

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

**May 24, 2021
7:15 PM**

**REGULAR MEETING
MINUTES**

CALL TO ORDER	Mayor Hildebrand called the regular meeting of the Town Council to order at 7:15 p.m. The meeting was streamed live via the Town's YouTube channel.
INVOCATION	A moment of silence was observed.
PLEDGE OF ALLEGIANCE	Council Member Weaver 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 Derek Cline, Cole Herrell, Ben Honeycutt, Mike Smith and Terry Weaver.
STAFF PRESENT	The following staff members were present: Attorney Redmond Dill, Town Manager Logan Shook, Town Clerk Alice Sanders, Finance Officer Fredrick Rankins and Parks and Grounds Maintenance Worker Laurie Elliott.
CITIZENS & MEDIA PRESENT	See attached sheet.
APPROVAL OF AGENDA	Town Clerk Sanders requested that the agenda be amended to add Consider Appointment of Planning Board/Board of Adjustment Member to Fulfill Term Through June 30, 2022 and Consider Approval of Amended Burke County Animal Ordinance and Add Amended Ordinance to the Town of Hildebran Code of Ordinances under New Business. Council Member Cline requested to amend the agenda to add Discussion of Moving Town of Hildebran Municipal Elections to Even-Numbered Years under Old Business. Council Member Herrell made a motion to adopt the agenda as amended. All voted in favor.
APPROVAL OF MINUTES	Council Member Smith made a motion to approve the May 24, 2021 regular meeting minutes as presented. All voted in favor.
PUBLIC COMMENTS	None.
OLD BUSINESS: CONSIDER APPROVAL OF REVISION TO FY 21-22 FACILITY RENTAL FEES	Clerk Sanders reported that staff is asking Council to consider a revision to the FY 21-22 facility rental fees. The revision would be to change the military discount from

50% to 25%. The reason for the change is that staff has noticed an increase in many large groups searching for someone in the group who qualifies as either a veteran or active military and then having that person fill out the application which is not what the discount was originally intended for. Staff pointed out that taking 50% off of fees for large groups is not cost effective. Council then discussed the purpose of the discount. After discussion, Council Member Honeycutt made a motion to approve the revised FY 21-22 Facility Rental Fees changing the military discount from 50% to 25% as presented. Council Members Cline, Honeycutt and Weaver voted in favor. Council Members Herrell and Smith were opposed. The motion carried. A copy of the revised fees is hereby incorporated by reference and made a part of these minutes (Attachment A).

CONSIDER APPROVAL OF GOLF CART ORDINANCE

Council Member Weaver had asked that a Golf Cart Ordinance be presented for consideration. Town Manager Shook researched other local towns' ordinances and developed an ordinance for Council to review. Council discussed safety issues and the inspection process of the carts. Council Member Smith made a motion to approve the Town of Hildebran Ordinance Permitting and Regulating the Operation of Golf Carts on Public Streets Within the Town of Hildebran, North Carolina with the revision to add an annual inspection and permit requirement and to add an annual renewal fee of \$25.00. All voted in favor. A copy of the ordinance is hereby incorporated by reference and made a part of these minutes (Attachment B).

DISCUSSION OF FALL FESTIVAL

Mr. Shook stated that he contacted the Burke County Chamber of Commerce for assistance in getting contacts for companies to organize a festival. He was given a company's name, but after talking to them he stated that they would not be able to meet our needs. He stated that he had also reached out to Rebecca Warren, who has organized the Blackberry Festival in Lenoir and he is waiting to hear back from her. Mayor Hildebrand stated that Kathy Stallings was interested in helping as well. Mr. Shook stated that he would continue to reach out to both ladies to gather costs and will report back to Council at the next meeting.

DISCUSSION OF MOVING TOWN OF HILDEBRAN MUNICIPAL ELECTIONS

Council Member Cline stated that he wanted to discuss the municipal elections again since the Burke County School Board elections will be moved to even-number years. He

TO EVEN-NUMBERED
YEARS

had concerns about the increased costs to the Town to continue to hold municipal elections on odd-numbered years since the School Board will no longer be sharing those expenses. Mayor Hildebrand suggested contacting the Board of Elections to determine accurate costs. Council discussed the pros and cons of moving the elections to even-numbered years and staff pointed out that moving the Town's election to even-numbered years can only be done via the State Legislature. Council Member Herrell asked staff to get the estimated expense that the Town will have to pay for municipal elections in the future after the Burke County School Board elections move to even-numbered years.

NEW BUSINESS:
CONSIDER APPROVAL OF
RESOLUTION ACCEPTING
AMERICAN RESCUE PLAN
ACT OF 2021 FUNDS

The Town will be receiving funds from the American Rescue Plan Act of 2021 to respond to public health emergencies with respect to COVID-19. A resolution was presented to officially accept the funds. Council Member Herrell made a motion to approve the Resolution Accepting American Rescue Plan Act of 2021 Funds as presented. All voted in favor. A copy of the resolution is hereby incorporated by reference and made a part of these minutes (Attachment C).

