

Regular Meeting Minutes of the Town of Highlands Board of Commissioners Meeting of March 16, 2017, at the Highlands Community Building, 71 Poplar Street, Highlands, North Carolina

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

Also Present: Town Manager Josh Ward, Town Attorney Jay Coward, Finance Director Rebecca Shuler, MIS/GIS Director Matt Shuler, Police Chief Bill Harrell, Parks & Recreation Director Lester Norris, and Town Clerk Gibby Shaheen

1. Meeting Called to Order

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

2. Public Comment Period

There were no comments.

3. Adjust and Approve the Agenda

Commissioner Stiehler made a motion to approve the agenda as presented, which was seconded by Commissioner Pierson and the vote was unanimous.

4. Approval of the February 16, 2017, Regular Meeting Minutes

Commissioner Patterson made a motion to approve the February 16, 2017, regular meeting minutes as presented, which was seconded by Commissioner Calloway and the vote was unanimous.

5. Reports

A. Mayor

Mayor Taylor stated that he and Town Manager Josh Ward were attending Town Hall day in Raleigh next week. The meeting will review the legislature including readjusting sales tax for resort communities and increasing help with K-12 schools.

Mayor Taylor mentioned Mr. Craig's attendance and request at last month's meeting regarding town postal delivery. Mayor Taylor checked with the local Postmaster and he reported that a carrier to deliver to the town would require a specially trained postal worker. The Postmasters would be reluctant to hire a new postman for this area because there are not enough businesses on Main Street to justify the position.

Mayor Taylor stated the issue presented with LLC's was not an issue, he was informed that an LLC can be registered on the Secretary of State's website.

Mayor Taylor and Chief Bill Harrell met with the International Friendship Center with concerns of the department being deputized as ICE agents. Mayor Taylor expressed that the police department does a wonderful job. Chief Harrell assured them the department enforces state laws and had not been approached to be ICE agents.

Mayor Taylor signed up for the 3 Rivers Fly Fishing tournament at the end of April, which raises funds for the scholarship fund.

Mayor Taylor thanked Parks & Recreation Director Lester Norris and employees for a good skating year. Mayor Taylor mentioned the ice skating rink having 623 skaters in February and mentioned that James does a lot of hard work opening and closing the rink. Mayor Taylor also commended the pool workers with strong pool numbers at 1100 participants.

Mayor Taylor stated Town Manager Josh Ward had received various emails late this afternoon from our Energy Consultant, Kevin O'Donnell, regarding the coal ash issue with Duke. O'Donnell had suggested consideration of a Resolution with Duke and

would have to reply by March 31st or go to FERC. Mayor Taylor advised there had not been time to completely review the information received and suggested a special meeting. Town Manager Josh Ward asked the Special Meeting be held Thursday, March 23rd. Commissioner Patterson asked if O'Donnell should be available for the meeting. Town Manager Josh Ward stated he would make arrangements with O'Donnell.

B. Commissioners and Committee Reports

There were no commissioner or committee reports.

C. Town Manager

Town Manager Ward welcomed Gibby Shaheen as the new Town Clerk.

Town Manager Josh Ward presented the Board with the following Tentative Budget Schedule FY2017-18

Thursday, May 4th

Council Budget Workshop #1 (Preliminary Budget Review)

Time: 3:00-5:00 p.m.

Location: Town Community Building

Thursday, May 11th

Council Budget Workshop #2 (Final Budget Review)

Time: 3:00-5:00 p.m.

Location: Town Community Building

Thursday, May 18th Council Meeting

Presentation of Proposed FY 2017-18 Budget

Thursday, June 15th Council Meeting

Public Hearing on FY 2017-18 Proposed Budget

Adoption of FY 2017-18 Proposed Budget

Commissioner Patterson asked if there were any meetings before May, and was informed there wasn't.

6. Consent Agenda

Public Works Department

Police Department

Park & Recreation Department

Planning & Development Department

Treasurer's Report

Mayor Pro Tempore Dotson made a motion to approve the consent agenda as presented, which was seconded by Commissioner Patterson and the vote was unanimous.

7. Use of Highlands Cemetery for Wreaths Across America Request

Scout Master Phil Potts of Highlands Scouts Troop 207, presented the Wreaths Across America Program for consideration in order for the scouts to honor our veterans in Highlands Memorial Park from December 16th until the middle or end of January. Potts requested to cord off the cemetery and to get the Fire Department or Police Department to help with the entrance and exit for the public event. Potts stated he is looking into the local churches getting involved and providing their vans, but is currently checking into the liability issues. Mayor Pro Tempore Dotson asked how long the wreaths would be in place and who would be responsible for cleanup. Potts stated the wreaths are usually left out until the middle of January and the scouts would clean them up. Potts stated he is applying as the project coordinator and would take care of all details. Commissioner Patterson asked how they would know who the veterans were. Potts stated they had a map of the cemetery and have been putting up flags for the veterans for several years.

~~Commissioner Patterson also asked if the wreaths would need to be anchored.~~ Potts stated they needed to figure that out but would probably use wire. Mayor Pro Tempore Dotson asked where the wreaths come from. Potts explained the wreaths come from a company in Maine, and the scouts would be hosting this as a fundraiser. The wreaths are \$15 each with the scouts receiving \$5 for each wreath sold. The company will either deliver the wreaths by UPS or by motor freight depending on the number ordered. The money raised will be used to send another group of scouts to place wreaths in Arlington. Commissioner Stiehler stated he liked the idea and it was well thought out.

