

**TOWN OF HILDEBRAN
COMMUNITY CENTER
ALBERT PARKHURST
MUNICIPAL COMPLEX**

**JUNE 29, 2020
7:30 PM**

**REGULAR MEETING
MINUTES**

CALL TO ORDER

Mayor Hildebrand called the regular meeting of the Town Council to order at 7:30 p.m.

INVOCATION

A moment of silence was observed.

PLEDGE OF ALLEGIANCE

Council Member Cline 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 Town Planner Hunter Nestor.

**CITIZENS & MEDIA
PRESENT**

See attached sheet.

APPROVAL OF AGENDA

Council Member Herrell made a motion to approve the agenda as presented. All voted in favor.

APPROVAL OF MINUTES

Council Member Smith made a motion to approve the May 26, 2020 regular meeting and closed session minutes as presented. All voted in favor.

PUBLIC COMMENTS

Karen Robinson spoke about the history of the HHDA Cruise Ins, HHDA donations to the Town and community, and named the projects that HHDA and the Town have partnered in since 2006.

Jessica Sanchez discussed her approval of a stage, concession stand, veteran wall and splash pad at the old school site.

Debbie Greenhill requested that Council consider putting up US flags on S. Center St. during the summer and installing flag poles for the US flag at the Hildebran entrance of the I-40 exit 119 interchange and at the digital sign near CVS. She also discussed her desire to see the old school site project completed.

Stephanie Higdon discussed her approval of the concept that her group will present for the old school site. She also discussed comments made from individual Council members.

**PUBLIC HEARING
FY 20-21 BUDGET
ORDINANCE**

Mayor Hildebrand opened the public hearing at 7:50 p.m. to hear comments regarding the FY 2020-2021 budget ordinance. With there being no comments, Mayor Hildebrand closed the public hearing at 7:51 p.m.

Council Member Herrell made a motion to adopt the FY 2020-2021 Budget Ordinance as presented. All voted in favor. A copy of the Ordinance is hereby incorporated by reference and made a part of these minutes (Attachment A).

**OLD BUSINESS:
PRESENTATION OF
POSSIBLE CONCEPT AT
OLD SCHOOL SITE AND
DISCUSSION REGARDING
PARTF GRANT**

Harold Greenhill recognized the members of the group that worked on the concept that is being presented to Council for the project at the old school site. Those members were Sonny Abernathy, Harold Greenhill, Stephanie Higdon, Mayor Hildebrand, Rex Lail and Karen Robinson. Mr. Greenhill stated that the group had created a concept for the site and that the Town paid for an architect to produce a color rendering. The concept was then presented to Council.

Mr. Greenhill discussed possible funding for the project to include grants, fundraising and a private/public partnership. He stated that he felt applying for a PARTF grant would delay the project for years. He asked for Council to approve the cost to determine a set of plans and to obtain cost estimates for the project instead of applying for a PARTF grant. He stated that once Council approves the funding to determine cost estimates, the group can begin fundraising by asking for donations from alumni and large businesses as well as by selling plaques and stones.

Mr. Greenhill stated that the Town has over \$2 million in its fund balance and that it should be spending some of those funds to benefit the taxpayers. He urged Council to approve getting a plan drawn and getting cost estimates now.

Mayor Hildebrand asked for previous Mayor, Karen Robinson, to speak regarding the PARTF grant process based on her experience from the past when the Town was

approved for a PARTF grant for the Town's park. Ms. Robinson stated that the main reason the Town was awarded the PARTF grant in the past was due to the fact that it was the first time the Town had applied for a PARTF grant. The awarding of the PARTF grant is based on a point system. The Town received 20 points due to it being a first time application. She stated that the concept presented would not qualify for a PARTF grant. She stated that it is difficult to be awarded the grant and the fact that the Town received one less than 10 years ago would make it even harder to be approved.

Council Member Herrell stated that Council voted unanimously to move forward with the project and wants to move forward now. The issue for discussion was how to pay for the project. He stated that the Town's fund balance was built up over many years and not all of those funds are earmarked for this project. He stated that the Town has and will continue to experience a financial hit due to COVID-19 and that it would be irresponsible to cash in all the fund balance now.

Council Member Herrell stated that Council had already spent money on paving Town streets and spent \$95,000 doing upgrades and repairs to the Town facilities. He stated that applying for the PARTF grant could allow the Town to receive up to one half of the total project in grant money.

Mr. Shook addressed the PARTF grant process. He stated that the concept presented would not qualify for a PARTF grant but with a few changes, it could be competitive. He stated that just because the Town had already received a PARTF grant in the past does not mean any future application would not be competitive. The last time a first time applicant was awarded a PARTF grant was three years ago.

