

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

**APRIL 23, 2018
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	Pastor Michael Johnson led a prayer.
PLEDGE OF ALLEGIANCE	Mayor Hildebrand 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	Council Member York made a motion to approve the agenda. All voted in favor.
APPROVAL OF MINUTES	Council Member York made a motion to approve the March 26, 2018 special meeting minutes and the March 26, 2018 regular meeting minutes, with the amendment to correct the typo of the spelling of "earth" on page 9. All voted in favor.
PUBLIC COMMENTS	Michael Doss, Jr. voiced concerns about tires being stored too close to the road at the property located at 600 US Hwy 70 W.
OLD BUSINESS: CONSIDER HHDA REQUEST FOR WATER, POWER AND STORAGE AREA FOR CRUISE INS AND SEPTEMBER FESTIVAL	Rex Lail, Hildebran Heritage Development Association (HHDA) President, was in attendance and requested that HHDA be allowed to use the Town's power, hot water, and storage space during the five months of the cruise ins and the September festival. Mr. Lail stated that he would need the existing 220 outlet at the breezeway repaired so he could connect power to the stage for the bands. He also asked to be able to connect directly to the Town's hot water heater located near the women's restrooms at the old

town hall. He also asked for a place to store the ice cream maker and supplies.

Mayor Hildebrand stated that he and Johnny Childers looked at possible sites to store the ice cream machine and suggested the old boys' locker room in the gym.

Council Member Herrell asked if the water and power hookups still work since the fire. Mr. Drum stated that he did not know, but if the power had been hooked up before for events then he would make sure it will be working for the cruise ins. He also stated that there are a few power boxes with outlets on poles that could be used as a backup plan. Mr. Drum also asked for clarification about where HHDA would use hot water. Mayor Hildebrand stated that in the past, HHDA had hooked up to the hot water heater at the women's restrooms in the old town hall.

Council Member Herrell made a motion to allow HHDA to use the Town's power, hot water, and storage space in the old boys' locker room for the five (5) cruise ins to be held on May 26, 2018, June 16, 2018, July 21, 2018, August 18, 2018 and September 15, 2018 and the September festival to be held on September 15, 2018. All voted in favor.

CONSIDER YEARLY
AUDITORIUM LEASE BY
PASSION CHRISTIAN
FELLOWSHIP

Pastor Michael A. Johnson from Passion Christian Fellowship is currently renting the old library building and has submitted a proposal to Council for consideration of a lease agreement for the auditorium for use by his church. The proposal includes the following:

- Monthly rent of \$200.00.
- The museum will remain in the downstairs rooms, with the exception of the band room and restrooms that will be available for the church's use.
- The power will be placed in the church's name and carry all necessary insurance.
- The Town can still show its previously scheduled movies. The church will provide a member of its A/V staff to run the Town's sound board, at no cost.
- The lease will be for one year, with a renewal option after the first year. The agreement would allow a 60 day vacate by either party after the first year.

Pastor Johnson also stated that outside events might could be scheduled as long as the church is made aware of the event well in advance. He stated that future proposals to the Town would be offered.

Mr. Drum stated he had met with Pastor Johnson and initially decided upon rent as \$300 a month. After further discussions, it was decided that if the church put the power in the church's name, the rent would be reduced to \$200 a month. Power to the auditorium is paid for by the Town, including the rooms that HHDA rents for the museum. There is not a way to separate power usage by rooms. The Town would save \$8,000 to \$9,000 a year in utility fees if the church were to take over the power. With the addition of the monthly lease income, the Town would show a revenue increase of \$10,000-\$12,000 a year if the Board approved the proposed lease with the church.

Council Member York asked if anyone else has expressed interest in leasing the auditorium on a monthly basis. Mr. Drum stated that CAST has shown interest, but an official proposal has not been brought to the Board. Council Member Honeycutt stated that CAST is working on a proposal and would bring it to the Board for consideration at the May regular meeting.

Council expressed concern about limiting other events in the auditorium if the lease was approved. Council Member Herrell made a motion to postpone this topic until the May 21, 2018 regular meeting in order to allow all interested parties to present proposals. All voted in favor.

PRESENTATION FROM
CITIZEN FOCUS GROUP OF
YOUNG ADULTS THAT
HAVE IDEAS FOR THE
TOWN MOVING
FORWARD

Calvin Reyes addressed the Board concerning ideas for the future and growth of the Town. He was joined by a citizen focus group that included Mike Loeb, Will Locke and Jordan Johnson. Mr. Reyes stated that the group would like to work with the Town to develop a strategic plan to bring young professionals and investors to the Town. He stated that his plan includes research and survey, identify opportunities, develop short and long term strategies, and then act on those strategies. He stated that his group would like to offer its services to the Town.