Commissioner Calloway made a motion to approve the use of the cemetery for the Wreaths Across America Project, which was seconded by Commissioner Stiehler and the vote was unanimous.

8. Use of Founders Park for Art Shows

Dr. John Baumrucker was on hand and requested Mountain Top Rotary to use Founders Park for Art Shows. Mountain Top is going to pay Cynthia Strain to instruct them how to operate the show. Mountain Top will be selling sponsorships not just for a t-shirt but for a brochure with a map of the town. One-half of the profit made this year will go to Founders Park. The dates requested are June 24-25 and August 26-27. Commissioner Patterson asked Chief Harrell about closing the road Friday afternoon. Parks & Recreation Director Lester Norris stated that it would require the road to be closed on Friday morning for set up.

Commissioner Stiehler made a motion to accept the annual recurring use of Founders Park for Mountain Top Rotary to host an Art Show the fourth weekend of June and August, which was seconded by Commissioner Calloway and the vote was unanimous.

9. Planning Matters – Application for Subdivision – Fairview Estate, LLC 55 - 4 ½ Street Subdivision

Town Manager Josh Ward submitted a plat for subdivision of property to subdivide a single existing lot into two lots. This property is commonly known as 4 ½ Street Inn and is located at the corner of Chestnut and 4 ½ Street, Parcel No. 7540520484. The zoning is R-2 and the watershed designation is WSIII-BW and requires a minimum lot size of ½ acre. The proposed plat meets all platting requirements of the UDO Ordinance and has received an approval recommendation from the Highlands Planning Board during their February 27, 2017 regular monthly meeting.

A motion to approve the application for subdivision was made by Commissioner Patterson, which was seconded by Mayor Pro Tempore Dotson and the vote was unanimous.

10. 2016/17 Audit Contract Review and Approval

Town Manager Josh Ward presented the 2016/17 Audit Contract with Martin Starnes & Associates, CPA, P.A. for approval. Commissioner Patterson asked why the amount went up \$5,000.00 and what, if anything, were they doing different. Finance Director Rebecca Shuler stated after review with Town Manager Josh Ward they determined the contract had not increased in several years and the CPA firm was catching up with normal rates. Commissioner Patterson stated that she thought they did a great job.

Commissioner Patterson made a motion to accept the 2016/17 Audit Contract as presented, which was seconded by Commissioner Calloway and the vote was unanimous.

11. Financial Matters - Budget Amendment to Appropriate Funds for Big Bear Pen Property Purchase

Attorney Jay Coward stated the title examination for the Big Bear Pen property purchase was good and could've closed this week, but his secretary had to have

emergency surgery. Town Manager Josh Ward spoke with the land owners and they agreed it was acceptable to close next week.

Commissioner Patterson made a motion to approve the budget amendment to appropriate funds to purchase the Big Bear Pen property, which was seconded by Commissioner Pierson and the vote was unanimous.

TOWN OF HIGHLANDS BUDGET AMENDMENT
AMENDMENT # _____

March 10, 2017

FROM: General Fund



DEPARTMENT: Administration Dept.

EXPLANATION: Appropriation from fund balance to cover Property Purchase of Lot 4 Bear Pen Mountain PIN 7540833601.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
10-3100-0910	Fund Balance Appropriated ~ General Fund	75,000.00	
10-4100-7300	Capital Outlay/Other Improvements	75,000.00	

Approved by Town Manager

Action by Town Board

Approved and Entered on Minutes Dated

Clerk

12. Review and Approve Verizon Wireless Lease.

Attorney Jay Coward called the Boards attention to page 69 first paragraph with the requested language, and page 71 regarding termination if the town decided that it doesn't benefit the citizens, it will breach the Lease and will terminate. Commissioner Calloway asked if Verizon had approved the changes, and Attorney Jay Coward stated he had not consulted with Verizon he needed contact information from Town Manager Josh Ward.

Commissioner Patterson questioned, thanks to Mayor Pro Tempore Dotson, why would we have a 50 year Lease with a 10% increase. Commissioner Patterson stated our Agreement with US Cellular was only 25 years with a 15 % increase. Commissioner Patterson disagreed with the 50 year term and stated that it will cause others on the tower to negate or breach their Lease and renegotiate. Commissioner Patterson stated that the Verizon Wireless Lease had a 10% increase at every 5 year term and requested it to be a 15% increase at the end of every 5 year term. Commissioner Patterson asked to continue negotiations. Mayor Pat Taylor asked Attorney Jay Coward to contact Verizon's representative and continue with negotiations. The Board decided to table the Lease until the next regularly scheduled Board meeting.

13. Closed Session: Pursuant to NCGS §318.11(a)(4)

Commissioner Pierson made a motion to go into Closed Session pursuant to NCGS §318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body at 7:41PM, which was seconded by Commissioner Calloway and the vote was unanimous.

Discussion was held.

Commissioner Stiehler made a motion to go back into open session at 9:25PM which was seconded by Mayor Pro Tempore Dotson and the vote was unanimous.

No action was taken.

14. Adjournment

As there were no further matters to come before the Board of Commissioners, Commissioner Stiehler moved to adjourn which was seconded by Commissioner Patterson and upon a unanimous vote, the Town Board adjourned at 9:25PM.

Patrick Taylor
Mayor

Gilberta B. Shaheen
Town Clerk