

Regular Meeting Minutes of the Town Board of Commissioners Meeting of November 19, 2015 at the Highlands Community Building, 71 Poplar Street, Highlands, North Carolina.

Town Board Present: Commissioner Eric Pierson, Mayor Pro Tempore Brian Stiehler, Commissioner Amy Patterson, Mayor Patrick Taylor, Commissioner Donnie Calloway, and Commissioner John Dotson.

Also Present: Town Manager Bob Frye, Town Clerk Rebecca Shuler, Town Attorney Jay Coward, Public Works Director Lamar Nix, Police Chief Bill Harrell, MIS/GIS Director Matt Shuler, Planning and Development Director Randy Feierabend and Parks and Recreation Director Lester Norris.

1. Meeting Called to Order

Mayor Taylor called the meeting to order at 7:00pm.

2. Public Comment Period

There were no public comments.

3. Adjust and Approve Agenda

Town Manager Frye asked that there be another budget amendment added under Item 8. Commissioner Calloway made a motion to adopt the agenda with the before mentioned addition, which was seconded by Commissioner Patterson and the vote was unanimous.

4. Approval of the October 15, 2015 Regular Meeting Minutes

Commissioner Patterson made a motion to approve the regular meeting minutes of October 15, 2015 as presented, which was seconded by Commissioner Pierson and the vote was unanimous.

Approval of the October 15, 2015 Closed Session Minutes

Commissioner Pierson made a motion to approve the closed session minutes of October 15, 2015 as presented, which was seconded by Mayor Pro Tempore Stiehler and the vote was unanimous.

Approval of the October 28, 2015 Closes Session Minutes

Commissioner Pierson made a motion to approve the closed session minutes of October 28, 2015 as presented, which was seconded by Commissioner Dotson and the vote was unanimous. Commissioner Calloway abstained.

5. Reports

A. Mayor

Mayor Taylor informed the Board he would be attending a Southwestern Commission meeting on Monday night where representatives from the NCDOT would be on hand to discuss the bond that legislature is trying to pass.

Taylor also wanted to give a shout out to Steve Perry, the boy scouts and legion for their work on the Veterans Day activities in the park.

B. Commissioners and Committee Reports

Commissioner Stiehler updated everyone on the Knotweed coalitions meeting progress.

Mayor Taylor then thanked Stiehler for his leadership with this coalition and also the obtaining of a public pesticides license.

Taylor also reminded everyone of the Joint Meeting between the town, Macon County and Town of Franklin Monday night at the Biological Station.

C. Town Manager

Manager Frye introduced Planning and Development Director Randy Feierabend.

Frye then gave an update on the 4th Street wall project and reminded everyone that the December meeting would be held on the 10th due to all the holiday activities.

6. Consent Agenda

Public Works Department
Police Department
Parks & Recreation Department
Treasurer's Report
2016 Meeting Schedule
2016 Holiday Schedule
Employee Longevity Bonus
Surplus Vehicles
Delinquent Utility Accounts List



Agenda Item

Date: November 19, 2015

To: Mayor Patrick Taylor and Town Board of Commissioners

Prepared By: Rebecca R. Shuler, Town Clerk

Subject: Meeting Schedule for 2016

Background:

According to NCGS §143-318.12 the board “shall cause a current copy of that schedule, showing the time and place of regular meetings, to be kept on file as follows: (4) For each other public body, with its clerk or secretary, or, if the public body does not have a clerk or secretary, with the clerk to the board of county commissioners in the county in which the public body normally hold its meetings.” Please note the Code of Highlands North Carolina Sec. 2-26 Regular Meetings lists out that the regular meeting of the mayor and the board of commissioners shall be held on the third Thursday of each month at 7:00pm, year round at the community building unless otherwise designated by the board. The only dates that do not fall suit are the May, July and December meetings. The May meeting is scheduled on the last Thursday for budget purposes, the June meeting moved to the fourth Thursday due to Ikebana and the December has been historically earlier to avoid the busy holiday season.

Recommendation:

Approve the following monthly regular meeting schedule for 2016 at the will of the Board.

<u>Month</u>	<u>Date</u>
January	21 st
February	18 th
March	17 th
April	21 st
May	26 th
June	16 th
July	28 th
August	18 th
September	15 th
October	20 th
November	17 th
December	8 th

Agenda Item

Date: Thursday, November 19, 2015

To: Mayor Patrick Taylor and Town Board of Commissioners



Prepared By: Rebecca Shuler, Town Clerk
Subject: **Holiday Schedule for 2016**

Background:

The Town of Highlands Employee Personnel Manual sets forth that the Town Manager will prescribe holidays to be observed and also lists the following holidays: New Year's Day, Martin Luther King Day, Easter Friday (Good Friday), Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and the Day After, and Christmas -Two (2) Days as the Board of Commissioners designates. The state and county holiday schedules are also referenced. Annually the Board of Commissioners reviews and approves the dates on which the holidays will be observed.

