

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

**JUNE 22, 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, Jamie Hollowell, Barbara Lowman and Lee Lowman.

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

CITIZENS PRESENT See attached list for other citizens.

MEDIA No one from the media was in attendance.

ADOPTION OF AGENDA Council Member Hildebrand made a motion to amend the agenda to add "Resolutions for Town Property Lease Agreements" under New Business. All voted in favor. Council Member B. Lowman made a motion to add "HHDA Lease Agreement and Resolution" under New Business. All voted in favor. Council Member B. Lowman made a motion to adopt the amended agenda. All voted in favor.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance to the United States flag was led by Attorney Dill.

APPROVAL OF MINUTES Council Member Hollowell made a motion to approve the May 11, 2015 recessed special meeting and closed session minutes; the May 18, 2015 recessed special meeting, closed session and regular meeting minutes; and the June 8, 2015 recessed special meeting minutes. All voted in favor.

PUBLIC COMMENT Keith Fields provided his appreciation to the Board and approves of their decision regarding the old school building demolition.

Marti Smith requested Council to rescind its decision to demolish the old school building. She also expressed her displeasure with the Mayor.

Richard Bell expressed his thoughts about the Board listening to citizens about its decisions in order for staff to focus on their job responsibilities.

PUBLIC HEARING

Mayor Cook opened the public hearing for comments on the fiscal year 2015/2016 budget at 7:12 p.m. There being no comments, Mayor Cook closed the public hearing at 7:13 p.m.

ADOPTION OF THE BUDGET AND TAX RATE

Council Member Hildebrand made a motion to adopt the 2015/2016 fiscal year budget with a revenue neutral tax rate of \$0.15. All voted in favor. Each Board member signed the budget ordinance. The budget ordinance is hereby incorporated by reference and made a part of these minutes (Attachment A.)

Mayor Cook informed the Board that Eric Bowman has started the yearly audit and will have a final report later in the year.

**OLD BUSINESS:
TOWN AND ICARD
WATER AGREEMENT
FOR SEWER BILLING
AND COLLECTIONS**

Clerk Sanders reviewed with the Board that Icard Water had submitted a first draft of a proposal for Icard Water to bill and collect sewer for the Town and Town that staff had a few revisions. The proposal, with the Town's revisions, was approved by the Icard Water Board on June 8, 2015. The proposal is now ready for approval by the Council. Council Member Hollowell asked if Icard Water would be able to alter the sewer rates if the proposal was approved. Attorney Dill stated the Town has total control of the sewer rates based on the Town's sewer ordinance and that the agreement is for Icard Water to bill and collect sewer payments for a six-month trial period. It was discussed that Icard Water will also bill and collect for those sewer accounts that do not use Icard Water and any delinquent accounts will be the responsibility of the Town to pursue. A letter will be sent to citizens informing them of the change. Council Member B. Lowman made a motion to approve the agreement for the six month period. Council Members Banks, Hildebrand, B. Lowman and L. Lowman voted in favor and Council Member Hollowell opposed the motion. The motion carried.

**CEILING REPAIRS IN
AUDITORIUM/QUOTES**

Mayor Cook reported that a quote from Northwest Drywall Company was provided to Council and she also distributed a quote from Servpro. Two other companies were contacted, but no quotes were provided. Council Member Hollowell made a motion to obtain more quotes to repair the ceiling in the auditorium due to the roof leak. All voted in favor.

**BUDGET
AMENDMENTS:
LAWNMOWER,
ELEVATOR, STEPHEN
SIGNS AND ZION**

Clerk Sanders reported that the purchase of a new lawnmower and work to the elevator had been approved at the May 18, 2015 meeting and budget amendments were needed. Council had requested to discuss the Stephen Signs invoice before approval. Mr. Rankins explained that the Zion budget amendment is a pass through for the Zion sewer grant project.

Council Member Hollowell made a motion to approve the Stephen Signs invoice for payment. All voted in favor. Council Member L. Lowman asked the amount of insurance reimbursement for the elevator repairs. Mr. Rankins reported that the reimbursement totaled \$4,153.00.

Council Member Hollowell made a motion to approve the budget amendment for the elevator repairs. All voted in favor. The budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment B.)

Council Member Hildebrand made a motion to approve the budget amendment for the purchase of the lawnmower. All voted in favor. The budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment C.)

Council Member Banks made a motion to approve the budget amendment for the Zion grant. All voted in favor. The budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment D.)

Council Member Hildebrand made a motion to approve the budget amendment for Stephen Signs for the digital sign. All voted in favor. The budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment E.)

Mayor Cook reported that pricing for a second sign to be placed in front of the auditorium will be provided to the Board.