Council Member Herrell stated that he was very appreciative of the group and the vision the group has for the Town and looked forward to working with them.

DISCUSSION ON
RESEARCHING
ACTIVITIES THAT THE
YOUTH WOULD LIKE TO
SEE IN TOWN

Mayor Hildebrand stated that there were comments from the public at the March special meeting regarding activities for the youth. Council Member Herrell stated that adding a splash pad in the park would be a good idea since funding to open the pool is not available at this time. He would like to determine if grant funds would be

available and how much it would cost to add. He stated that he felt a splash pad would drive visitors to the park. He would also like to see signage along Town roads with directions to the park.

Council Member Herrell stated that a youth center was mentioned in the past. Pastor Michael Johnson had mentioned that if his church was allowed to lease the auditorium, he had ideas on how to involve youth.

Mr. Drum stated that the cycle for grant funding would begin in the spring of 2019. In order to prepare for the grant application, the Town should hire a consultant from the Western Piedmont Council of Governments (WPCOG) in July/August of 2018 so as to develop a master plan for recreation, including the splash pad. Mr. Drum noted that the PARTF grant is a 50/50 match grant. Mr. Drum stated that a vacant area in the center of the park was the only place to put the splash pad; however, some site work would have to be performed to create a level construction base.

Council Member Herrell stated that people that rent the depot would have the splash pad available for use. He stated that there were many different sizes and features to choose from. Council Member York stated that starting small and adding features in the future could be an option. Council Member Herrell stated that the Board would need to be mindful of the current budget obligations and the Board's commitment to not raise taxes. There was also discussion about economic development, and Mr. Drum stated that there were funds in an economic development account from previous years.

RESCIND CONTRACT
WITH WEST
CONSULTANTS TO
PERFORM A SITE SURVEY
AT LOCATION OF OLD
SCHOOL BUILDING

Council voted at its March regular meeting to approve a contract with West Consultants to perform a site survey at the old school building site. After further discussions, Council decided to rescind the motion during the same meeting. According to "suggested rules of procedure," a motion can only be rescinded at a future meeting. In order to follow proper procedures, Council Member Herrell made a motion to rescind the contract with West Consultants to perform a site survey at the old school building site that was originally approved at the March 26, 2018 regular meeting. All voted in favor.

CONSIDER LEASE
AGREEMENT WITH DON

Council Member Herrell stated that he had talked to Don Barber, who was in attendance. He stated that he had

BARBER TO USE TOWN
HALL PROPERTY FOR
ELITE K-9 TRAINING

talked to Council members individually to get their thoughts about the lease. He felt that the secondary benefits to having this training in Town was very beneficial. He suggested that Council approve a lease that starts with a low rate for the first few months and then increase the rate, which would give Mr. Barber time to get established. He proposed that the lease amount be \$5 per month for May 2018 through September 2018. Beginning October 2018, the lease amount would increase to \$150 through June 30, 2019. The lease would be on a month to month basis. The lease would be up for review each year.

Mr. Drum asked Council if utilities would be included in the lease. Mr. Rankins stated that power for the old town hall offices was around \$400 per month. Water and sewer is minimal. It was the consensus of Council to not charge for utilities for now, but could reconsider at a later date.

Council Member Herrell made a motion to approve a month to month lease with Don Barber to use the old town hall administrative offices along with intermittent use of all other vacant rooms in the same building as well as the showers in the gymnasium; provided, no other rentals were to be interfered with, for \$5 per month, starting May 2018 through September 2018, and then increase rent to \$150 per month from October 2018 through June 30, 2019, not to include utility charges. All voted in favor.

Mr. Barber stated that as time goes on, he would like to use the band room. He would also like to use the auditorium on Sunday afternoons for children to be able to meet the dogs.

CONSIDER REVISED
'SERVING OF ALCOHOLIC
BEVERAGES AT TOWN
RENTAL FACILITIES'
POLICY

At the advice of Attorney Dill, staff researched ABC permit requirements for the serving of alcohol at the depot and community room, as previously approved by Council at the March meeting. There were a few stipulations that the Town needs to set in its policy in order to be compliant with all laws and to ensure an ABC permit is not required from the host. In addition, the Town's insurance was contacted and Mr. Drum stated that the renter must purchase special event insurance coverage that includes a liquor liability rider to protect the renter and the Town. The revised policy was presented for approval.