Recommendation:

Approve the following observance dates for the approved holidays at will of Town Board of Commissioners.

<u>Holiday</u>	<u>Observance Date</u>	<u>Day of the Week</u>
New Year's Day	January 1, 2016	Friday
Martin Luther King Day	January 18, 2016	Monday
Good Friday	March 25, 2016	Friday
Memorial Day	May 30, 2016	Monday
Independence Day	July 4, 2016	Monday
Labor Day	September 5, 2016	Monday
Veteran's Day	November 11, 2016	Friday
Thanksgiving	November 24 & 25, 2016	Thursday & Friday
Christmas	December 26 & 27, 2016	Monday & Tuesday

Agenda Item

Date: Thursday, November 19, 2015

To: Mayor Patrick Taylor and Town Board of Commissioners

Prepared By: Rebecca Shuler, Town Clerk

Subject: **Annual Bonuses for Town Employees**

Background:

At the November Town Board meetings each year the Commissioners consider Annual Bonuses for its employees. As in past years, the bonuses are distributed as follows:

Less than one (1) year of service (ser.) \$200



Btwn one (1) and ten (10) years of ser.	\$250
Btwn ten (10) and twenty (20) years of ser.	\$300
More than twenty (20) years of ser.	\$350
Part-time employees	Hams

Recommendation:

Approve Annual Bonuses for Town Employees at will of Town Board of Commissioners.

Fiscal Impact:

Funds have been budgeted in the respective funds for employee Annual Bonuses.

Agenda Item



Date: November 19, 2015

To: Mayor Patrick Taylor and Town Board of Commissioners

Prepared By: Rebecca Shuler, Town Clerk

Subject: **Disposal of Surplus Equipment/Vehicles**

Background:

As you are aware, periodically with the purchase of new equipment and vehicles the Town has surplus items that no longer have a value to the Town. In order for the Town to dispose of these equipment/vehicles, they must be declared surplus. The Town has the following vehicles and/or equipment to be disposed of by public bid:

2007	Chevy Impala
2010	Chevy Impala
2001	Jeep Cherokee Sport
2000	Ford F350

Recommendation:

Staff would recommend the Board approve the disposal of the items listed above that are of no value to the Town.



Please publish in the November 25th edition of the paper.

PLEASE TAKE NOTICE that at the regular Board of Commissioners' meeting of February 20, 2014, the Town Board voted to list all Town of Highlands Delinquent Accounts in the newspaper every 6 months. The following accounts are over 60 days past due.

Delinquent Utility Accounts

Gate's Nursery	\$ 6,426.23	Due 06/15/2012
Gate's Nursery	\$ 1,344.72	Due 06/15/2012
Jeremy Skipper	\$ 1,000.77	Due 06/15/2012
Jeff Andresen	\$ 804.53	Due 02/15/2013
Carlton Barker	\$ 1,458.67	Due 10/15/2012
Robert Carlton	\$ 748.08	Due 02/15/2013
Kristina Crosby	\$ 133.57	Due 12/15/2012
Sarah Freeman	\$ 67.99	Due 10/15/2012
Randall Hawks	\$ 731.48	Due 11/15/2012
William Horne	\$ 5,968.88	Due 01/15/2013
Robert Moreno	\$ 278.75	Due 11/15/2012
Elisa Espinosa Parra	\$ 858.05	Due 07/15/2013
Andrew Quintero & Fiorella Moscoso	\$ 811.80	Due 01/15/2013
Bob Stephenson	\$ 590.12	Due 11/15/2012
Suzi's on Spring	\$ 53.98	Due 12/15/12
Claudia Thompson	\$ 2,171.88	Due 12/15/12