Mr. Shook reviewed other projects beside the old school site that the Town is working on over the next few years that will be reducing the fund balance that include two sidewalk projects, banners and flags, economic development, renovating the tower, restraining the depot, updating the Town's comprehensive plans, and other expenses due to Legislature changes. He also mentioned that a projected \$91,000 revenue loss is predicted due to COVID-19.

After further discussion, Council Member Smith made a motion to hire an engineer to determine cost estimates for the concept that the group presented at the old school site. Council discussed the option of applying for a PARTF grant before approving any plan. Mr. Shook recommended waiting for a final concept to be approved before hiring an engineer so that the Town would only pay for that service one time. Council Member Smith rescinded his motion.

Council Member Herrell made a motion to apply for a PARTF grant for the old school site project. Council Members Cline, Herrell and Weaver voted in favor. Council Members Honeycutt and Smith were opposed. The motion carried. Mr. Shook stated that he would have Erin Schotte from the WPCOG attend the next meeting to discuss the PARTF grant process. Council Member Herrell asked that a special meeting be called as soon as possible to discuss the process. Mr. Shook will communicate available dates soon.

DISCUSSION OF
ARCHITECT QUOTE TO
OVERSEE THE JOINT
TOWER RENOVATION
PROJECT WITH HHDA /
DISCUSSION OF
AGREEMENT BETWEEN
THE TOWN AND HHDA
REGARDING THE JOINT
TOWER RENOVATION
PROJECT

Town Manager Shook stated that Council had asked for a quote for the tower renovation project. Mr. Shook stated that an architect would need to oversee the project and provided a quote from Talley & Smith Architecture, Inc. to create specifications, bid out the project and oversee the project. He recommended that Council work with HHDA regarding funding of the project before approving the quote. He recommended that the Town and HHDA should enter into an agreement that states: 1) the Town will pay for one-half of the total project and HHDA will raise funds for one-half of the total project 2) the exact work to be done to the tower and 3) a monthly report from HHDA shall be produced stating the exact amount of funds raised to date. He recommended that once the aforementioned items are agreed upon and HHDA provides one-half of the architect fee to the Town, the Council should then approve an architect quote. He stated that he would provide two more architect quotes at the July meeting for consideration. Council was in agreement.

CONSIDER APPROVAL OF
CRUISE IN DATES AND
FIREWORKS DATE FOR
2020

Clerk Sanders stated that HHDA was to provide Cruise In dates for July, August and September 2020 for Council's approval. She stated that she had spoken to Johnny Childers subsequent to the May 26, 2020 meeting and he informed her that HHDA plans to move forward with Cruise Ins on July 25, August 29 and September 26 and plans to hold a fireworks show on July 25. After

discussion about COVID-19 concerns, Council Member Herrell made a motion to approve the 2020 Cruise In dates of July 25, August 29, and September 26 and a fireworks show on July 25. Council Member Cline, Herrell, Smith and Weaver voted in favor. Council Member Honeycutt was opposed. The motion carried.

CONSIDER APPROVAL OF
ORDINANCE DECLARING
A TEMPORARY ROAD
CLOSURE FOR
SEPTEMBER 29, 2020
CRUISE IN

Clerk Sanders stated that earlier in the year she had requested a temporary road closure of S. Center St. for the HHDA festival on September 26, 2020. HHDA has decided not to do a festive but instead do a Cruise In. She has communicated the change to NCDOT and has presented the required ordinance for approval. Council Member Smith made a motion to approve the ordinance declaring a road closure for a portion of S. Center St. for the September 26, 2020 Cruise In from 5:00 p.m. to 9:30 p.m. All voted in favor. A copy of the ordinance is hereby incorporated and made a part of these minutes (Attachment B).

Mayor Hildebrand called for a short recess at 9:11 p.m.

Mayor Hildebran reconvened the meeting at 9:18 p.m.

NEW BUSINESS:
CONSIDER APPROVAL OF
FAÇADE IMPROVEMENT
GRANT APPLICATION –
CHUBBY’S OF
HILDEBRAN

Town Planner Nestor stated that Wendy Curtis, Owner of Chubby’s of Hildebran, has submitted an application for the Town of Hildebran Façade Improvement Grant Program. She is perusing this funding to cover costs associated with adding a drive-thru and awning at her business location at 511 US Hwy 50E, Suite D, Hildebran. He stated that the owner of the property, LFL Properties Hildebran LLC, has given permission for the drive-thru and for the applicant to seek grant funding. He stated that the applicant was approved for a Conditional Use Permit for the installation of the drive-thru at the June Planning Board meeting.