Council Member Herrell made a motion to approve the revised 'Serving of Alcoholic Beverages at Town Rental Facilities' Policy. All voted in favor. A copy of the policy

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

DISCUSSION REGARDING
EASEMENT AT 5TH STREET
PLACE, SW FOR A
TURNAROUND

Mr. Drum reported that he and Todd Poteet from West Consultants met with Mr. Lloyd, Jr., the heir to the property at 609 5th Street Place, SW, regarding the creation of a turnaround at his property. After the meeting, Diane Eckard contacted the Town and stated that she was speaking for Mr. Lloyd, Jr. and that he would like \$2,000 for the easement. Council will need to decide if it wants to pay the \$2,000 for the easement in order to bid out the project. Attorney Dill stated that the \$2,000 will be for the use of the property as long as the Town needs it for a street turnaround. Council Member Messer made a motion to approve the payment of \$2,000 to Mr. Lloyd, Jr. for an easement at the property at 609 5th Street Place, SW. All voted in favor.

CONSIDER APPROVAL OF
GENERAL FUND BUDGET
AMENDMENT #10 FOR
LANDSCAPING AT OLD
SCHOOL BUILDING SITE
TO ELIMINATE STANDING
WATER ISSUES

General Fund Budget Amendment #10 for excavating at the old school building site to improve drainage and eliminate standing water issues was presented for approval. The contract for this project was awarded at the March meeting. Council Member Herrell made a motion to approve budget amendment #10 in the amount of \$4,550. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment B).

DISCUSSION REGARDING
MOWING/SPRAYING/
TRASH PICKUP AT
RAILROAD ALONG HWY
70A

Mayor Hildebrand stated that mowing, spraying and trash pickup at the road along Hwy 70A that runs parallel to the railroad was brought up at the March special meeting. Mr. Drum stated that in 2016, this topic was discussed and researched. In the past, the Town received a letter addressed to Wendell Hildebrand from Philip Hagan, Track Supervisor at Norfolk Southern, dated October 5, 2012. Mr. Hagan had given the Town permission to cleanup and mow the area parallel to the railroad along Hwy 70A; provided, that all workers and equipment are to remain at least 10' from the railroad. In 2016, Mr. Drum and Mayor Cook, contacted Norfolk Southern and after speaking to a couple top executives, Mr. Drum was told that Mr. Hagan did not have the authority to grant that permission to the Town. Mr. Drum was then told that if the Town wanted to pursue mowing at this area, it must submit an application with a possible permit application fee of \$1,250. Norfolk Southern will then review the application and provide an answer that can take a month or longer. Mr. Drum explained that if the Town was to get

permission, Mr. Young, who previously mowed that area, gave a rough estimate of \$1,500 for a one-time fee to get the area back in routine maintenance condition, and then \$1,000 - \$1,200 a month to mow. In the past, Mr. Young would mow the area once or twice a month for eight (8) months. Mr. Drum stated that in his experience working with railroads, an inspector from the railroad company might be required to sit and watch the work to be done. The cost without the inspector would still be approximately \$9,500 to \$11,100 to keep that area mowed for an eight month period.

Council Member Herrell asked if the Town could contact the prison system to see if they had crews that would be able to pick up the trash in that area on a regular basis. Mr. Drum will contact the prison system and the local community service program that works through the court system.

**DISCUSSION REGARDING
COMMUNITY ROOM
IMPROVEMENTS**

Mayor Hildebrand stated that improving the look and feel of the community room was suggested at the March special meeting. Currently, there are four (4) tables and thirty-two (32) chairs. The total occupancy is 178 people. Mr. Drum stated that staff had researched pricing of more tables and chairs at Sam's Club at a cost of \$8,000-\$10,000. This price includes the stands for storage.

Council Member Herrell stated that he would like to look at adding this to the FY 18-19 budget.

Council Member Herrell asked Calvin Reyes how he handled tables and chairs at the Mill Village. Mr. Reyes stated that he rents them for events for around \$2.00 a chair and \$6.00 a table. Council Member Herrell stated that he would like to rent tables and chairs and stage the rental rooms to take pictures for the website. Mr. Reyes stated that tables and chairs are typically separate line items for venue rentals and are usually not included in the facility rental price. It was the consensus of Council to wait until FY 18-19 budget to purchase tables and chairs.

**CONSIDER APPROVAL OF
FLAG POLE REPAIR AT
ALBERT PARKHURST
MUNICIPAL COMPLEX**

Mr. Drum reported that there was a request to fly the United States flag at the Albert Parkhurst Municipal Complex. The flag pole needs some repair and the Town received a quote for the part that is broken and labor totaling \$350. The labor is the most expensive part since the contractor will need to rent a bucket truck. Staff has been trying to find someone to lend a bucket truck for free,

but has been unsuccessful. Mr. Drum stated that he would check with the fire department. Council Member Smith stated that he would check with a friend. Council took no action at this time.

