

Regular Meeting Minutes of the Town of Highlands Board of Commissioners Meeting of November 21, 2019, at the Highlands Community Building, 71 Poplar Street, Highlands, North Carolina

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

Also Present: Town Manager Josh Ward, Town Attorney Jay Coward, Finance Director Rebecca Shuler, Human Resource Director Emilie Nickerson, Public Works Director Lamar Nix, Police Chief Bill Harrell, Fire Chief Ryan Gearhart, Planning & Development Director Assistant Michael Mathis, 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

Slocum Howland stated he lived on Sagee Drive and had been to the Land Use Committee meeting regarding short term rentals in residential areas and when he moved here in 1998 in an R1 and want it to remain residential only. Howland mentioned for citizens to be involved the meetings needed to have time to be advertised in the paper.

3. Adjust and Approve the Agenda

COMMISSIONER PATTERSON MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED, WHICH WAS SECONDED BY COMMISSIONER DOTSON AND THE VOTE WAS UNANIMOUS.

4. Approval of the October 17th, 2019, Regular Meeting Minutes

COMMISSIONER PATTERSON MADE A MOTION TO APPROVE THE OCTOBER 17TH, 2019, REGULAR MEETING MINUTES AS PRESENTED, WHICH WAS SECONDED BY MAYOR PRO TEMPORE STIEHLER AND THE VOTE WAS UNANIMOUS, WITH COMMISSIONER CALLOWAY ABSTAINING BECAUSE HE WAS ABSENT.

5. Reports

A. Mayor

Mayor Taylor had no reports.

B. Commissioners and Committee Reports

Commissioner Calloway announced there had been two Land Use Committee meetings and the first they had allowed the public to speak and voice concerns, and the second meeting opened it some to the public and appreciate the concerns and we are trying to figure out how to appease the situation.

Commissioner Calloway also stated that the sunshine list gets the notices for meetings and if the citizens where interested in receiving that information they can see Town Clerk Gibby Shaheen and she will add you to the sunshine list.

C. Town Manager

Town Manager Ward Congratulated Wade Wilson for over 25 years of service at the Water Plant and announced he was retiring the end of the month.

Town Manager Ward reminded that Town Hall would be closed Thursday and Friday for Thanksgiving Holidays.

Mayor Taylor asked about garbage pickup for the holiday and Public Works Director and Town Engineer Lamar Nix answered Sanitation was off Thanksgiving, but would run both Thursday and Friday pickups on Friday.

6. Consent Agenda

Public Works Department
Police Department
Parks & Recreation Department
Planning & Development Department
Treasurer's Report
Street Closure Resolution for DOT
Governor's Crime Commission Grant Amendment
2020 GCC Grant Request
Christmas Bonuses
Donation Recognition/Allocation



**Resolution to Request A Parade Permit for
A Christmas Parade in Highlands, North Carolina
Resolution No. 2019-08-Res**

WHEREAS, the Town of Highlands Board of Commissioners has received a request from the Chamber of Commerce requesting the Board undertake the formal steps necessary for the citizens of Highlands, North Carolina to conduct a parade in the downtown area on Main Street (US 64/NC 28), Saturday morning, December 7th, 2019, from 10:30am to 12:00pm; and

WHEREAS, the Town of Highlands Board of Commissioners believes that it is in the best interest of the citizens of the Town of Highlands that they act favorably on said request and formally notify the NC Department of Transportation for the closing of said highway at said times for the conducting of a parade in Highlands, North Carolina.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Highlands that:

1. The North Carolina Department of Transportation be advised that the Town of Highlands Board of Commissioners hereby agrees to serve as the sponsoring governmental entity for a parade to be held in Highlands, North Carolina on Saturday morning, December 7, 2019, at 11:00am, with no rain date at the location of downtown Highlands on Main Street (US64/NC28).
2. That the Town of Highlands Board of Commissioners agrees to be the governmental entity making a request for the closing of said highway at said times and for obtaining compliance with those requirements of the North Carolina Department of Transportation for the conducting of said parade and the rerouting traffic during those times when said highway is closed.
3. The Town of Highlands Board of Commissioners accepts full responsibility for the special event and recognizes that the Town of Highlands will be responsible for safety, traffic flow, traffic control, signage, and ensuring that decorations and all debris will be removed following the event.

Date: December 7, 2019
Time: 11:00am-12:00pm

Route Description: The parade will line up at Leonard Road and will travel on Main Street to 2nd Street. Traffic will be re-routed during the parade.

Upon motion duly made and seconded, the Resolution was unanimously adopted by the Board of Commissioners at a regularly scheduled meeting held on the 21st day of November, 2019, in the Highlands Community Building, 71 Poplar Street, Highlands, North Carolina.

This the 21st day of November, 2019.

Patrick L. Taylor, Mayor

ATTEST:

Gilberta B. Shaheen, Town Clerk



Chief W. E. Harrell
Ward



Town Manager Josh

November 18, 2019

To Whom It May Concern:

Our GCC 2019 School Initiative Block Grant has been tentatively approved, however, our total approval is in the amount of \$35,000.00 (reduced from 50K). In effort to provide funding to more agencies this year, GCC approved more grants, but at reduced amounts, hence the reason for a reduced approval amount. To proceed, all we need to do is adjust our budget by removing/decreasing certain items and resubmit. It is estimated that funds for this program be released in January 2020.

