

Regular Meeting Minutes of the Town of Highlands Board of Commissioners Meeting of October 26, 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 Brian Stiehler, Commissioner Eric Pierson and Mayor Pat Taylor

Also Present: Town Manager Josh Ward, Finance Director Rebecca Shuler, Public Works Director and Town Engineer Lamar Nix, MIS/GIS Director Matt Shuler, Police Chief Bill Harrell, Officer Mike Jolly, Officer Thomas Parker, Officer Ruby, Officer Andrea Holland, Officer Jonathan Phillips, Officer Timothy Broughton, Officer Joshua Greenley, Officer Ronnie Castle, Officer Clayton Creighton, Officer Steve Mason, Officer Eryn Sueyklang, Officer Timothy Fish, Officer Kevin Breedlove, Parks & Recreation Director Lester Norris, Computer Support Specialist Mark Hall 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 Mayor Pro Tempore Dotson and the vote was unanimous.

4. Approval of the September 21st, 2017, Regular Meeting Minutes

Commissioner Patterson asked that the Mayor Report refer to the fact that the clean-up and work was due to Hurricane Irma. Commissioner Patterson asked that in paragraph 8 reflect who voted yea and who voted nay. Commissioner Patterson asked that in paragraph 10 to change the first sentence from "I briefed" to "he briefed." Commissioner Patterson asked that in the motion of paragraph 11 to remove "in the Budget Amendment." Mayor Pro Tempore Dotson asked that in paragraph number 10 to make reference to Lester such as Mr. Lester Norris or Parks & Recreation Director Lester Norris.

Commissioner Pierson made a motion to approve the September 21st, 2017, regular meeting minutes as amended, which was seconded by Commissioner Stiehler and the vote was unanimous.

5. Reports

A. Mayor

Mayor Taylor stated he had attended the Duke hearing in Asheville and waited three hours before he had the opportunity to speak and was asked to speed up, but was able to share that it was unfair that the stockholders were not held accountable and felt it was criminally negligent on their part. Energy Consultant Kevin O'Donnell continues to testify on our behalf and believes eventually the Utilities Commission will reduce the Duke Coal Ash recovery. In the meantime, the Coal Ash recovery will be on the utility bills starting in January and will be based on the highest numbers until a ruling is made in the spring.

Mayor Taylor expressed his appreciation to Commissioner Stiehler, Commissioner Calloway, Finance Director Rebecca Shuler and Wildcat Cliffs Country Club for all of the work to make the scholarship fundraiser successful.

Mayor Taylor announced that the American Legion will be holding a ceremony for Veteran's Day on November 11th.

Mayor Taylor stated he had met with Rabun Gap science classes who labelled the storm drains and thanked them for their work.

Mayor Taylor stated he had been in touch with Brian Birch and Wesley Grindstaff of the NCDOT with concerns of being informed of road work such as the road closure on 64 in Cashiers, and they were very responsive of informing of the status of the road work and it was completed before the deadline.

Mayor Taylor stated various sources have been in touch with concerns and complaints about a certain business peddling. Mayor Taylor continued that at this point there are no violations, but the situation is being followed and the Police Department has been made aware.

B. Commissioners and Committee Reports

Commissioner Stiehler stated he echoed the Mayor and thanked Finance Director Rebecca Shuler for all of her work, there’s no way we could know how much work it takes to put this together. Commissioner Stiehler also thanked Wildcat Cliffs Country Club for hosting the fundraiser for the 7th year, and stated not many clubs would waive fees, etc. Wildcat is a true partner in this community.

C. Town Manager

Town Manager Ward announced that the joint meeting of the Macon County Board of Commissioners, Town of Highlands Board of Commissioners and Franklin Board of Commissioners will be held November 28, 2017, at 6:00pm at the Robert C. Carpenter building in Franklin.

6. Consent Agenda

- Public Works Department
- Police Department
- Parks & Recreation Department
- Planning & Development Department
- Treasurer’s Report
- Irma Cleanup Budget Amendment

TOWN OF HIGHLANDS BUDGET AMENDMENT
AMENDMENT # _____

October 26, 2017

FROM: Electric Fund



DEPARTMENT: Electric Dept.