FIRST READING OF THE
FY 21-22 BUDGET

Mr. Shook and Finance Officer Rankins presented the first reading of FY 21-22 Budget to Council. Council had no changes to the budget at this time.

CALL A PUBLIC HEARING
FOR FY 21-22 BUDGET

Council Member Cline made a motion to call a public hearing on Monday, June 28 at 7:15 p.m. in the Council's Chamber at the Albert Parkhurst Municipal Complex for the purpose of hearing comments from the public regarding the FY 21-22 budget. All voted in favor.

FACILITIES REPORT

The May Facilities Report was provided for review.

DELINQUENT TAX
REPORT

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

DEPUTY REPORT

The April report was provided for review.

COMMITTEE REPORTS

Transportation Advisory Committee (TAC) and Technical Coordinating Committee (TCC) – No report.

WPCOG Policy Board – No report.

Burke Economic Development – Council Member Cline will email the report to Council.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC – No report.

Library Board – No report.

CONSIDER APPOINTMENT
OF PLANNING
BOARD/BOARD OF
ADJUSTMENT MEMBER
TO FULFILL TERM
THROUGH JUNE 30, 2022

Clerk Sanders stated that Ashley Heine, Planning Board/Board of Adjustment member, recently moved out of Town limits and is no longer eligible to serve on the Boards which leaves an immediate vacant position. Staff advertised the position, along with the upcoming one-year alternate position that will become vacant on July 1, on Facebook. The Town received one application, Jennie Cook. Council asked how long staff had advertised the vacancies and staff responded with five days. After a short discussion, Council Member Herrell made a motion to advertise the vacant positions on the Town website and digital signs for another month before voting. All voted in favor.

CONSIDER APPROVAL OF
AMENDED BURKE
COUNTY ANIMAL
ORDINANCE AND ADD
AMENDED ORDINANCE
TO THE TOWN OF
HILDEBRAN CODE OF
ORDINANCES

Clerk Sanders stated that the Town has adopted the Burke County Animal Ordinance. Staff was informed that the County recently amended their Animal Ordinance and the amended portion was presented for approval. Council Member Honeycutt made a motion to approve the Ordinance Amending Chapter 6, Animals, Burke County Code of Ordinance as presented and to incorporate the amended ordinance into the Town of Hildebran Code of Ordinances. All voted in favor. A copy of the amended ordinance is hereby incorporated by reference and made a part of these minutes (Attachment E).

OTHER BUSINESS

None.

ANNOUNCEMENTS

None.

CLOSED SESSION

Council Member Herrell made a motion at 8:39 p.m. to recess to closed session pursuant 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; or to hear or investigate a complaint, charge, or

grievance by or against an individual public officer or employee. All voted in favor.

Council Member Herrell made a motion at 9:48 p.m. to return to open session. All voted in favor.

Council Member Smith made a motion to amend Town Manager Shook's employment contract as follows:

- Section 3, Part A: Salary changed from \$55,000.00 to \$61,482.50. Original amount was raised 3% (\$56,650.00) beginning January 1, 2021. Council agreed the amount of \$56,650.00 should be raised 5% (2% COLA, 3% merit-based) and then raised an additional \$2,000.00 to \$61,482.50 beginning July 1, 2021
- Section 5, Part A: Vacation language changed to *Employee shall accrue vacation leave each payroll period at a rate as if the employee's service began November 3, 2014 beginning July 1, 2021.*
- Section 9, Part C: Language added under "C." that says, *"In the event the Employee is terminated by the Employer during the six (6) months immediately following the seating and swearing-in of one or more new governing body members, and during such time that Employee is willing and able to perform his duties under this Agreement, then, Employer agrees to pay severance in accordance with Section 10 plus salary and benefits in accordance with Section 10 for any portion of the six months not worked."*
- Section 10, Part A: Severance updated from six (6) months to twelve (12) months
- Section 10, Part D-3: Language changed from *"Termination based upon non-performance of any reasonable, lawful duties as required of the position of Town Manager"* to, *"A breach of contract not cured within thirty (30) days of written notice describing the conduct that constitutes a breach. All written notices and requests pursuant to this Agreement must be sent in accordance with Section 20 of this agreement."*

All voted in favor.

Council Member Herrell made a motion to pay Deputy Towery a one-time payout of \$1,000 if he remains an active Burke County Sheriff Deputy working for the Town of Hildebran as of June 30, 2021 and to include in the FY 21-22 budget a one-time payout of \$1,000 to Deputy Towery if he remains an active Burke County Sheriff

Deputy working for the Town of Hildebran as of June 30, 2022. All voted in favor.

ADJOURN

All business being concluded, Council Member Herrell made a motion at 9:52 p.m. to adjourn. All voted in favor.

I attest these are the approved minutes of the Board.

Alice Sanders, Town Clerk

Wendell Hildebrand, Mayor