Additionally, the grant cycle for 2020/21 is now open. Under the 20/21 Grant Cycle we qualify for an Equipment Only Block Grant, with a ceiling of \$24,500.00. Grant applications are due January 31, 2020. Due to backlog, however, it is estimated that funding for these not be released until January 2021. **THERE IS A ZERO PERCENT MATCH ON THIS GRANT.**

Respectfully Submitted,

Chief
Chief W. E. Harrell



Agenda Item

Date: Thursday, November 21, 2019
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	\$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.

TOWN OF HIGHLANDS BUDGET AMENDMENT
AMENDMENT # _____

November 19, 2019

FROM: General Fund



DEPARTMENT: Administration, Parks & Recreation Dept. & Parks & Recreation Dept. ~ Pool
EXPLANATION: To Recognize Donations and Allocate them to the proper expenditure line item

Account	Description	Increase/Decrease	Debit	Credit
1. 10-3350-0210	Donation ~ Playground	Increase		\$1,000.00
10-6200-1509	Maint. & Repair ~ Playground	Increase	\$1,000.00	
2. 10-3350-0215	Donation ~ Pool	Increase		\$500.00
10-6210-3330	Dept. Supplies	Increase	\$500.00	
3. 10-3100-0509	GF Donations	Increase		\$500.00
10-4100-7300	Capital Outlay/Other Improvements	Increase	\$500.00	
		Subtotals	\$2,000.00	\$2,000.00
		Totals	\$2,000.00	\$2,000.00

Approved by Town Manager

Action by Town Board

Approved and Entered on Minutes Dated

Finance Director

MAYOR PRO TEMPORE STIEHLER MADE A MOTION TO ACCEPT THE CONSENT AGENDA AS PRESENTED, WHICH WAS SECONDED BY COMMISSIONER PATTERSON AND THE VOTE WAS UNANIMOUS.

7. Auditor's Report for FY 2018/19

Cassie Wilson from Martin, Starnes & Associates presented the annual audit overview. Wilson thanked Finance Director Rebecca Shuler for her hours of work.

8. Macon County Comprehensive Transportation Plan Update

• Population & Employment Projections

Rose Bauguess of the Southwestern Commissioner Rural Planning Organization is updating the County plan and obtaining information from residents all over the county and the DOT. Bauguess stated the long range forecast of percentage employed in 1990 was 1.2% ratio and 0.42, and based on the input received, it will remain the same and the Commission will need the Board to accept this projection to proceed.

COMMISSIONER CALLOWAY MADE A MOTION TO ACCEPT THE POPULATION AND EMPLOYMENT PROJECTIONS PRESENTED, WHICH WAS SECONDED BY MAYOR PRO TEMPORE STIEHLER AND THE VOTE WAS UNANIMOUS.

9. Planning Matters: Preliminary/Final Plat Review

• Jim Tate Subdivision

Assistant Planning & Development Director Michael Mathis stated an application was submitted to the Planning Department by Jim Tate concerning a property subdivision on 529 Holt Circle, PIN #: 7530937003. The property is 4.56 Acres (per drawing #: M-1951 prepared by Aaron Garrett Land Surveying, P.C.) and is located in the R – 1 Zoning District. According to the Unified Development Ordinance (UDO), § 8.2.1, Dimensional Standards, the minimum lot size for a property located in the R – 1 Zoning District and the watershed district balance of watershed, is .75 acres. When referencing the Preliminary and Final Plat prepared by Aaron Garrett Land Surveying, P.C. and subject to approval, “Tract 1” will be left with 2.27 acres and “Tract 2” with 2.29 acres. Both properties are accessible off Holt Circle. “Tract 2” contains a dwelling with its own septic system. “Tract 1” has the ability for septic according to an Improvement Permit provided by Macon County. Also, each property has access to town water and electricity (per Public Works Director Lamar Nix). If approved, each parcel will comply with any Town of Highlands Setback and Impervious requirements. The property did not meet the exemption requirements, as defined in UDO § 2.3, Subdivision Definition part "D": "The division of a tract in single ownership whose entire area is no greater than two (2) acres into not more than three (3) lots, where no street right-of-way dedication is involved, and where the resultant lots are equal to or exceed the standards of the Town, as required by this ordinance." Therefore, this Preliminary and Final Plat must successfully pass through the Planning Board and on to the Board of Commissioners. The Planning Board approved the documents on October 28, 2019. The recommendation is to approve the real property subdivision as submitted.

Commissioner Dotson asked why the improvements and current structure were not shown on the plat as required and Mathis wasn't sure.

COMMISSIONER DOTSON MADE A MOTION TO APPROVE THE FINAL PLAT WITH THE EXISTING IMPROVEMENTS ADDED PRIOR TO SIGNING, WHICH WAS SECONDED BY MAYOR PRO TEMPORE STIEHLER AND THE VOTE WAS UNANIMOUS.