RESOLUTION
AUTHORIZING TOWN
TO APPLY FOR GRANT
FUNDS FOR N.
CENTER ST
SIDEWALK

Mayor Cook explained that the grant that the Town will be applying for to place a sidewalk on N. Center St. requires a 20% match from the Town. The Town's portion will be \$155,000.00 and she stated that the Town does have the funds available. Planner LoCicero explained that the grant is a federal grant through the NC Department of Transportation coming through the Local Area Metropolitan Planning Organization. Ms. LoCicero is preparing the application for the Town and has provided a cost estimate from The Wooten Company. The total estimated cost is \$775,625.00 and the Town's portion would be \$155,125.00. If awarded, the project would take up to two years to complete. The Town will be responsible for paying the funds in full and then 80% will be reimbursed, providing all requirements are met. She reported that the pedestrian bridge cost estimate was also included in the agenda packet as a next phase to the project.

Ms. LoCicero reported that the sidewalk will be placed on the West side of the road. Council Member L. Lowman expressed his concerns due to the utility lines and gas lines being on the

West side of the road. Mayor Cook stated that the engineers reported that the West side would be less expensive than the East side due to necessary culvert work and other expensive obstacles. The time it would take to get estimates for the East side would require waiting till next year to apply for the grant. Mayor Cook reported that there is a larger pot of funds available this year with less competition from other municipalities. After discussion, Council Member Banks made a motion to approve the resolution authorizing the Town to submit an application to the Greater Hickory Metropolitan Planning Organization in the amount of \$775,625.00 for surface transportation program direct appointment funds for the North Center Street sidewalk. Council Members Banks, Hildebrand, Hollowell and B. Lowman voted in favor. Council Member L. Lowman voted against the motion. The motion carried. The resolution is hereby incorporated by reference and made a part of these minutes (Attachment F.)

NEW BUSINESS:

**ZONING FEE
SCHEDULE**

The proposed zoning fee schedule has no changes from the previous year. Council Member B. Lowman made a motion to approve the FY 2015-2016 zoning fee schedule. All voted in favor.

FACILITIES REPORT

The new roof on the depot has been installed.

The drain and pipe work in the back of the facility have been completed and are working properly.

Mayor Cook reported that Dixon Herman, Jr., from Blue Ridge Wildlife Control, will be working to finish the bat eviction project at the Town Hall building.

MAY TAX REPORT

Tax Collection Sanders provided her report for the month of May 2015. The tax report is hereby incorporated by reference and made a part of these minutes (Attachment G.)

**DEPUTY REPORT
GARY TOWERY**

Deputy Towery provided his report for the month of May 2015.

**COMMITTEE REPORTS
& UPDATES**

Transportation Advisory Committee (COG) – Mayor Cook reported that projects along Hwy 77 and I-40 are still in progress and that Grace Chapel interchange is now open.

Western Piedmont Council of Governments Policy Board - Council Member Hildebrand stated that the meeting was held in the Hudson Uptown building and the WPCOG Board approved their budget. The main topic included a program for low income seniors to help them stay at home instead of going into nursing

homes. He stated that the WPCOG is looking for a Town to host a future meeting and Mayor Cook asked Mr. Hildebrand to arrange for the next meeting to be held in the depot.

Burke Economic Development – Mayor Cook reported that the new Director, Alan Woods, met with Mayors and Commissioners and most of the meeting was held in closed session. The Committee is working with several businesses within the County and one near Hildebran.

Recreation & Tourism Committee – Council Member B. Lowman reported that the school system repaired the fencing and dugout roofs at the ball fields. The R.O.C.K. summer program has started back in the gymnasium and the pool is now open. Any donations to the R.O.C.K. program would be appreciated.

Water Resource Committee – Ms. LoCicero reported that the second annual Western North Carolina Water Quality Conference was held last Thursday with 85-90 people attending the conference. The next meeting will be in August.

VEDIC (Valdese) – Mayor Cook reported that the committee is working with two businesses in Hildebran and most of the money needed from these businesses would range between \$250,000 and \$500,000. VEDIC has sponsored the yacht at Lake Rhodhiss that is available to rent for special events.

RESOLUTIONS FOR
TOWN PROPERTY
LEASE AGREEMENTS

Mayor Cook reported that in order to be in compliance with N.C. General Statute 160A-272, the Town must adopt resolutions for town property leases.

Ms. Sanders read the resolution for the lease agreement with Communication Workers of America. Council Member Hildebrand made a motion to approve the resolution. All voted in favor. The resolution is hereby incorporated by reference and made a part of these minutes (Attachment H.)