DISCUSSION REGARDING
IDEAS TO CLEAN UP THE
TOWN

Mayor Hildebrand stated that cleaning up the Town was brought up at the March special meeting. Council Member Herrell stated that he felt Council should direct the Planning Board to discuss the ordinances. He has concerns that there might be a back log of complaints that have not been followed up on due to the frequent turnover rate of the town planner and her limited work hours.

Council Member Honeycutt stated that the WPCOG will be starting a regional housing code service. This position can enforce codes for multiple Towns. Mr. Drum further explained that currently, the Town Planner works eight hours a week. The Planner serves as the Town's code enforcer and acts as the liaison for the Planning Board and Board of Adjustment. The WPCOG has offered an additional four hours a week for the Planner, for an increase in the contract of \$10,000.

Mr. Drum stated that the regional code enforcement officer hired by the WPCOG would be a separate contract. The officer would attempt to have a uniform code ordinance among all the Towns that he/she works for. This position would be just for code enforcement. He stated that the cost for this position would probably be the same as the cost of the Planner. He stated that one option the Council might choose is to hire a Planner on an hourly basis, as needed, and contract with the WPCOG for the code enforcer. It was the consensus of Council to wait and see how much the cost will be to contract with the WPCOG for the code enforcer. Mr. Drum stated that he would contact Anthony Starr.

DISCUSSION REGARDING
BOTH ADMINISTRATIVE
SUPPORT SPECIALIST
AND MAINTENANCE
WORKER POSITIONS AS
WELL AS SALE OF TOWN
TRUCK

Mr. Drum stated that he felt the Administrative Support Specialist position warrants full time status. He provided an updated job description that entails more detailed line items of that position. He pointed out that Ms. Brawley is spending more time on social media, signage, and creating more ways to rent Town facilities. He stated that in his opinion, the actions of Ms. Brawley since she has been hired has made a difference in the facility rental usage.

Mr. Drum stated that he thought there was a misstatement at the last meeting that the position was always an events

planner position. The position may have been an events planner before he was hired, but when he advertised and hired Ms. Brawley, the position was an administrative support specialist. He pointed out that even though some of our services are outsourced, the Town still needs staff to oversee those services. There are still contacts between law enforcement, street maintenance, trash, recycling, etc. Staff has to take the calls and complaints and contact the contractors. Ms. Brawley serves as the person who makes the phone calls and gathers the information for Mr. Drum to make the decision on how to act. She assists by making the calls and gathering data while other staff is allowed to concentrate on more detailed tasks. After decisions are made, she carries out the tasks and ensures the work is done.

The position is also responsible for the events and working with citizens to rent the facilities, including showing them if requested. One particular example was when she was with the contractor for three hours when the elevator lift stopped working, and then showed the maintenance worker how to operate the lift. This position covers those types of problems that have to get done.

Mr. Drum also explained the separation of duties concerning handling of money. By recommendation of the Local Government Commission, there are certain people that should be handling money. The Town will always continue to work with money for rentals, taxes, leases, events, etc. Currently, the Administrative Support Specialist and the Clerk receive money and make deposits. The Manager and Finance Officer review all deposits and sign off to ensure all numbers match.

Mr. Drum also explained that Ms. Brawley agreed to drive her personal vehicle for Town business when she was a full time employee. She is no longer a full time employee and does not want to drive her personal vehicle. In addition, driving a personal vehicle for Town business was never a condition of employment for the Clerk. The Finance Officer nor the Manager should be taking deposits to the bank. Mr. Drum stated that the Town truck is valuable, has low miles on it and runs great. In the Town's case, based on estimates of 1,500 miles a year, the Town would spend less to keep the truck than to pay an employee mileage. Again, no one is willing to drive their car because it is an increased exposure to their vehicle and

you cannot make an employee drive his/her car if it was not a condition of employment.

Mr. Drum reiterated his opinion that the Administrative Support Specialist position still warrants full time status. The public sector provides services, and his role is to implement the Council's wishes in the most cost effective manner possible while complying with the best practices recommended by the N.C. Local Government Commission (LGC). In order to do that, you need the appropriate staff. In his opinion, the Town currently has the correct staff. He stated that when he makes recommendations to the Board, he does not make it lightheartedly, but spends time analyzing the workload(s). In a year, if he finds that this position does not warrant full time, he will certainly make that recommendation, but he cannot do that at this point. He further explained that due to recent actions, there is absolutely low morale among staff. At this point, the Town has a group of dedicated college graduates who are working to find better ways to do things as well as save money every day. Again, he recommended that the Board reverse its decisions to make the Administrative Support Specialist a part-time position and to surplus the truck.

