

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

**JULY 24, 2017  
7:00 PM**

**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. Cole Herrell led a prayer.

PLEDGE OF ALLEGIANCE

Council Member B. Lowman led the pledge of allegiance to the United States flag.

COUNCIL PRESENT

The following members of the Board were present: Mayor Virginia Cook and Council Members Brenda Banks, Barbara Lowman, Theresa Messer and Jody York. Council Member Lee Lowman was absent.

STAFF PRESENT

The following staff members were present: Attorney Redmond Dill, Town Administrator Thomas Drum, Town Clerk Alice Sanders, Finance Officer Fredrick Rankins, and Administrative Support Specialist Laurie Brawley.

CITIZENS & MEDIA  
PRESENT

See attached sheet.

APPROVAL OF AGENDA

Mayor Cook stated that two items needed to be added to the agenda under New Business. The first is "award contract to Moss-Marlow to seal and stripe the New Town Hall parking lot (located at 109 S. Center St.) and authorize the Town Manager to approve the change order to the New Town Hall Capital Project for locks on the front doors of the bank building, and to approve the Capital Project Ordinance budget amendment and General Fund budget amendment #2 for \$13,000 each." The second amendment to the agenda is "award contract to Moss-Marlow to seal and stripe the Old Town Hall parking lot (located at 202 S. Center St.)." Council Member Messer made a motion to approve the agenda, as amended. All voted in favor.

APPROVAL OF MINUTES

Council Member Banks made a motion to approve the June 26, 2017 regular and closed session meeting minutes. All voted in favor.

OLD BUSINESS:  
APPOINT THOMAS G.  
DRUM AS TOWN  
MANAGER AND PROVIDE  
OATH OF OFFICE

The Town Charter was amended by ordinance changing the form of government to Council-Manager, effective July 24, 2017. Council Member Banks made a motion to appoint Thomas G. Drum as the Town Manager for the Town of Hildebran, effective July 24, 2017. Council

Members Banks, B. Lowman and Messer voted in favor. Council Member York was opposed. The motion carried. Mayor Cook provided the oath of office to Mr. Drum. A copy of the oath is incorporated by reference and made a part of these minutes (Attachment A).

NEW BUSINESS:  
DISCUSSION OF EXIT 119  
LANDSCAPING  
MAINTENANCE  
CONTRACT WITH DOT

The Town has an ongoing contract with the N.C. DOT dating back to 1997 whereby the Town maintains certain areas at the 119 exit, as well as additions that they asked for in 2013. DOT contacted Mr. Drum recently and informed him that they did not feel that the Town is performing to what it agreed to in the 1997 agreement and/or agreed to either formally or informally in 2013. DOT asked that the Town review with them what they would like to see the Town maintain that is additional to the current agreement. Mr. Drum is meeting with DOT and Steve Young, with The Grounds Keeper, and will bring further information to the Board.

CONSIDER AWARD OF  
CONTRACT FOR TREE  
TRIMMING ON TOWN  
STREETS

Mr. Drum provided a proposal from Steve Young, The Grounds Keeper, to trim trees along the Town streets. The proposal offers two options to trim the cedar trees on Shepherd's Court. The first option is to trim the trees to the trunk of the tree on the road side. The second option is to trim the trees two to three feet back, which is more visually appealing, but would require additional trimmings every two to three years. The price difference is \$1,000 or \$600, respectively. The total price to trim all the trees on Town streets is \$8,900. Mr. Drum asked for the Board to decide how to trim the trees on Shepherd's Court. After discussion, Attorney Dill suggested that the Town determine the appropriate right-of-way before taking action. Council Member York made a motion to table this topic until the August meeting. All voted in favor.

CONSIDER AWARD OF  
CONTRACT FOR FILL DIRT  
AND SEEDING AT OLD  
SCHOOL BUILDING

Mr. Drum provided a proposal from D.H. Griffin Wrecking Co., Inc. to provide fill dirt and seeding at the old school building demolition site to prevent erosion. Council Member Banks made a motion to approve a contract with D.H. Griffin up to \$4,154 for fill dirt and \$600 for seeding. All voted in favor.

Council Member Messer made a motion to approve the Old Town Hall/Hildebran School Repair/Cleanup Project, Capital Project Ordinance budget amendment in the

amount of \$5,000. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment B).