Ms. Sanders read the resolution for the lease agreement for East Burke Christian Ministries. Council Member Hollowell stated that he felt that any nonprofit or 501(c)(3) organization should be required to submit the past three years of form 990, required by the IRS, to the Town. Ms. Sanders clarified that the Town did not have these forms on file for nonprofit organizations. It was determined that if these forms are not submitted to the Town, the lease agreement cannot be approved and Council will then need to discuss the lease agreement at the July 27, 2015 meeting. Council Member Hollowell made a motion to approve the resolution contingent upon East Burke Christian Ministries providing the past

three years of its 990 form to the Town. All voted in favor. The resolution is hereby incorporated by reference and made a part of these minutes (Attachment I.)

Ms. Sanders read the resolution for the lease agreement for East Burke Senior Center. Council Member B. Lowman made a motion to approve the resolution. All voted in favor. The resolution is hereby incorporated by reference and made a part of these minutes (Attachment J.)

Ms. Sanders read the resolution for the lease agreement for East Burke Youth Athletic Organization. Council Member Hollowell made a motion to approve the resolution contingent upon East Burke Youth Athletic Organization providing the past three years of its 990 form to the Town. All voted in favor. The resolution is hereby incorporated by reference and made a part of these minutes (Attachment K.)

Ms. Sanders read the resolution for the lease agreement for Hildebran/Icard Little League. Council Member Hollowell made a motion to approve the resolution contingent upon Hildebran/Icard Little League providing the past three years of its 990 form to the Town and to change the yearly fee to \$1.00. All voted in favor. The resolution is hereby incorporated by reference and made a part of these minutes (Attachment L.)

HHDA LEASE
AGREEMENT AND
RESOLUTION

Mayor Cook explained that according to N.C. General Statute 160A-272, any town property lease over one year requires a public notice and a resolution adopted by Council at a regular meeting ten days after the public notice. The current five year lease agreement for the rooms in the basement of the auditorium with Hildebran Heritage Development Association (HHDA), dated July 1, 2013, was not brought before Council and was entered into without a public notice or adoption of a resolution, which is in violation of the statute and is not enforceable. As a result, Council is presented with a new one year lease and resolution for HHDA.

Mayor Cook stated that currently, HHDA is using room #105, which is not on the lease agreement. She stated that Council needs to determine whether or not to add the room to the lease and at what rate. Council Member Banks made a motion to add room #105 to the lease agreement at a rate of \$25.00 per month. All voted in favor. Council Member Hollowell requested to review the rates next fiscal year.

Council Member L. Lowman made a motion to approve the amended contract contingent upon HHDA providing the past three years of its 990 form to the Town. All voted in favor.

Ms. Sanders read the resolution for the lease agreement with HHDA. Council Member B. Lowman made a motion to approve the resolution based on the addition of room #105 and the adjusted rent contingent upon HHDA providing the past three years of its 990 form to the Town. All voted in favor. The resolution is hereby incorporated by reference and made a part of these minutes (Attachment M.)

OTHER BUSINESS

Mayor Cook reported that the railroad will be installing telecommunications monopoles in the Town. The poles will be placed within the railroad right of way.

Ms. Sanders distributed a spreadsheet of all known agreements and contracts with the Town. The contracts were given to Council Member L. Lowman, per his request, for review.

Attorney Dill clarified that the Town is only allowed to lease or let property for one year, unless a public notice is given. Maintenance contracts are at the discretion of the Board, for as long or short as the Board chooses. He reviewed the current policy that all contracts and leases must be approved by the Board and signed by the Mayor and one other Council member.

Mayor Cook stated that she had spoken to DOT about mowing the area at the railroad at Hwy 70A. DOT has an agreement with the railroad to mow six feet from the road. Maintenance Technician Bivens has gotten new industrial spraying equipment and can spray the weeds at this area. It was the consensus of Council to have Mr. Bivens spray the area and to get quotes for mowing and weed eating eight times during the fiscal year. Mayor Cook stated that the Town does have a letter from the railroad allowing the Town to maintain the ground maintenance.

ANNOUNCEMENTS

Council Member Hollowell thanked Finance Officer Rankins and Clerk Sanders for the time spent preparing during the budget process. Mayor Cook thanked Planner LoCicero and Deputy Towery for their work inspecting properties. Mayor Cook announced the office will be closed on July 3rd.

Council Member Hollowell announced that the junior fire fighters camp is June 22 and June 23, 2015 for free.

Mayor Cook reminded everyone about the Cruise In this weekend.

ADJOURNMENT

All business being concluded, Council Member Hollowell made a motion to adjourn at 8:40 p.m. All voted in favor.

I attest these are the approved minutes of the Board.

Alice Sanders, Town Clerk

Virginia Cook, Mayor