

**Regular Meeting Minutes of the Town of Highlands Board of Commissioners Meeting of November 15, 2018, at the Highlands Community Building, 71 Poplar Street, Highlands, North Carolina**

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

Also Present: Town Manager Josh Ward, Town Attorney Jay Coward, Finance Director Rebecca Shuler, Public Works Director Lamar Nix, MIS/GIS Director Matt Shuler, Officer Clayton Creighton, 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**

Bob Kieltyka of the Chamber thanked the Mayor, Board of Commissioners, staff of the Highlands Recreation Park, Police Department and Fire Department, and the community for their support and work for a great Highlands Food & Wine Festival.

**3. Adjust and Approve the Agenda**

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

**4. Approval of the September 25<sup>th</sup>, 2018, Special Meeting Minutes**

Commissioner Patterson made a motion to approve the September 25<sup>th</sup>, 2018, special meeting minutes as presented, which was seconded by Commissioner Dotson and the vote was unanimous.

**Approval of the September 27<sup>th</sup>, 2018, Special Meeting Minutes**

Commissioner Patterson asked for the lead in paragraph to be changed to reflect the correct location and address of the Highlands Civic Center.

Commissioner Patterson made a motion to approve the September 27<sup>th</sup>, 2018, special meeting minutes as amended, which was seconded by Commissioner Dotson and the vote was unanimous.

**Approval of the October 18<sup>th</sup>, 2018, Regular Meeting Minutes**

Commissioner Patterson made a motion to approve the October 18<sup>th</sup>, 2018, regular meeting minutes as presented, which was seconded by Commissioner Calloway and the vote was unanimous.

**5. Reports**

**A. Mayor**

Mayor Taylor thanked the Chamber of Commerce and of the participants in the Food and Wine Festival.

Mayor Taylor thanked the American Legion for the Veteran event held Monday at 11am.

Mayor Taylor stated at the last Community Coffee there was a Bear Forum with guests Mr. Ashe and Dr. Costa. Mayor Taylor continued that we have a need to take action to be a bear smart community, which would include bear resistant street cans and dumpsters. Mayor Taylor stated the community and visitors would need to do their part by properly securing food products. Another thing to be considered are ordinances to enforce a bear smart community

Mayor Taylor stated he had some responses from the NCDOT considering radar control signs to help redirect the big trucks from using the Gorge Road. The NCDOT would

install cameras for \$22,000 each, but they would not purchase the cameras. Mayor Taylor stated working with GPS and dispatchers to redirect the route, but the truckers have their own system so that could be a challenge. Mayor Taylor requested the Insurance Commissioner puts out an advisory on the road. Mayor Taylor added that there are road regulations on all roads and if they were strictly enforced it might resolve some issues.

Mayor Taylor stated that he, Barrett Hawks and Franklin Mayor Bob Scott had traveled to Raleigh and met with the NC Attorney General assistant to review the conveyance of Highlands Cashiers Hospital to HCA.

## **B. Commissioners and Committee Reports**

Commissioner Patterson announced she had been in a meeting in Raleigh regarding greenhouse emissions resolutions and good things are happening, and she will put together a report.

## **C. Town Manager**

Town Manager Josh Ward reminded that Town Hall would be closed Thursday and Friday next week for Thanksgiving and the December Town Board Meeting was December 13<sup>th</sup>.

## **6. Consent Agenda**

Public Works Department  
Police Department  
Parks & Recreation Department  
Planning & Development Department  
Treasurer's Report  
2019 Holiday/Meeting Calendar  
Christmas Bonuses  
Planning Board Appointment (Bradley Armstrong)



### **Agenda Item**

**Date:** Thursday, November 15, 2018  
**To:** Mayor Patrick Taylor and Town Board of Commissioners  
**Prepared By:** Gilberta B. Shaheen, Town Clerk  
**Subject:** **Holiday Schedule for 2019**

### **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.

<b><u>Holiday</u></b>	<b><u>Observance Date</u></b>	<b><u>Day of the Week</u></b>
New Year's Day	January 1, 2019	Tuesday
Martin Luther King Day	January 21, 2019	Monday
Good Friday	April 19, 2019	Friday
Memorial Day	May 27, 2019	Monday
Independence Day	July 4, 2019	Thursday
Labor Day	September 2, 2019	Monday
Veteran's Day	November 11, 2019	Monday
Thanksgiving	November 28 & 29, 2019	Thursday & Friday
Christmas	December 24 & 25, 2019	Tuesday & Wednesday



**Agenda Item**

**Date:** November 15, 2018

**To:** Mayor Patrick Taylor and Town Board of Commissioners

**Prepared By:** Gilberta B. Shaheen, Town Clerk

**Subject:** **Meeting Schedule for 2019**

**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 date that doesn't follow suit is the December meeting and historically it has been earlier to avoid the busy holiday season.