To the Nine's	\$	2,519.75	Due 01/15/13
Valentine's Photo Studio	\$	150.50	Due 02/15/13
Ellen Agee	\$	346.05	Due 06/16/14
Thomas Batson	\$	102.16	Due 01/15/14
Joanne Baro	\$	899.79	Due 03/18/15
Binder Biomedical	\$	407.87	Due 05/15/14
Khyle & Carolina Bonczkowski	\$	5.74	Due 09/15/13
Spencer Ford	\$	82.61	Due 03/17/14
Dennis Franklin	\$	781.18	Due 08/15/14
Melanie Griffin	\$	503.70	Due 05/15/14
Highlands Quick Mart	\$	2,995.44	Due 05/15/14
L K Partners	\$	1,024.77	Due 05/15/13
John Mutter	\$	46.94	Due 11/15/13
Randall Peterson	\$	307.02	Due 12/15/13
Connie Smith	\$	97.71	Due 01/15/14
Cory Allen Talbot	\$	916.42	Due 06/16/14
Stuart Thompson	\$	214.93	Due 03/15/13
Timothy Vos	\$	184.45	Due 08/15/14
Charles Weatherly	\$	672.08	Due 05/15/14
Charles Weatherly	\$	233.48	Due 05/15/14
Jeannette Chidsey	\$	378.26	Due 11/15/14
John Clyatt	\$	2,017.78	Due 12/15/14
Melba Egan	\$	394.31	Due 11/15/14
James M. Johnson	\$	3.46	Due 09/15/14
Pamela Lomba	\$	572.73	Due 12/15/14
Pamela Lomba	\$	68.27	Due 12/15/14
Charles Tolliver	\$	231.89	Due 11/15/14
Jason Williams	\$	272.68	Due 10/15/14
Samantha McCall	\$	866.39	Due 07/15/15

Delinquent Sewer Connection Agreement Accounts

Peggy Hopes	Mirror Lake Sewer Project	\$ 2,400.00	Due 03/31/2013
Aliaksandr Kikoin	Harris Lake Sewer Project	\$ 2,500.00	Due 12/31/2011
Williams & Williams Inc.	Harris Lake Sewer Project	\$ 2,500.00	Due 12/31/2011

Delinquent Accounts Receivable Accounts

Bates Septic Tank & Concrete Product	Sludge	\$385.00	Due 12/31/2013
Mountain Septic Service	Sludge	\$1,295.00	Due 12/31/2013

Payments may be made to: Town of Highlands, PO Box 460, Highlands, NC 28741 to bring accounts to a current status to avoid further collection processes and public notice.

Published this 25th day of November, 2015.

Town of Highlands

There was one question as to whether the delinquent sludge customers had been cut off. Then the Mayor wanted to make sure we were charging a good fee for this service.

Commissioner Patterson moved to approve the consent agenda as presented, which was seconded by Mayor Pro Tempore Stiehler and the vote was unanimous.

7. Recognition of Achievement: Blakely Moore

Highlands School student Blakely Moore was recognized for becoming the 2015 1A Women's Cross Country State Champion.

8. Financial Matters: Budget Amendments

The Town received an insurance reimbursement for a lightning strike at the Sewer Plant, a donation for pool equipment from the Highlands Rotary Club and grant proceeds from the Governor's Crime Commission. Budget amendments are necessary to appropriate the funds.

Budget amendments needed are as follows:

\$ 26,460 for the insurance reimbursement for the Sewer Plant

\$ 12,075 for pool equipment donation from the Highlands Rotary

\$ 10,838 for grant proceeds from the Governor's Crime Commission

\$ 49,373 Total

Commissioner Patterson questioned if the reimbursement for the Sewer pump was what we paid out. Public Works Director Nix said it was an estimate of \$46,000 but this is the upfront cost and invoices would be provided for the rest once complete.

Commissioner Patterson made a motion to approve the budget amendments, which was seconded by Commissioner Pierson and the vote was unanimous.

9. Parks and Recreation Matters

A. Entegra Bank Property Transfer

Vice President, Terry Potts, was on hand to make the donation of the property on Pine Street that is included in the layout of Kelsey Hutchinson Founders Park that once housed the gazebo. A signed deed and plat were presented with this donation as well.

Mayor Pro Tempore Stiehler made a motion to accept the donation, which was seconded by Commissioner Patterson and the vote was unanimous.

B. Approval of Ballfield Fence Bids

Within the FY15/16 budget \$45,000.00 was budgeted for the Town Ball Field Backstop and Fence Replacement. Staff advertised for bids for this project October and two bids were received.

Asheville Contracting Co. dba Asheville Fence	\$52,577.70
Franklin Fence	\$43,212.00

Commissioner Patterson made a motion to award the ballfield fence bid to Franklin Fence at \$43,212.00, which was seconded by Commissioner Pierson and the vote was unanimous.

10. Planning Matters: Request for Public Hearing

The Highlands United Methodist Church has submitted their plans for the expansion of their fellowship hall. They received conditional approval to begin the conditional zoning process back in 2010 but never completed the process as they did not have all the property they needed at that time.

As such, they have submitted their plans and have begun the conditional zoning process and it will need to come before the board for your review and approval.

Staff would request that the board set a public hearing on this matter for the December 10th board meeting.