EXPLANATION: Appropriate funds to cover Irma Cleanup Fees and Contract Aid

	Account	Description	Increase/Decrease	Debit	Credit
1.	35-3800-0910	Fund Balance Approp.	Increase		\$112,000.00
	35-8300-1850	Maint & Repair ~ Sys Equip	Increase	\$112,000.00	
			Totals	\$112,000.00	\$112,000.00

Approved by Town Manager

Action by Town Board

Approved and Entered on Minutes Dated

Finance Director

Commissioner Patterson asked if the Irma Cleanup Budget Amendment included overtime for employees. Finance Director Rebecca Shuler stated it only included paying the Contractors, food and lodging. Town Manager Josh Ward added the state did not

qualify for FEMA and reimbursement would be from NC State Emergency Management and it would only cover clean up.

Commissioner Calloway made a motion to accept the consent agenda as presented, which was seconded by Commissioner Patterson and the vote was unanimous.

7. Recognition of Service for K-9 Ruby

Police Chief Bill Harrell introduced Al Caiata President of the Fraternal Order of Police Lodge 81 of the Macon/Jackson County who presented Officer Parker a certificate of service recognizing Officer Ruby for her performance as an officer over the past 10 years.

Police Chief Bill Harrell also recognized Officer Parker and Officer Ruby and their immediate family and thanked the family for their care of Ruby. Police Chief Bill Harrell also recognized that Officer Ruby was the Police Department's first canine officer with a dual purpose with narcotics and tracking certifications.

8. Employee 457 Plan Change

Edward Jones Representative Mary Beth Brody stated that since 2009 the employees of the Town of Highlands have been participating in a 457 Plan. Mary Beth Brody continued when it began the group was small but now it has transitioned with more participation and grown to over a half a million dollars in size with the market growth. Mary Beth Brody stated that because of that growth she has the opportunity to provide more services and would like permission to move forward to explore alternatives to transition by February. Town Manager Josh Ward stated there is a need to change companies and Mary Beth Brody has been exploring different options and the Board will have to approve the company once it is determined.

Mayor Pro Tempore Dotson asked who the current company we were with and Mary Beth Brody answered Lord Abbett. All agreed for her to explore new options.

9. Satulah Water Tank Construction Estimates

Public Works Director and Town Engineer Lamar Nix stated in the Agenda Packet are copies of WK Dickson cost estimates for the water tank replacement on Satulah. Public Works Director and Town Engineer Lamar Nix stated there are a couple of options to get the 600,000 gallon storage. One option is to obtain one tank and the other is to obtain two tanks half that size, which would mean we could get a smaller tank to begin with and then get the second small tank at a later date. The options also include the fact that they are glass fused steel like the blue one on Bearpen or welded steel, we do not want concrete.

Public Works Director and Town Engineer Lamar Nix stated that for present day with the current budget the option of the 600,000 gallon tank is financially the better option. The other option would also be beneficial to get a small one and one later, but with the economics of it the one tank makes more sense. Public Works Director and Town Engineer Lamar Nix stated he was surprised that the glass fused steel was cheaper than steel but would recommend to get one 600,000 gallon tank glass fused steel and to replace the pump house now.

Mayor Patrick Taylor asked if the glass fused steel is the better investment for minimal maintenance. Public Works Director and Town Engineer Lamar Nix stated that was correct.

Commissioner Patterson asked how long the gaskets would last. Public Works Director and Town Engineer Lamar Nix answered that we have had the one on Bearpen for 15 years and it hasn't shown any sign of any problems.

Public Works Director and Town Engineer Lamar Nix stated that we could work the construction that part of it will be completed during this fiscal year to provide for the budget of funds to cover the remainder in the next fiscal year and because we have the option of keeping the old tank in place during construction allows us to cross over with no disruption of service.

Mayor Pro Tempore asked about the timeframe and was it even possible to complete by the next fiscal year at this point. Public Works Director and Town Engineer Lamar Nix answered it can be if we want, however we need it to be and explore the construction and financial timeline for what it is decided so we can use the budget money for this time and then budget with the

Commissioner Patterson asked about the money. Town Manager Josh Ward stated that \$596,000 budgeted this year and this includes all the site work, pump house replacement, tank, as well as demo and site cleanup of the existing location correct. Public Works Director and Town Engineer Lamar Nix stated that was correct. Town Manager Josh Ward stated he thought we should begin this year with the engineering and site work to get everything ready for construction and budget the remaining balance in the next fiscal year. Commissioner Patterson asked that the current budgeted amount covers about half right now of the construction. Public Works Director and Town Engineer Lamar Nix stated that was correct.