**Recommendation:**

Approve the following monthly regular meeting schedule for 2019 at the will of the Board.

<b><u>Month</u></b>	<b><u>Date</u></b>
January	17 <sup>th</sup>
February	21 <sup>st</sup>
March	21 <sup>st</sup>
April	18 <sup>th</sup>
May	16 <sup>th</sup>
June	20 <sup>th</sup>
July	18 <sup>th</sup>
August	15 <sup>th</sup>
September	19 <sup>th</sup>
October	17 <sup>th</sup>
November	21 <sup>st</sup>
December	12 <sup>th</sup>



### **Agenda Item**

**Date:** Thursday, November 15, 2018  
**To:** Mayor Patrick Taylor and Town Board of Commissioners  
**Prepared By:** Gilberta B. Shaheen, 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	\$200
Between one(1) & ten(10) years of service	\$250
Between ten(10)& twenty(20) years of service	\$300
More than twenty(20) years of service	\$350
Part-time employees	Hams or \$25 Gift Cards

#### **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.



### **Consent Agenda Item**

**Date:** November 15, 2018  
**To:** Mayor Pat Taylor and Town Board of Commissioners  
**Prepared By:** Gibby Shaheen, Town Clerk  
**Subject:** Planning Board Appointment

#### **Background:**

Recently Planning Board Member Greg Krause resigned.

We have received the attached application to fill any vacancies in the Planning or Zoning Boards. Mayor Taylor met with Bradley Armstrong and he is interested in becoming involved in the community and serving on the Planning Board.

## **Recommendation:**

Mayor Taylor recommends the Board approve the appointment to the Planning Board. Commissioner Stiehler made a motion to accept the consent agenda as presented, which was seconded by Commissioner Calloway and the vote was unanimous.

### **7. Public Hearing: Zoning Map Amendment Cottages on 4<sup>th</sup>, LLC (formerly TRI Real Estate NC, LLC)**

#### **A. Open Public Hearing**

Commissioner Patterson made a motion to open the public hearing on the revisions to the Unified Development Ordinance at 7:26pm, which was seconded by Commissioner Dotson and the vote was unanimous.

#### **B. Staff Comments/Recommendation**

Town Manager Josh Ward gave the following report: Cottages on 4<sup>th</sup>, LLC (formerly TRI Real Estate NC, LLC) has submitted a zoning map amendment request for a property they own located on North Fourth Street, PIN # 7540339485. The property is located across from the Community Building. Currently, the property is split zoned. The front portion of the property is zoned B-4 Commercial and the rear portion of the property is zoned R-2 Residential. In order to be consistent with the Land Use Plan and the proposed residential development, the request is to amend the zoning map to reflect the entire parcel as R-2 Residential. The Planning Board reviewed the application at their regularly scheduled meeting on October 22<sup>nd</sup> and recommended approval of the request.

#### **C. Public Comments**

Farrel Zehr stated he owned property adjacent to the zoning change and had a concern about his property that was zoned B4 having to change and didn't want to jeopardize his commercial rating. Zehr's second concern was would the storm water runoff protections remain the same.

Town Manager Josh Ward answered that the rezone would not affect his property, it would remain zoned B4 and definitely wouldn't affect the storm water because it is the same restrictions for residential and commercial.

#### **D. Close Public Hearing**

Commissioner Patterson made a motion to close the public hearing at 7:24pm, which was seconded by Mayor Pro Tempore Pierson and the vote was unanimous.

#### **E. Council Action**

Commissioner Patterson made a motion to approve the rezone from B4 Commercial and R2 Residential split to all R2 Residential which is consistent with the Land Use Plan, also to approve the Statement of Consistency, Zoning Ordinance, and map reflecting the change, which was seconded by Mayor Pro Tempore Pierson and the vote was unanimous.



