minutes (Attachment A.)

**EMERGENCY
MANAGEMENT
ORDINANCE-
INCORPORATE INTO
THE CODE OF
ORDINANCES**

Council Member B. Lowman made a motion to incorporate the emergency management ordinance into the Town's code of ordinances. All voted in favor.

**2016 CRUISE IN
PLANNING**

Mayor Cook stated that dates and a budget for upcoming cruise ins need to be discussed at the January meeting. Council Member Hildebrand asked what the expenses for cruise in staffing was for. Mayor Cook stated that the Town hired three students to help with clean up. Mr. Hildebrand thanked Council Member Banks for her previous comments about Rex Lail starting the cruise ins. Ms. Banks asked if the Town needs to have the cruise ins twice a month. She also requested that the Town have family days to involve children instead of cruise ins. Mayor Cook requested Council to email her any other ideas for discussion at the January meeting.

**DIGITAL SIGN AT
AUDITORIUM**

Mayor Cook will provide quotes at the December meeting which will be less expensive than the sign at CVS. Council Member Hildebrand asked what feedback has been received about the sign at CVS and stated that he had heard it is hard to

read. Mayor Cook stated that if people are going the speed limit, it will be able to read. She also instructed Ms. Isenhour to speed up the amount of time between slides.

NEW BUSINESS:

**AC/HEATING UNIT FOR
SENIOR CENTER-
APPROVAL**

Ms. Isenhour reported that the AC unit in the senior center stopped working. Four Seasons was contacted to evaluate the thirteen year old unit. The price quoted to repair the unit was \$5,270.00 and the price for a new unit was \$8,270.00. Ms. Isenhour called each Council member and the consensus was to replace the unit. Council needs to officially vote to approve the purchase. Council Member B. Lowman made a motion to approve the purchase of the new ac/heating unit from Four Seasons Heating & Air in the amount of \$8,270.00. All voted in favor.

**CHRISTMAS PARADE
REPORT**

Ms. Isenhour reported that new, Ford Mustangs have been obtained at no cost from Cloninger Ford for the Mayor and Council members to ride in during the parade. Candy and new bags have been purchased.

FACILITIES REPORT

Ms. Isenhour provided her facilities report. Mayor Cook announced that the Holiday Craft, Art & Food show was a huge success.

Ms. Sanders reported that staff has been working on delinquent sewer accounts and that there are fourteen accounts that are ready to be sent to the attorney for collections. She reviewed the Town's policy that the attorney will send a letter giving 10 days to pay the accounts in full. If payment is not received, the sewer will be plugged at a minimum of a \$500.00 charge to the customer. If payment is received, the fees to unplug the sewer will also be charged to the customer. In addition, a \$100 attorney fee and a \$100 nonpayment fee will also be charged to the customer. She asked for direction from Council before starting the collection process. Council was in agreement to engage the attorney and begin the collection process.

Ms. Sanders also addressed a separate issue with Paul Aulbach. He has fulfilled his part of the agreement except for putting in a meter. She explained that there are three lines and eight taps on the property at this trailer park. Council was in agreement for Attorney Dill to send a letter to give Mr. Aulbach a 30 day notice to install the meter.

OCTOBER TAX REPORT

Ms. Sanders gave the October 2015 tax report. The report is hereby incorporated by reference and made a part of these minutes (Attachment B.)

DEPUTY REPORT
GARY TOWERY

Deputy Towery gave his report for the month of October 2015.

COMMITTEE REPORTS
& UPDATES

Transportation Advisory Committee (COG) – Mayor Cook reported that exit 105 is complete except for the cross lights. There are two projects in Catawba County and one project in Caldwell County that will be starting soon. The water issue at exit 119 has been completed but Mayor Cook has contacted the DOT since there is still water on the road.

Western Piedmont Council of Governments Policy Board - Council Member B. Lowman reported that the meeting is tomorrow.

Burke Economic Development – Mayor Cook reported that there were three meetings. The new Director, Alan Woods, is working on bringing in new businesses. There is one business that will be providing approximately 30 jobs that will be located right outside Town limits and one business within Town limits that will provide approximately 15 jobs.

Recreation & Tourism Committee – Council Member Hollowell was not in attendance.

Water Resource Committee – Ms. Schotte was not in attendance.

VEDIC (Valdese) – Mayor Cook reported that the meeting was held in closed session. The committee is anticipating to provide loans to five businesses.

TOWN MANAGER
DISCUSSION

Mayor Cook reported that Sherry Long from the WPCOG reported that the Town of Catawba is considering hiring a part-time town manager and asked if the Town of Hildebran would be interested in sharing a part-time town manager. She reported that a manager could organize the office, give direction and attend some of the committee meetings. Council was provided information from the WPCOG, the statute regarding duties of a manager and other benefits of a manager. It was clarified that \$53,854.00 is the Town's portion and includes all benefits and will be contracted through the WPCOG for a two year commitment. Council Member Banks stated that the Town did need a manager.