Public Works Director and Town Engineer Lamar Nix stated that he was seeking direction from the Board so he could direct WK Dickson to obtain firm prices for the one 600,000 gallon tank and construction with the timeline of funds and obtain a firm contract, everyone agreed.

Town Manager Josh Ward stated the property closing for the new tank will be next week.

10. Surplus of Equipment – Public Works

Public Works Director and Town Engineer Lamar Nix stated he was requesting permission to sale surplus equipment.

Surplus Equipment List

10/19/17

1. 2007 F550 Dump(Street)	1FDAF57P77EB21605
2. 2001 International Dump (Street)	1HTSDAAN51H388698
3. 1998 JCB Backhoe (Water)	467820
4. 2004 Chevrolet 2500 (Water)	1GCHK29134E211612
5. 1999 Dodge 1500 (Water)	1B7HF16Y2X5218332
6. 1998 Jeep (Water Plant)	1J4FJ28SOWL254205
7. 1993 International 4900 (Sanitation)	1HTSDN2R7PH508082

Commissioner Patterson made a motion to approve the sale of surplus equipment as presented, which was seconded by Commissioner Pierson and the vote was unanimous.

11. Approval of Broadband Construction Design Engineering

Town Manager Josh Ward stated the Town is in negotiations with Wide Open Networks for partnership. Regardless of the partner the town will be responsible for the buildout of the aerial and engineering and needs to get that completed. Wide Open Networks has agreed to complete the engineering and the Budget Amendment handed out for the Board's Approval is for \$255,600. Town Manager Josh Ward continued that the Engineering will be part of the Town's overall commitment to the project which will be included in the total cost with Wide Open Network if chosen as partner. If decided for a different partner the engineering portion will be complete and the town will be ready to move forward.

Recommendation is to go with Wide Open Network for designing and engineering for the aerial build.

Commissioner Patterson asked the timeframe for the completion of the engineering, MIS/GIS Director Matt Shuler stated the end of December first part of January.



THE TOWN OF
HIGHLANDS

FROM: General Fund

DEPARTMENT: MIS/GIS ~ Fiber Dept.

EXPLANATION: Appropriate funds to cover the engineering for the Fiber build

Account	Description	Increase/Decrease	Debit	Credit
1. 10-3100-0910	Fund Balance Approp. ~ GF	Increase		\$255,600.00
10-4310-0410	Professional Services ~ Eng.	Increase	\$255,600.00	
			Totals	\$255,600.00 \$255,600.00

Approved by Town Manager

Action by Town Board

Approved and Entered on Minutes Dated

Finance Director

Commissioner Stiehler made a motion to move forward with the Broadband and to accept the Budget Amendment for Broadband Construction Design Engineering as presented, which was seconded by Commissioner Patterson and the vote was unanimous.

12. Highlands Code of Ordinances – Pole Attachment Amendments

MIS/GIS Director Matt Shuler began the purpose of this Amendment is to make the pole attachment more rapid to get on by requiring the individual newly attaching to pay an outside contractor to move the different attachments. The Amendments are to remove Chapter 6 which is almost identical to Chapter 15, Article 5, and to revise some language in Chapter 15, Article 5 as indicated in the Agenda.

After discussion and questions, Commissioner Calloway asked to table the discussion until the Pole Attachment Ordinance had been rewritten. Everyone agreed.

13. Skate Park Construction Discussion

Parks & Recreation Director Lester Norris stated he had received a donation in the amount of \$223,000 from Art and Angela Williams to build the Skate Park. The property needed to place the Skate Park is located at the current playground, and the playground will have to be moved and a retaining wall built. Parks & Recreation Director Lester Norris stated he had several Contractors donating their time and supplies to help facilitate the build in the amount of \$20,000, the total retaining wall cost will be \$42,000. The remaining funds will have to come from some other contributors. Parks & Recreation Director Lester Norris stated John Swift of the Rotary Foundation wanted to contribute \$11,000 if Parks & Recreation Director Lester Norris could come up with the remaining balance of \$11,000. Derek Taylor stated he felt that the community could come up with the remaining balance and he would personally guarantee the difference.

Commissioner Calloway made a motion to accept the Skate Park Construction including donations from the community as presented, which was seconded by Commissioner Stiehler and the vote was unanimous.