**STATEMENT OF CONSISTENCY  
WITH THE TOWN OF HIGHLANDS LAND USE PLAN FOR AMENDMENT  
OF THE ZONING MAP OF THE TOWN OF HIGHLANDS  
PER NCGS 160A-383**

**BE IT HEREBY RESOLVED** by the Board of Commissioners for the Town of Highlands, North Carolina, that in accordance with provisions of North Carolina General Statute 160A-383, the Board of Commissioners hereby finds and determines that the Amendment of the Zoning Map of the Town of Highlands is consistent with the goals, objectives and policies of the Town's adopted Land Use Plan and is reasonable and in the public interest because it conforms with the practices the Town now observes in the conformity with statutory requirements. Specially, the amendment will provide a consistent zoning classification upon the entire Parcel No. 7540339485. Upon adoption of the Zoning Map #2018-04-Map, the map will be available for public viewing on the Town of Highlands Website and posted within Town Hall.

Upon motion duly made by Commissioner Patterson and duly seconded by Mayor Pro Tempore Pierson and the vote was unanimous, the above statement was duly adopted by the Town of Highlands Board of Commissioners at the regular meeting held on the 15<sup>th</sup> day of November, 2018 in the Community Building, 71 Poplar Street, Highlands, NC.

Upon call for a vote, the following Commissioners voted in the affirmative:  
Commissioner Calloway, Commissioner Patterson, Commissioner Dotson,  
Commissioner Stiehler, Mayor Pro Tempore Pierson

And the following Commissioners voted in the negative: \_\_\_\_\_

This the 15<sup>th</sup> day of November, 2018.

\_\_\_\_\_  
Patrick Taylor, Mayor

Attest:

\_\_\_\_\_  
Gilberta B. Shaheen, Town Clerk



**An Ordinance Amending the Official Zoning Map of the Town of Highlands  
Ordinance #2018-03-Ord**

Be it ordained by the Town of Highlands Board of Commissioners:

1. Pursuant to Article 4. Applications and Permits Sec. 4.5 Conditional Zoning Districts of the Unified Development Ordinance Highlands, North Carolina amendments of the Unified Development Ordinance and Zoning Map of the Town of Highlands is hereby amended by changing the zoning designation of Parcel No. 7540339485 from *split B-4 Commercial and R2 Residential* to all R2 Residential.
2. The zoning designation of *Parcel No. 7540339485* from *split B-4 Commercial and R2 Residential* to all R2 Residential is reflected on Zoning Map #2018-04-Map.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this the 15<sup>th</sup> day of November, 2018.

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Patrick Taylor, Mayor

Attest:

