

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

**OCTOBER 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 an invocation.

**PLEDGE OF ALLEGIANCE**

Town Manager Shook 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 Ben Honeycutt, Theresa Messer, Mike Smith and Jody York. Council Member Herrell arrived at 7:15 p.m.

**STAFF PRESENT**

The following staff members were present: Attorney Redmond Dill, Town Manager Logan Shook, Town Clerk Alice Sanders and Finance Officer Fredrick Rankins.

**CITIZENS & MEDIA  
PRESENT**

See attached sheet.

**APPROVAL OF AGENDA**

Mayor Hildebrand requested that Council add "Rescind Façade Improvement Grant Program Application 1-19 and Void the Performance Agreement Contract" to Old Business. Council Member Messer made a motion to approve the agenda as amended. All voted in favor.

**APPROVAL OF MINUTES**

Council Member Smith made a motion to approve the September 23, 2019 Regular Meeting minutes. All voted in favor.

**PUBLIC COMMENTS**

None.

**OLD BUSINESS:  
CONSIDER APPROVAL OF  
CONTRACT WITH ROTO  
ROOTER TO CLEAR OUT  
DRAIN LOCATED AT THE  
SIDE DOOR OF THE  
COMMUNITY CENTER**

Town Manager Shook informed Council that Roto Rooter was contacted to determine the conditions and size of the existing pipes at the breezeway between the community center and auditorium. At the drain outside of the community center at the bottom of the steps, a large object was found inside the drain and Roto Rooter was unable to run a camera through the pipe. In order to move forward, they will need to bust up the concrete around the drain to remove the object. They provided an estimate of \$2,500 to \$4,500 to complete the work. Mr. Shook requested

approval from Council to complete this project. Council Member Messer made a motion to approve the contract with Roto Rooter to clear out the drain, including busting up the concrete, located at the bottom of the steps outside the community center. All voted in favor.

CONSIDER APPROVAL OF BUDGET AMENDMENT FOR DRAINAGE ISSUE PROJECT LOCATED BETWEEN THE ALBERT PARKHURST MUNICIPAL COMPLEX AND AUDITORIUM

Mr. Rankins presented a budget amendment in the amount of \$21,000 for the drainage issue project. Mr. Shook stated that the budget amendment will cover engineering fees, Roto Rooter fees, survey work, any other work needed to determine the size and conditions of the pipes and the approval of the trench grate, if needed. Council Member Smith asked if a bigger drain pipe could be installed. Mr. Shook stated that it is possible. The current opening is bigger than the drain. Mr. Shook stated that it is possible that clearing out this drain may prevent the need for a trench grate. Depending on the results of the work from Roto Rooter, the actual project could be between \$5,000 and \$21,000. Council Member York made a motion to approve budget amendment #05, as presented, in the amount of \$21,000 to include all engineering fees, drain line cleanout and repair, survey of the area and lines and installation of trench grate, if needed. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment A).

CONSIDER APPROVAL OF REVISION TO EXPENDITURES, CONTRACTS AND CONSTRUCTION CHANGE ORDERS POLICY

Mr. Shook stated that Council discussed increasing the authority of the Town Manager to approve expenditures, contracts and construction change orders from \$2,500 to \$5,000 at the last meeting. Subsequent to the meeting, an issue arose with Roto Rooter that has stalled the drainage issue project due to the necessity for Council to approve the unexpected work that is projected to cost over \$2,500. Similar issues could arise in the future due to ongoing projects. As a result, a revised policy is presented for consideration. Council Member York made a motion to approve the revision to the expenditures, contracts and construction change orders policy to increase the authority of the Town Manager to approve expenditures, contracts and construction change orders up to, and including, \$5,000. All voted in favor. A copy of the policy is hereby incorporated by reference and made a part of these minutes (Attachment B).

RESCIND FAÇADE IMPROVEMENT GRANT PROGRAM APPLICATION

Mr. Shook presented a letter from Jennie Cook, Cook Properties LLC dated October 24, 2019. The letter stated that due to some thought and personal reasons, it is in her

1-19 AND VOID THE  
PERFORMANCE  
AGREEMENT CONTRACT

best interest not to accept the grant money match for the façade improvement grant project for the property located at 218 S. Center St. At the direction of Attorney Dill, Council Member Honeycutt made a motion to rescind approval of the Façade Improvement Grant Application 1-19 with Virginia “Jennie” Cook, Cook Properties LLC, for the property located at 218 S. Center St., as requested by the letter dated October 24, 2019. All voted in favor.