14. Dogs in Kelsey-Hutchinson Park

Mayor Pro Tempore Dotson stated he had a number of folks call, visit and personally had witnessed dogs with and without owners in Kelsey Hutchinson Park over the past year or two and especially on Saturday with activities or events. Mayor Pro Tempore

Dotson asked that Kelsey Hutchinson Park be dog free, feces free all the time. The dogs relieve themselves and the feces are not being picked up or not able to be picked up.

Mayor Taylor stated he ran by there every day and stopped at the park and most of the time had not seen anything in the park. Mayor Taylor continued of course you have irresponsible dog owners or unattended dogs who may relieve themselves.

Hank Ross President of Friends of the Park stated the park had been designed for the enjoyment of everyone including pets. Ross explained that Friends of the Park had assisted in maintenance, and in his experience most pet owners are diligent and some forget, but to deprive enjoyment because of the irresponsibility of a few isn't right. Pets are important to family and they won't come without their dogs, we are a dog friendly town. Ross stated that he is a citizen and I love the park if he sees it there he'll pick it up, but would hope you would have more discussion before any final voting.

Ashby Underwood/Diane Levine stated it didn't matter how many people picked it up it is still there, there is still residue you cannot get it all up. We are a dog friendly town, but we have a Dog Park, Harris Lake and the Greenway, why can't we have a people park that is just clean that our babies can crawl on?

Mayor Taylor stated he understand the concerns, but even dogs in a yard is a potential exposure and kids learn to work through it. I don't see a lot of violations and educating people about the dog dispenser mitts was his position.

Commissioner Calloway stated his problem was not with the waste but with dogs being at events with other dogs and he had witnessed dogs going at each other and a dog snapping at a child and he was worried someone would get bitten even with dog on leads. Commissioner Calloway stated he would support no dogs during events.

Ashby Underwood/Diane Levine stated I live in a town and everyone loves their dogs, but it got so bad that they had to restrict and took away the dog mitts and everyone knows, and at events the dogs where fighting and it's not healthy children get worms, Amy you know it happens.

Mayor Pro Tempore Dotson we have a dog park and the reason we do is to encourage folks to take their dogs to the dog park to socialize, run, play and relieve themselves wherever they want. Kelsey Hutchinson Park is a place for public to gather but it's not a dog park it's a people park and we should try to discourage dogs there all the time.

Ashby Underwood/Diane Levine stated that she supported no dogs in the park there had already been a report of a Kindergartner that got worms in December.

Commissioner Stiehler stated he didn't support this at all, I don't think you can manage irresponsible dog owners and didn't think we should punish those who comply.

Commissioner Patterson stated I obviously like dogs and like my dog around me, but there are some instances that people get round worms and hook worms from feces in the ground by sitting, walking or putting your hand on it, but there are potential serious consequences including going blind, so it's not something you can ignore. I'm not sure exactly what we should be doing.

Mayor Pro Tempore Dotson stated his mission was not to band dogs from the park, one I would like to see remove the dog mitts and number two put up signs please keep your dog out of the park to discourage folks. Commissioner Calloway asked why would you remove the mitts? Mayor Pro Tempore answered what's the definition of dog friendly, mitts I think.

Jeannie Chambers commented that something she did with her kids and grandkids was to go to Harris Lake and everywhere you step there is duck poop. Mayor Pro Tempore Dotson stated ducks and geese are not human controlled.

Hank Ross stated as president of Friends of the Park he would like a chance to research a way to reduce risk of worms.

Sarah Vinson stated in the town where she came from there was a leash ordinance and failure to pick up was \$250.00 fine.

Mayor Taylor suggested to continue to explore options with the help of Parks & Recreation Director Lester Norris, the Rec. Committee, Mayor Pro Tempore Dotson and Friends of the Park.

Mayor Taylor requested that we create a committee to look at the issue and staff to include Town Manager Josh Ward, Parks & Recreation Director Lester Norris, Planning & Development Director Andrew Bowen, Police Chief Bill Harrell for enforcement, Commissioner Stiehler, Commissioner Patterson and Mayor Pro Tempore Dotson and Hank Ross of Friends of the Park.

15. Adjournment

As there were no further matters to come before the Board of Commissioners, Mayor Pro Tempore Dotson moved to adjourn which was seconded by Commissioner Patterson, and upon a unanimous vote, the Town Board adjourned at 8:31pm.

Patrick Taylor
Mayor

Gilberta B. Shaheen
Town Clerk