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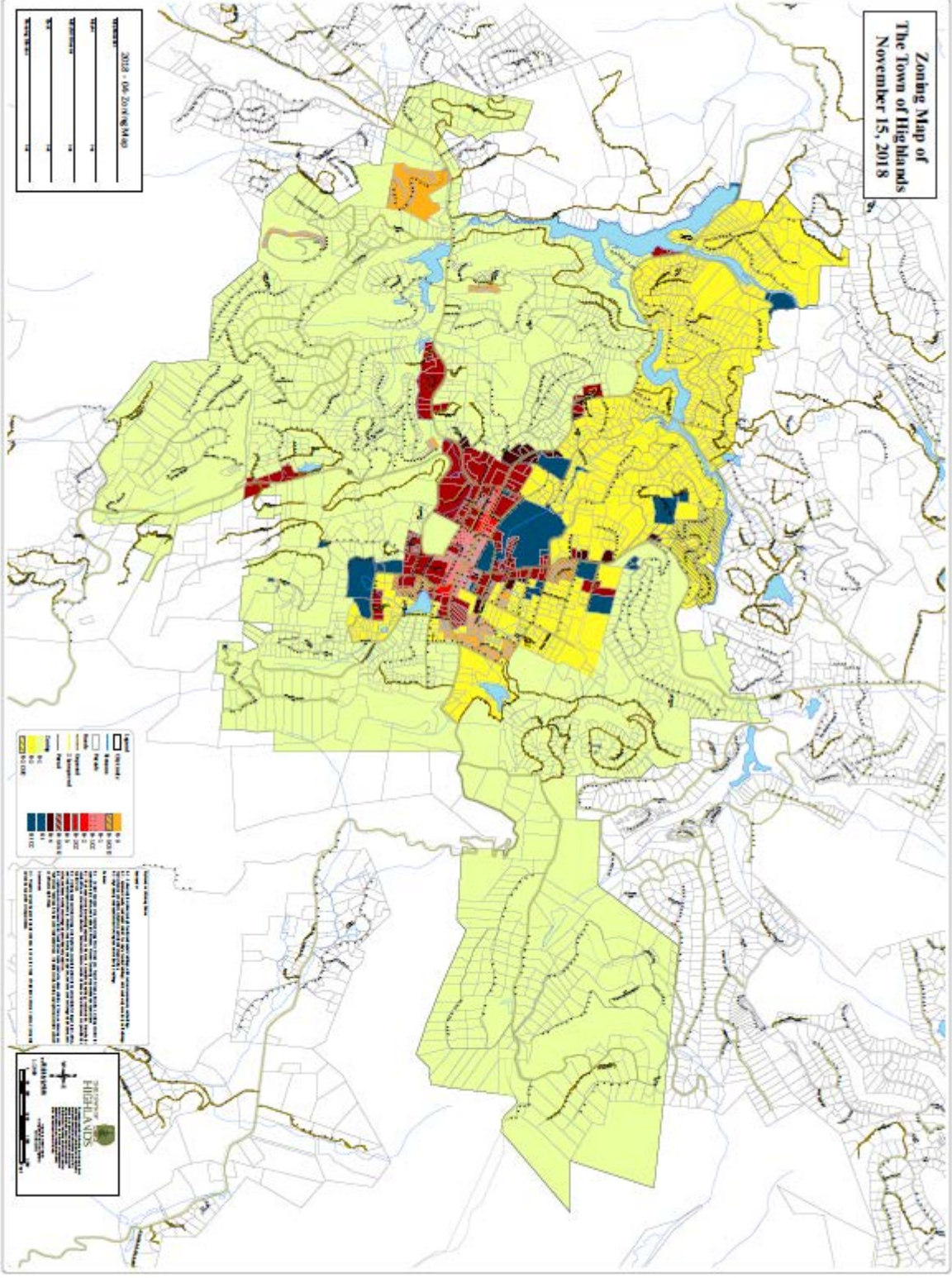
Gilberta B. Shaheen, Town Clerk

Approved as to form:

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Jay K. Coward, Town Attorney

**Zoning Map of  
The Town of Highlands  
November 15, 2018**



DATE:	11/15/2018
BY:	PLANNING DEPARTMENT
FOR:	TOWN OF HIGHLANDS
PROJECT:	ZONING MAP
SCALE:	AS SHOWN

	RESIDENTIAL SINGLE-FAMILY (RS)
	RESIDENTIAL SINGLE-FAMILY (RS-2)
	RESIDENTIAL MEDIUM-DENSITY (RM)
	RESIDENTIAL MEDIUM-DENSITY (RM-2)
	RESIDENTIAL MEDIUM-DENSITY (RM-3)
	COMMERCIAL GENERAL (CG)
	COMMERCIAL GENERAL (CG-2)
	COMMERCIAL GENERAL (CG-3)
	INDUSTRIAL GENERAL (IG)
	INDUSTRIAL GENERAL (IG-2)
	INDUSTRIAL GENERAL (IG-3)
	INDUSTRIAL GENERAL (IG-4)
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**LEGEND**

**BOUNDARIES**

- Town Boundary
- Precinct Boundary
- Water Boundary
- Easement Boundary
- Right-of-Way Boundary
- Utility Boundary
- Other Boundary

**SYMBOLS**

- Street
- Alley
- Drive
- Road
- Highway
- Water
- Lake
- Pond
- Stream
- River
- Canal
- Ditch
- Embankment
- Trench
- Culvert
- Bridge
- Tunnel
- Overpass
- Underpass
- Viaduct
- Railroad
- Airway
- Pipeline
- Power Line
- Telephone Line
- Cable Line
- Gas Line
- Sewer Line
- Water Line
- Storm Sewer Line
- Other Line





## **8. Subdivision Application: Cottages on 4<sup>th</sup>, LLC (formerly TRI Real Estate NC, LLC) North Fourth Street**