Commissioner Patterson made a motion to set a public hearing for the regular board of commissioner meeting on Thursday, December 10, 2015 at 7:00pm at the Highlands Community Building to review the Highlands United Methodist Church's request for conditional zoning, which was seconded by Commissioner Calloway and the vote was unanimous.

11. Miscellaneous Matters

A. Resolution Adoption: Macon County Animal Control Ordinance

Macon County handles animal control for Highlands. Recently, Macon County amended their animal control ordinance which shifted animal control to the Health Department.

As there have been changes to the ordinance they have requested that the town pass the enclosed resolution.



**Resolution of the Town of Highlands Board of Commissioners for the Town of Highlands, NC, requesting, authorizing and permitting Macon County, NC, to enforce within the Town of Highlands, NC, the Macon County Animal Control Ordinance set forth in Chapter 90, Animal Control, of the Code of Ordinances of the County of Macon, NC, as amended
Resolution No. 2015-03-Res**

WHEREAS, Macon County did on October 13, 2015, adopt the Macon County Animal Control Ordinance set forth in Chapter 90, Animal Control, of the Code of Ordinances of the County of Macon, North Carolina; and

WHEREAS, the Town of Highlands has requested Macon County to enforce the Macon County Animal Control Ordinance set forth in Chapter 90, Animal Control, of the Code of Ordinances of the County of Macon, North Carolina, as amended, within the Town of Highlands corporate limits; and

WHEREAS, the Town of Highlands does desire for Macon County to enforce the Macon County Animal Control Ordinance set forth in Chapter 90, Animal Control, of the Code of Ordinances of the County of Macon, North Carolina, as amended, within the Town of Highlands corporate limits; and

WHEREAS, the Town of Highlands and its Board of Commissioners do, by this resolution, hereby request, authorize and permit Macon County to enforce the Macon County Animal Control Ordinance set forth in Chapter 90, Animal Control, of the Code of Ordinances of the County of Macon, North Carolina, as amended, within the Town of Highlands corporate limits.

NOW, THEREFORE, upon motion made by _____ and seconded by _____, and duly approved by the Board of Commissioners at a regularly

scheduled meeting held on the 19th day of November, 2015 in the Highlands Community Building, 71 Poplar Street, Highlands, NC., be it hereby resolved as follows:

RESOLVED, the Town of Highlands, NC, does hereby request, authorize and permit Macon County, NC, to enforce the Macon County Animal Control Ordinance set forth in Chapter 90, Animal Control, of the Code of Ordinances of the County of Macon, North Carolina, as amended, within the Town of Highlands corporate limits, and the same shall be applicable within the Town of Highlands, NC.

This the 19th day of November, 2015.

Patrick L. Taylor, Mayor

(Official Seal)

ATTEST:

Rebecca R. Shuler, CMC, NCCMC, Town Clerk

Commissioner Calloway asked what laws we have in our ordinance books specifically in regards to leash laws and was informed none.

Commissioner Patterson made a motion to approve the resolution adopting the County Animal Control ordinance, which was seconded by Commissioner Pierson and the vote was unanimous.

B. Discussion of Snow Clearing on Town Streets

Mayor Taylor informed the board he would like them to revisit the plowing of Monkey Hill with the plowing last year and all the complaints as winter is upon us.

Commissioner Dotson said he had went over to Monkey Hill and that there were three signs up down the road stating children at play. He said that the light poles and signs are all placed on the outside of the ditch and that he was in favor of keeping sledding on the hill.

Commissioner Patterson discussed putting up orange netting and that she was in favor of keeping it open as well.

Commissioner Stiehler said after an accident they had at the club several years ago he was not in favor.

Commissioner Calloway said he would like to see the town not scrape the road unless someone who lives over there calls and requests it scraped.

After a few more brief comments, Commissioner Dotson made a motion that Monkey Hill not be plowed during times of snow unless year round residents request it, which was seconded by Commissioner Calloway and the vote was 4 to 1. Mayor Pro Tempore Stiehler voted nay.

12. Closed Session: Pursuant to NCGS §143.318.11(a)(6) Personnel

Commissioner Pierson made a motion to go into Closed Session pursuant to NCGS §143-318.11(a)(6) at 7:49pm to discuss a personnel matter, which was seconded by Commissioner Calloway and the vote was unanimous. Once discussion was held, Commissioner Pierson moved the Board back into open session at 8:55pm, which was seconded by Commissioner Calloway and the vote was unanimous.

No action was taken.

13. Adjournment

As there were no further matters to come before the Board of Commissioners, Commissioner Dotson moved to adjourn, which was seconded by Commissioner Patterson and upon a unanimous vote, the Town Board adjourned at 9:00pm.

Patrick Taylor
Mayor

Rebecca R. Shuler, CMC, NCCMC
Town Clerk