Council Member York made a motion to approve General Fund Budget Amendment #1 in the amount of \$5,000. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment C).

CONSIDER DEPOT  
RENTAL FEE REFUND (JIM  
WILSON)

Jim Wilson rented the depot on May 27, 2017. While setting up, he noticed that one of the air conditioning units was not working. He chose to have his event at a different location. Mr. Wilson submitted a request in writing for a refund of the \$100 rental fee. His deposits have already been refunded. Council Member B. Lowman made a motion to refund Mr. Wilson \$100 for the rental fee. All voted in favor.

CONSIDER A POLICY FOR  
PAYMENT TO BANDS IN  
CASE OF INCLEMENT  
WEATHER DURING  
CRUISE INS

Mayor Cook reported that the Town needs to set a policy to address the payment to bands in case of a Cruise In being cancelled due to inclement weather. After discussion and a review of policies set by other Towns, Council Member B. Lowman made a motion to set a policy that in the event a Cruise In has been cancelled for any reason, the Town will pay the scheduled band 50% of the agreed upon price if the band has not played, regardless of set up, and 100% of the agreed upon price if the band has played any amount of time. Mr. Drum asked for more clarity about determining pay if a band has already set up its equipment. Council Member B. Lowman withdrew her motion. After further discussion, Council Member Messer made a motion to set a policy that in the event a Cruise In has been cancelled for any reason by the Administrative Support Specialist, the Town will pay bands 50% of the agreed upon fee if the band is onsite but has not set up its equipment, or 100% of the agreed upon fee if the band has set up its equipment. All voted in favor. A copy of this policy is hereby incorporated by reference and made a part of these minutes (Attachment D). It was clarified that the band at the July 2017 Cruise In did not have his equipment set up at the time that the event was cancelled due to rain and as a result of this policy, the band will receive 50% of its agreed upon fee.

CONSIDER A POLICY TO  
ALLOW VENDORS TO  
SELL FOOD AS A

Ms. Brawley reported that she has been approached by nonprofits to sell food as fundraisers at the Town-sponsored Cruise Ins and requested a policy be set. She

FUNDRAISER AT CRUISE  
INS

clarified that nonprofits will not be allowed to sell food that other vendors have already signed up to sell. Council Member Banks made a motion that the policy should state that no discount of the vendor fee will be allowed for nonprofits. All voted in favor. Council Member Messer made a motion that the policy should state that the Town will allow one nonprofit to sell food as a fundraiser at each Cruise In event on a first-come, first-served basis, and the nonprofit must adhere to all food safety standards and laws as other vendors. All voted in favor. A copy of the policy is hereby incorporated by reference and made a part of these minutes (Attachment E).

CONSIDER TIME CHANGE  
FOR TOWN CHRISTMAS  
PARADE

Ms. Brawley requested to change the time for the annual Christmas parade from 1:00 p.m. to 4:00 p.m. She provided a timeline of additional events that will be held immediately after the parade. In an effort to keep the people from the parade in the area to participate in the other Christmas events, the parade time will need to be held later in the day. Council requested that Ms. Brawley check availability with REACT as well as the Town of Granite Falls to be sure there is not a time conflict with its parade. Ms. Brawley stated that she had already checked with REACT, Hickory, Morganton, Valdese, Long View and the Santa and there were no conflicts. Council Member B. Lowman made a motion to move the time of the Christmas parade to 4:00 p.m. All voted in favor.

DISCUSSION REGARDING  
POLICY ALLOWING PETS  
AT TOWN EVENTS

The Town passed a resolution approving the enforcement of the Burke County Animal Ordinance within the Town limits. This Ordinance allows owners to take their pets to public areas as long as they are on a leash and obey the owner's commands. The Board should consider if it wants to deviate from the Animal Ordinance for Town-sponsored events. Mayor Cook stated that there is a risk of someone being bit and the Town does not want to get into any liability. Council Member Banks brought up the issue of cleaning up after pets. Council Member York brought up the issue of pets being around the cars. Council Member B. Lowman made a motion to not allow any animals, including leashed animals, at any Town-sponsored event that is held on Town property, excluding service dogs with proper documentation. All voted in favor. A copy of the policy is hereby incorporated by reference and made a part of these minutes (Attachment F).