Council Member Messer made a motion to void the Town of Hildebran Façade Improvement Grant Program Performance Agreement with Virginia “Jennie” Cook, Cook Properties LLC, for the Façade Improvement Grant Program Application 1-19 for the property located at 218 S. Center St., as requested by the letter dated October 24, 2019. All voted in favor. A copy of the letter is hereby incorporated by reference and made a part of these minutes (Attachment C).

NEW BUSINESS:  
CONSIDER APPROVAL OF  
SURPLUS AND  
DISPOSITION OF  
PERSONAL PROPERTY BY  
PRIVATE SALE

Clerk Sanders stated that while cleaning out the two vacant offices in the Albert Parkhurst Municipal Complex, there were a few things that the Town no longer needs. A list of items was presented to Council to surplus. Council Member York made a motion to surplus the items on the list and directed staff to sell by private sale. All voted in favor. A copy of the list is hereby incorporated by reference and made a part of these minutes (Attachment D).

REPORT OF TOWN  
RECORDS DESTROYED  
ACCORDING TO THE  
RECORDS RETENTIONS  
SCHEDULE

Clerk Sanders stated that while cleaning out the two vacant offices in the Albert Parkhurst Municipal Complex, staff went through the records and pulled those files that were allowed to be destroyed based on the adopted Records Retention and Disposition Schedule, while preserving those records that are required to be kept. The documents were destroyed by a certified shredder on October 25, 2019. A list of documents that were destroyed was presented to the Board. A copy of the list is hereby incorporated by reference and made a part of these minutes (Attachment E).

SEPTEMBER FACILITIES  
REPORT

The September facilities report was presented for review. Council Member York asked about the progress of getting the lights at Exit 119 working. Mr. Shook stated that he had contacted DOT and the issue was reported.

SEPTEMBER DELINQUENT TAX REPORT Tax Collector Sanders reviewed the September tax report. A copy of the report is hereby incorporated by reference and made a part of these minutes (Attachment F).

SEPT. DEPUTY REPORT The September Deputy report was provided for review.

COMMITTEE REPORTS Transportation Advisory Committee (TAC) and Technical Coordinating Committee (TCC) – Mr. Shook reported that he has contacted DOT regarding adding a left turn lane on Hwy 70, traveling East, at North Center St. DOT is currently doing a traffic study at the area.

WPCOG Policy Board – Council Member Smith stated that the WPCOG introduced a new Code Enforcement Officer and reviewed construction at the WPCOG.

Burke Economic Development – Council Member Herrell stated that the audit was reviewed and approved.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC – Karen Robinson was not in attendance but provided her report to the Board via a letter.

Library Board – The Library held a fall festival today. The reopening of the remodeled Valdese Library will be November 15<sup>th</sup>.

OTHER BUSINESS Mr. Shook provided updates on the roof restoration on the building located at 202 S. Center St; an upcoming planning retreat, and the advertising of the two vacant offices located at 202 S. Center St.

CHRISTMAS LIGHTS ON MAIN AVE W Mr. Rankins provided a diagram of Town streets that currently have working power meters for Christmas lights. He reviewed the process to erect additional lights on Main Ave W and provided a diagram of suggested power poles to install power meters. After discussion, Council Member Smith made a motion to add Christmas lights on Main Ave W; provided, that the total cost fell within the budgeted \$10,000. All voted in favor.

Clerk Sanders stated that the Town of Hildebran Christmas Craft Show will be held on November 9<sup>th</sup> from 10:00 a.m. to 3:00 p.m. in the Gym. She asked for volunteers to help put down and take up the mats.

CLOSED SESSION

Council Member York made a motion at 7:28 p.m. to recess to closed session pursuant to NC General Statute 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; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee and/or 143-318.11(a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. All voted in favor.

Council Member Honeycutt made a motion to return to open session at 7:38 p.m. All voted in favor.

Council Member York made a motion to approve budget amendment #04, as presented, in the amount of \$10,000 for payment of insurance deductible resulting from legal services provided by the North Carolina League of Municipalities and the Interlocal Risk Financing Fund of North Carolina. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment G).

Council Member Smith made a motion to approve the Settlement Agreement and Release involving the personnel matter between the former Town Manager, Thomas G. Drum, and the Town. All voted in favor.

Council Member Honeycutt made a motion to approve the letter dated October 28, 2019 as presented to Council regarding a personnel matter involving Thomas G. Drum. All voted in favor.

ANNOUNCEMENTS

None.

ADJOURN

All business being concluded, Council Member Messer made a motion at 7:40 p.m. to adjourn. All voted in favor.

I attest these are the approved minutes of the Board.

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Alice Sanders, Town Clerk

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Wendell Hildebrand, Mayor