Council Member Herrell stated that Mr. Drum did a good job defending the employees. He stated that a lot of thought had gone into the decision that the Board made last month and that Mr. Drum had not swayed his opinion. In regards to the truck, Mr. Drum addressed gas and insurance, but left out maintenance and tires. He agreed that the cost to keep the vehicle versus paying mileage would probably be about the same. He stated that the truck will continue to depreciate over time. The vehicle was for the maintenance worker and he did not think a part-time worker would need the vehicle. The consensus of Council was to not change any of its decisions from the March 26, 2018 regular meeting regarding staff and the truck.

Mr. Drum asked how to get the deposits to the banks without the use of the Town truck. It was clarified that only bonded employees can take the deposits. Council Member York asked how the Town has managed in the past with only two full time workers and one part time worker and we cannot now. Mr. Drum replied because the Town is now finally following the recommendations of the LGC. Mayor Hildebrand asked about a Town that has one employee. Mr. Drum replied that in those cases it is likely

that the auditor and the LGC would advise the Town of the existing risk exposures and direct that appropriate corrective action be taken. After further discussions, Council had no answer to getting the deposits to the bank and chose to move on to the next item of business.

**DISCUSSION REGARDING
SICK AND VACATION
PAYOUT FOR THE
ADMINISTRATIVE
SUPPORT SPECIALIST**

Mr. Drum reported that since Ms. Brawley's position has changed from full time to part time, Council needs to decide if it wants to allow her to use her sick and vacation time that she has already earned, as needed moving forward, until both are depleted. Council Member Honeycutt made a motion to pay Ms. Brawley her earned vacation as of April 30, 2018. All voted in favor. Her sick time will be recorded for the retirement system.

**TOWN MANAGER JOB
DESCRIPTION AND
PERFORMANCE REVIEW
(CLOSED SESSION)**

Council Member Herrell stated that in the interest of time and fairness to Mr. Drum, he had distributed a performance review for Mr. Drum and asked that each Council Member complete the form and forward his/her response to Mayor Hildebrand to compile all responses. Council Member Smith made a motion to postpone the performance review until the May 21, 2018 regular meeting. All voted in favor.

**NEW BUSINESS:
CONSIDER TEMPORARY
TERMINATION OF SEWER
BILLING FOR THE
PROPERTY LOCATED AT
100H 2ND AVE, SE DUE TO
FIRE**

Tim Norman requested that sewer billing and past due fees be suspended for six months for the property located at 100H 2nd Ave, SE due to a fire. Council Member Honeycutt made a motion to approve the request to suspend sewer billing and past due fees for the property at 100H 2nd Ave, SE due to a fire, for six months. All voted in favor.

MARCH TAX REPORT

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

MARCH DEPUTY REPORT

The March deputy report was provided to Council to review.

COMMITTEE REPORTS

Transportation Advisory Committee (COG) – No report. Mr. Drum stated that the TAC is usually the Mayor or a Council member, according to the WPCOG.

WPCOG Policy Board – Council Member Honeycutt stated that the WPCOG is working on providing a service to assist municipalities with housing code enforcement. Section 8 housing updates and the administrative plan

were discussed. The first reading of the FY 18-19 budget was reviewed. The single family rehabilitation program was reviewed after they received a grant.

Burke Economic Development Representative – No report.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC – No report.

Library Board – There is still an opening on the library board if anyone is interested. The Valdese library is planning to expand.

OTHER BUSINESS

Beverly Nichols had concerns that the house that was demolished next to her property today had asbestos and asked if the owner, Jennie Cook, obtained the proper permits. Clerk Sanders stated that Mrs. Cook did contact the Planner about the demolition but did not know if a permit was granted.

ANNOUNCEMENTS

Mayor Hildebrand stated that the Bruce Long Orchestra and the CAST play that was held at the auditorium was a success.

Council Member Herrell made a motion to hold a special meeting/budget workshop on Monday, April 30, 2018 at 7:00 p.m. in the Council's Chamber. All voted in favor.

ADJOURN

All business being concluded, Council Member York made a motion to adjourn at 9:15 p.m. All voted in favor.

I attest these are the approved minutes of the Board.

Alice Sanders, Town Clerk

Wendell Hildebrand, Mayor