Mr. Nestor reviewed the quotes provided by the applicant. He stated that this project is an opportunity for the Town to assist a business with these Façade Grant Improvement funds that has been negatively impacted due to the COVID-19 pandemic. The Planning Board voted unanimously to recommend the approval of the application for a full 50/50 match. Staff recommends approval of the application for a full 50/50 match. Council Member Smith made a motion to approve Façade Improvement Grant Program Application 1-20 for the

property located at 511 US Hwy 70E, Suite D, Hildebran, for a 50% reimbursement, up to \$4,943.50, for installation of a drive-thru window and awning as provided by the quote from Brittain Construction totaling \$9,887.00. All voted in favor.

**CONSIDER APPROVAL OF
FY 20-21 FEE SCHEDULE**

The 2020-2021 Zoning Fee Schedule was submitted for approval. There were no fee changes from 2019-2020. Council Member Herrell made a motion to approve the Town of Hildebran 2020-2021 Zoning Fee Schedule as presented. A copy of the schedule is hereby incorporated by reference and made a part of these minutes (Attachment C). All voted in favor.

**CONSIDER APPROVAL OF
AGREEMENT FOR USE OF
CORONAVIRUS RELIEF
FUNDS UNDER S.L. 2020-4**

Town Manager Shook stated that the NC General Assembly has passed, and the Governor of North Carolina has signed into law, State Law 2020-4, entitled “An Act to Provide Aid to North Carolinas in Response to the Coronavirus Disease 2019 (COVID-19) Crisis” to be known as the “2020 COVID-19 Recovery Act.” Burke County’s share of said funds is estimated to be \$1,772,221.00, of which the Town of Hildebran will receive \$19,100.00. An agreement between Burke County and the Town of Hildebran is presented to authorize Mr. Shook to obligate the Town to all rules and restrictions upon the COVID Funds, including this Agreement, and to repay any funds deemed ineligible. He reviewed COVID-19 related expenses that the Town is submitting for reimbursement. Council Member Honeycutt made a motion to approve the Agreement for Use of Coronavirus Relief Funds Under S.L. 2020-4 authorizing Town Manager Logan Shook to obligate the Municipality to all rules and restrictions upon the COVID Funds, including this agreement, and agrees to repay any COVID Funds determined by the County, the State, or the Federal Government as being improperly spent for an ineligible purpose. All voted in favor. A copy of the Agreement is hereby incorporated by reference and made a part of these minutes (Attachment D).

**APPOINTMENT OF FOUR
PLANNING
BOARD/BOARD OF
ADJUSTMENT MEMBERS
AND ONE ALTERNATE**

Planner Nestor reported that the Planning Board/Board of Adjustment currently has one vacant position and three members’ terms expire on June 30, 2020. Of the three members, only one, Diane Speigle, is available to continue on the Board. There are two new applications presented for consideration. The current alternate, Ashley Heien, has agreed to fulfill the vacant seat left after Terry Weaver was elected to serve on Council, with the term expiring on

June 30, 2022. Clyde Church has agreed to serve as alternate for one term, expiring June 30, 2021. Council Member Honeycutt made a motion to appoint the following Planning Board/Board of Adjustment members as follows:

- Ashley Heien (Fulfilling Terry Weaver's Term) expiring June 30, 2022
- Mary Lowman expiring June 30, 2023
- James Robertson expiring June 30, 2023
- Diane Speigle expiring June 30, 2023
- Clyde Church, Alternate expiring June 30, 2021

All voted in favor.

DISCUSSION OF MINIMUM PERCENTAGE OF FUND BALANCE TO BE MAINTAINED IN TOWN FUNDS

Mr. Shook stated that during the May Town Council meeting, Council Member Herrell directed staff to investigate the possibility of enacting a minimum unassigned fund balance percentage policy. The policy would limit the amount of unassigned fund balance appropriations once reaching a certain threshold. The percentage will be tied to each individual budget year.

Mr. Shook stated that he reached out to all Burke County governments for a copy of their policies. He reviewed the unassigned fund balance percentages for those that responded. Mr. Shook stated that he would recommend setting the Town's unassigned fund balance percentage to not fall below seventy-five percent (75%).

Mr. Shook stated that he would recommend maintaining at least a one hundred fifty percent (150%) unassigned fund balance between now and 2023-2025. This limit will restrict the Town to spending no more than \$800,000 on the list of current projects between the next one to five years.