Council Member Hildebrand stated that the amount of the salary would be enough to get another full-time deputy. Mayor Cook stated that the Town has a full-time and part-time deputy and that

there is no need at this time for another deputy. Mayor Cook stated that the current arrangement with the County concerning the deputy position should remain the same.

Council Member B. Lowman asked how the addition of a manager would affect the current employees since some of the responsibilities in the statute are currently being performed by employees. Mayor Cook responded that there could be some changes with the employees. Attorney Dill suggested that the Council members talk amongst themselves about what it wants and how to reorganize the office as well as what it expects out of a manager. Mayor Cook stated that the topic will be discussed at the January meeting.

**OTHER BUSINESS:
CHRISTMAS GIFT TO
EMPLOYEES**

Mayor Cook stated that historically, Town employees have been given a Christmas gift of one week's salary and asked if Council wanted to continue this gift this year for all employees. Council Member Banks made a motion to pay all town employees one week's salary for Christmas to be paid the first week of December. All voted in favor.

**LIBRARY AND
WARLICKS CHURCH
RIBBON CUTTINGS**

Mayor Cook reported that the library had its dedication and ribbon cutting this month. In addition, Warlick's Baptist Church was awarded a Kate B. Reynolds grant for a park and volunteers worked over a weekend to finish the park. A dedication and ribbon cutting was held on November 14th. A walking track is the next phase of the project.

**RESCHEDULE
DECEMBER REGULAR
MEETING**

Mayor Cook asked to reschedule the December meeting from the 28th to the 21st due to Christmas. Council Member B. Lowman made a motion to reschedule the December regular meeting to Monday, December 21, 2015.

OLD SCHOOL BUILDING

Council Member Hildebrand stated that on November 2, 2015, Johnny Childers brought an engineer to look at the old school building and was denied access. Mayor Cook stated that she told them that they needed to check with the attorney since the case is in litigation. Attorney Dill stated that Jason White called him about the denied access. Mr. Dill stated that he informed Mr. White that the court of appeals told the Town to maintain the status quo of the building which was to keep it secure and locked and that is what the Town has done.

Council Member Hildebrand stated that Tobe Childers showed interest in the building and stated that he wanted to purchase the building to renovate and put a call center in, which would bring 100 jobs. Mr. Hildebrand stated that Mr. Childers claimed that he was treated rudely by the Town and Mr. Hildebrand wanted to

know why he was treated rudely. Mayor Cook stated that she has records that she attempted to call Mr. Childers five times before he called her back. Mayor Cook stated that Mr. Childers gave her the same information that Mr. Hildebrand just said and that Mr. Childers had a small timeframe and was not guaranteeing 100 jobs. She also stated that the Town cannot sell the old school building. Mr. Dill stated that the school system would have to be contacted to approve any changes of ownership of the property and as far as he knew, Mr. Childers had not contacted the school system.

Mayor Cook stated that Mr. Childers did not mention that anyone had been rude to him and she did not know who was rude to him and that she had never talked to him until the past ten days. She stated that she made five calls to him and that she recorded the discussion with him and that he could not put in writing that he could offer 100 jobs.

Council Member L. Lowman stated that he had only gotten one call regarding the old school building and that was from Rex Lail. He stated that people were accusing Council of not listening but he had not received any calls. He stated that he was being accused by a gentleman that he has never heard of until the last past week and a half. He and Council Member Banks stated that they had never heard of the proposal from Mr. Childers. He stated if the proposal was so important to Mr. Childers, he should come to a meeting and speak at the podium.

Mayor Cook stated that the two Town attorneys have instructed her and Town employees to not make comments regarding the building.

Attorney Dill stated that he didn't believe that Mr. Childers ever filed a formal, written contract, which is necessary. Council Member L. Lowman reiterated that the Council had never heard of this proposal prior to two weeks ago and asked why it wasn't put in writing.

Council Member Hildebrand stated that if there was a chance to get a business with 100 jobs in the Town, that we would be doing all we could to get that business into Town, except that this is about the school.

Mayor Cook stated that with her conversation with Mr. Childers, he did not mention anything about a business nor what type of business it was. She also stated that he was unable to guarantee any specific number of jobs, and that he said it would be a good investment for the Town and that he wanted to purchase the

building. She stated that she informed him that the Town could not sell the building and that she was disappointed that he was not at the meeting. Council Member Banks reiterated that the Town does not have the authority to sell the building.

ANNOUNCEMENTS

None at this time.

ADJOURNMENT

All business being concluded, Council Member B. Lowman made a motion to adjourn at 8:19 p.m. All voted in favor.

I attest these are the approved minutes of the Board.

Alice Sanders, Town Clerk

Virginia Cook, Mayor