FACILITES REPORT

Mayor Cook reported that staff should be working out of the new Town Hall building starting August 7, 2017.

JUNE TAX REPORT

The June tax report was provided to Council for review. A copy of the report is hereby incorporated by reference and made a part of these minutes (Attachment G).

The annual 2016/2017 tax settlement was provided to Council for review. The overall collection rate for the year was over 99%. Council Member Banks made a motion to approve the 2016/2017 annual tax settlement, approve the bond for Alice Sanders, Tax Collector, at \$25,000, and to charge Ms. Sanders the order of collecting FY 17-18 taxes, not including motor vehicle taxes. All voted in favor. A copy of the 2016/2017 annual settlement and the charge of taxes are hereby incorporated by reference and made a part of these minutes (Attachment H and I).

JUNE DEPUTY REPORT

The June deputy report was provided to Council to review.

COMMITTEE REPORTS & UPDATES

Transportation Advisory Committee (COG) – Mayor Cook reported that the committee discussed bike trails and more funding going into Catawba and Alexander Counties.

WPCOG Policy Board – Council Member B. Lowman reported that the meeting is tomorrow. She requested that an alternate be appointed to the Board and made a motion to appoint Council Member York as the alternate. All voted in favor.

Burke Economic Development Representative – Mayor Cook reported that there are several opportunities in the County, most will be in the Rutherford College area.

Recreation and Tourism Committee – Council Member York reported that Mr. Limbo will have a crew bush hog the area at the pool. The church is still renting the old library area. Football, softball, soccer and cheerleading signups are beginning. There will be a free camp on Saturday, July 29<sup>th</sup> from 8:00–11:00 a.m. There has been a banner put up at the pool explaining that the Town does not own the pool. In August, Mr. Limbo plans to hold a community meeting to discuss the pool and funding.

Water Resource Committee – No report.

VEDIC – Mayor Cook reported that there are a few businesses that received loans in the past that are now requesting funding for expansion.

AWARD CONTRACT TO MOSS-MARLOW TO SEAL AND STRIPE NEW TOWN HALL PARKING LOT AND AUTHORIZE TOWN MANAGER TO APPROVE CHANGE ORDER TO THE NEW TOWN HALL CAPITAL PROJECT FOR LOCKS ON FRONT DOORS, AND APPROVE BUDGET AMENDMENTS

Mr. Drum explained that Moss-Marlow provided two quotes to blow out and seal the cracks for the parking lots at the new Town Hall, for \$9,540, and the old Town Hall, for \$9,130. Resurfacing will be needed in the future.

Mr. Drum explained that the front doors at the new Town Hall were preserved, however, during work at the building, the electrical wires to lock the doors were cut and it would be cheaper to rewire the doors than doing a traditional lock. The estimate to repair the locks is between \$1,500 and \$3,000.

Council Member Messer made a motion to authorize Mr. Drum to approve the change order to repair locks on the front door of the new Town Hall up to \$3,000. All voted in favor.

Council Member Messer made a motion to approve General Fund Budget Amendment #2 for \$10,000 to stripe and seal the parking lot at the new Town Hall and \$3,000 to repair the locks on the door. The total amount of the amendment is \$13,000. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment J).

AWARD CONTRACT TO MOSS-MARLOW TO SEAL AND STRIPE THE OLD TOWN HALL PARKING LOT

Council Member Messer made a motion to approve the contract with Moss-Marlow to seal and stripe the parking lots at the old Town Hall (located at 202 S. Center St.) and the new Town Hall (located at 109 S. Center St.). All voted in favor.

Council Member Banks made a motion to approve the budget amendment for the New Town Hall Renovation Project, Capital Project Ordinance in the amount of \$13,000. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment K).

OTHER BUSINESS

Mayor Cook reported that the new library and senior center will be opening on August 31<sup>st</sup>.

The Beauty and the Beast movie was shown on July 19<sup>th</sup> with 127 people in attendance.

ANNOUNCEMENTS

None at this time.

PUBLIC COMMENTS

None at this time.

ADJOURN

All business being concluded, Council Member Messer made a motion to adjourn at 8:19 p.m. 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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Virginia Cook, Mayor