Council Member Smith made a motion to create a policy to keep the minimum unassigned fund balance for the Town of Hildebran at seventy-five percent (75%) long term and to have a goal to maintain the current unassigned fund balance to at least one hundred fifty percent (150%) until 2023-2025. All voted in favor.

DISCUSSION OF YEARLY NONPROFIT ALLOCATIONS

Mr. Shook stated that during the May Town Council meeting, Council Member Herrell directed staff to investigate the possibility of creating a policy for yearly nonprofit allocations. Staff reached out to all Burke County governments and all governments on the Clerk listserv. Only four local governments responded and Mr.

Shook reviewed their policies with Council. Mr. Shook recommended that Council first determine if the amount the Town pays for the summer Cruise Ins and Fireworks show is defined as a service that HHDA provides for the Town or as a donation. It was the consensus that the expenses that the Town pays for the Cruise Ins and fireworks is a service and the Town will continue to pay for the bands, fireworks and REACT each year and those expenses will not be included in the amount that will be allocated to outside agencies.

Mr. Shook recommended that Council set a policy regulating the limit of funds to outside agencies/nonprofits to one and one half percent (1.5%) of the total budget. He stated that the specific amount each year will change based on the total expenditures less all budgeted appropriated fund balance dollars. Council Member Honeycutt made a motion to create a policy to set the yearly amount of allocations to outside agencies/nonprofits not to exceed one and one half percent (1.5%) of the total fiscal budget and to consider the Town's additional expenses to pay for bands, fireworks and REACT for the summer Cruise Ins as a service. All voted in favor.

CONSIDER
CANCELLATION OF
RENTAL EVENTS IN TOWN
FACILITIES FOR JULY 2020

Clerk Sanders asked Council to consider cancelling all rentals for the month of July due to COVID-19. She stated that there were no current booked rentals. Council Member Honeycutt made a motion to cancel all rental events for the month of July 2020. Council Members Cline, Honeycutt, Smith and Weaver voted in favor. Council Member Herrell was opposed. The motion carried.

CONSIDER
CANCELLATION OF
NOVEMBER CHRISTMAS
CRAFT SHOW

Clerk Sanders asked Council to consider cancelling the Christmas Craft Show due to COVID-19. She stated that the show is inside the gym and there are 47 vendor spaces. Most vendors bring a helper. Between vendors and shoppers, it would be difficult to monitor and enforce the six foot social distancing guidelines regardless of what the Governor's Executive Order would be at the time for the number of allowed people in an indoor gathering. Council Member Weaver made a motion to cancel the 2020 Christmas Craft Show. Council Members Cline, Honeycutt, Smith and Weaver voted in favor. Council Member Herrell was opposed. The motion carried.

CONSIDER REVISION TO
REGULAR MEETING
SCHEDULE FOR JULY 27TH
MEETING

Clerk Sanders asked Council which room should be used for the July regular meeting. There was discussion that the Community Center did not allow for the community to hear. Council Member Herrell made a motion to keep the July regular meeting in the Council's Chamber, allowing any Council members that did not feel comfortable attending the ability to call in, to stream the meeting on the Town's YouTube channel, to close the meeting to the public due to COVID-19, to allow for written comments to be submitted, and to host a live viewing for the community. All voted in favor. A copy of the resolution is hereby incorporated by reference and made a part of these minutes (Attachment E).

FY 19-20 PLANNING
BOARD/BOARD OF
ADJUSTMENT REPORT

Planner Nestor provided a Planning Board/Board of Adjustment yearly report for FY 19-20.

MAY FACILITIES REPORT

The report was presented for review.

MAY DELINQUENT TAX
REPORT

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

MAY DEPUTY REPORT

The May Deputy report was provided for review.

COMMITTEE REPORTS

Transportation Advisory Committee (TAC) and Technical Coordinating Committee (TCC) – Mr. Shook stated that the TCC approved one sidewalk project.

WPCOG Policy Board – Council Member Honeycutt stated that the WPCOG Policy Board discussed budget updates, policy board reappointments and regional housing authority.

Burke Economic Development – Council Member Cline reported that the committee discussed its budget and other projects within Burke County.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC – No report.

Library Board – No report.

OTHER BUSINESS

Council Member Weaver requested staff to evaluate the two existing park landscaping/maintenance contracts and determine if one full-time worker would be more efficient than two part-time workers.

ANNOUNCEMENTS

Clerk Sanders reported that the three surplus mowers sold for a total of \$3,760.00.

ADJOURN

All business being concluded, Council Member Honeycutt made a motion at 10:00 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