10. New Highlands Fire Department Building Proposal

Fire Chief Ryan Gearhart thanked the Public Safety committee for working on this project. Gearhart presented preliminary drawings of the new fire department building for review by the Board and reminded nothing was set in stone as of now.

Commissioner Calloway mentioned that the committee had suggested breaking up the brick with stucco or hardy board on the front to break it up and cut down on cost.

11. Old Walhalla Road Property Disposal (former Buckhorn Water Tank Property)

Finance Director Rebecca Shuler stated the Town has received an offer on the Old Walhalla Road Property Tax ID#0504862 PIN#7449377657. The property is +/- .18 acres and has an assessed value of \$75,000.00 according to the Macon County tax records. With the recent constructing of a new Water Tank and vacancy of this lot, the

Board may want to consider the disposal of this property through the Sale by Negotiated Offer and Upset Bid process outlined in NCGS §160A-269.

Staff recommends the Board consider and accept the offer to purchase the property located on the Old Walhalla Road referenced as PIN#7449377657 and direct the Clerk to move forward with the procedures outlined in NCGS §160A-269.



**Resolution Authorizing Upset Bid Process
Old Walhalla Road Highlands, North Carolina
Resolution No. 2019-09-Res**

WHEREAS, the Town of Highlands owns a 0.18-acre tract on Old Walhalla Road, Parcel No. 7449377657, Highlands, North Carolina; and

WHEREAS, North Carolina General Statute § 160A-269 permits the town to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the Town of Highlands has received an offer to purchase the property described above, in the amount of \$100,000, submitted by Catherine C. Henson; and

WHEREAS, Catherine C. Henson has paid the required five percent (5%) deposit on her offer;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Highlands that:

1. The Board of Commissioners authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
2. The town clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the town clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the town clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher bid is received, the town clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of Commissioners.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The city will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a

qualifying higher bid is received. The city will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that
 - (a) the Board of Commissioners must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed; and
 - (b) the buyer must pay with cash at the time of closing.
8. The town reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate town officials are authorized to execute the instruments necessary to convey the property to Catherine C. Henson.

Upon motion duly made and seconded, the Resolution was unanimously adopted by the Board of Commissioners at a regularly scheduled meeting held on the 21st day of November, 2019, in the Highlands Community Building, 71 Poplar Street, Highlands, North Carolina.

This the 21st day of November, 2019.

Patrick L. Taylor, Mayor

ATTEST:

Gilberta B. Shaheen, Town Clerk



**PUBLIC NOTICE
SALE OF TOWN PROPERTY**

An offer of \$100,000 has been submitted for the purchase of certain property owned by the Town of Highlands, more particularly described as follows:

The 0.18-acre tract on Old Walhalla Road, Highlands, North Carolina, as recorded in Deed Book B-11, Page 228, Macon County Registry, Parcel No. 7449377657.

Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the town clerk, Town Hall, 210 N. 4th Street, Highlands, North Carolina, by 4:30 P.M., December 6, 2019. At that time the town clerk shall open the bids, if any, and the highest qualifying bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

A qualifying higher bid is one that raises the existing offer to an amount not less than \$105,050.00.

A qualifying higher bid must be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The town will return the deposit on any bid not accepted, and will return the

deposit on an offer subject to upset if a qualifying higher bid is received. The town will return the deposit of the final high bidder at closing.

The buyer must pay cash at closing.

The Town Board of Commissioners must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed. The town reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

Further information may be obtained at the office of town clerk, Town Hall, 210 N. 4th Street, Highlands, North Carolina, or at telephone 828-526-2118 during normal business hours.

Gibby Shaheen
Town Clerk

COMMISSIONER PATTERSON MADE A MOTION TO APPROVE THE RESOLUTION AUTHORIZING UPSET BID PROCESS, WHICH WAS SECONDED BY COMMISSIONER CALLOWAY AND THE VOTE WAS UNANIMOUS.

12. Personnel Manual Amendments

Town Manager Josh Ward stated the Town's personnel manual has not been updated cover to cover in a number of years. In the attached draft, sections of the manual have been amended to parallel Federal & State law requirements. The draft also provides descriptions of policies that are unwritten or unclear in the current version of the manual. The goal is to provide each employee with a document that clearly and correctly describes their benefits and what is expected of them during their employment with the Town of Highlands.

The Finance Committee reviewed the manual and changes have been made per their recommendations. Town Attorney, Jay Coward, also reviewed the manual and the recommendation is to approve the manual as presented.

MAYOR PRO TEMPORE STIEHLER MADE A MOTION TO APPROVE THE PERSONNEL MANUAL AMENDMENTS AS PRESENTED, WHICH WAS SECONDED BY COMMISSIONER DOTSON AND THE VOTE WAS UNANIMOUS.

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 Calloway and upon a unanimous vote, the Town Board adjourned at 7:50pm.

Patrick Taylor
Mayor

Gilberta B. Shaheen
Town Clerk