Town Manager Josh Ward gave the following report: Cottages on 4<sup>th</sup>, LLC (formerly TRI Real Estate NC, LLC) submitted a subdivision request for a property they own located on North Fourth Street, PIN # 7540339485. The property is located across from the Community Building. The property consists of 3.25 acres. The request is to create six new residential lots. The Unified Development Ordinance requirements will be met, including minimum lot sizes of one-half acre, required within the R-2 Residential Zoning District and the Public Water Supply Watershed 3 – Balance of Watershed. The 70 foot lot width will be met. The required 40 foot road right-of-way will be provided. A Type 1 Buffer will also be installed along North Fourth Street.

All utilities are available to the property, including electric, water and sewer. Lamar Nix, Public Works Director, reviewed the utilities plan for the proposed development and approves the design. In addition, a sidewalk is designed to be constructed along North Fourth Street adjacent to the property. The sidewalk will be constructed to the Town's specifications due to the property adjoining a segment of the Town of Highlands Master Sidewalk Plan, identified as future sidewalk.

The Planning Board reviewed the subdivision application at their regularly scheduled meeting on October 22<sup>nd</sup> and recommended approval of the request.

Commissioner Patterson made a motion to accept the Subdivision as presented, which was seconded by Mayor Pro Tempore Pierson and the vote was unanimous.

## **9. Main Street Tree Planter Discussion**

Mayor Pro Tempore Pierson stated this was a continuation of the discussion about the Main Street Planters and the NCDOT had come back with limitations and the idea presented followed those suggestions.

Public Works Director and Town Engineer Lamar Nix stated the parking spaces were 25 feet long and restrictions from the NCDOT included that the trunk of the tree cannot be closer than 8 feet from travel lane.

Mayor Taylor asked how much time we had before we have to move forward, and Public Works Director and Town Engineer Lamar Nix stated it had to be designed, approved, and constructed by April 1, 2018.

Commissioner Patterson suggested to go back to the NCDOT to ask for a variance to allow the trees to be closer than the 8 foot restriction.

After discussion was held between the Board of Commissioners and the public voiced their opinions, all Commissioners agreed to hold a Land Use Committee meeting with Andy Russell, Division Engineer with the NCDOT, Town Engineer Lamar Nix and the public to ask questions and to come up with a mutually acceptable plan.

## **10. Bear Proof Trash Receptacle Discussion**

Mayor Pro Tempore Pierson stated as a continuation from previous discussions about bear proof trash cans Commissioner Dotson had a suggestion. Commissioner Dotson stated he had been in touch with the distributor of bear proof trash receptacles that provide service in Gatlinburg. Commissioner Dotson continued that the distributor, Big Belly, had different containers to choose from and they had offered to give a presentation if we are interested. The Board of Commissioners agreed to invite them to the December meeting.

## **11. Blue Zone Presentation**

Sallie Taylor presented the idea of Highlands becoming a Blue Zone, which is a program that promotes 9 characteristics to follow to promote long and healthy lives and increase the quality of life. Taylor continued that there is a potential for Blue Zone to have a two hour presentation to the community to see if they are interested in participating.

Commissioner Patterson asked why the government needed to be involved. Taylor replied that she would like to have a stamp of approval to support or endorsement, because it will require the community participation.

**12. Closed Session: Pursuant to NCGS §318.11(a)(4) Discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body: Fiber Construction**

Mayor Pro Tempore 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 9:04pm, which was seconded by Commissioner Dotson and the vote was unanimous.

Once discussion was held, Commissioner Patterson made a motion to go back into open session at 10:02pm, which was seconded by Commissioner Stiehler and the vote was unanimous.

Commissioner Patterson made a motion to call for a Public Hearing at the regular scheduled meeting on December 13, 2018, to go to the LGC to secure funds for our fiber grid build out for smart city technologies, which was seconded by Mayor Pro Tempore Pierson and the vote was unanimous

**13. Adjournment**

As there were no further matters to come before the Board of Commissioners, Commissioner Stiehler moved to adjourn which was seconded by Commissioner Calloway and upon a unanimous vote, the Town Board adjourned at 10:05pm.

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Patrick Taylor  
Mayor

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Gilberta B. Shaheen  
Town Clerk