

Regular Meeting Minutes of the Town of Highlands Board of Commissioners Meeting of April 16, 2020, via Zoom, Highlands, North Carolina

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

Also Present: Town Manager Josh Ward, Town Attorney Jay Coward, Finance Director Rebecca Shuler, Public Works Director and Town Engineer Lamar Nix, MIS/GIS Director Matt Shuler, Planning & Development Director Assistant Michael Mathis and Town Clerk Gibby Shaheen

1. Meeting Called to Order

Mayor Taylor called the meeting to order at 7:02pm.

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 Calloway and the vote was unanimous.

4. Approval of the February 20th, 2020, Regular Meeting Minutes

COMMISSIONER STIEHLER MADE A MOTION TO APPROVE THE FEBRUARY 20TH, 2020, REGULAR MEETING MINUTES AS PRESENTED, WHICH WAS SECONDED BY COMMISSIONER PATTERSON AND THE VOTE WAS UNANIMOUS.

5. Reports

A. Mayor

Mayor Taylor reported he had been in several meetings regarding the reopening of the economy with the coordination coming from the Governor and the County and Town will be reviewing how we can start opening back up.

Mayor Taylor thanked Emergency Director Warren Cabe for his work with COVID-19 and with the recent weather event. Mayor Taylor also commended the Utility Departments – Electric and Street crews for their expedient work in getting power restored in one day.

Mayor Taylor also expressed his appreciation to the Highlands Police Department for making people aware of the 14-day quarantine, social distancing and mask wearing at the road checks and the follow ups and also checking on possible on rental violations.

B. Commissioners and Committee Reports

Commissioner Hehn thanked the Mayor for his leadership and the workers for their work.

Commissioner Patterson updated for the IT/Communications Committee. Wide Open Network came back with significantly different Contract and with the help of MIS/GIS Director Matt Shuler and Attorney Jim Baller Wide Open was informed there was no Contract. Commissioner Patterson continued that there were several companies interested so an RFP should be ready to go out by next months meeting.

C. Town Manager

Town Manager Ward reported the cancelled March meeting was supposed to have a Public Hearing for UDO Amendments. Ward continued that he and Town Clerk Gibby Shaheen had looked at the information required for an electronic meeting and decided we could have it in May at the regular scheduled meeting on May 21, 2020.

COMMISSIONER HEHN MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR THE UDO AMENDMENTS FOR THE REGULAR SCHEDULED MEETING ON MAY 21, 2020, WHICH WAS SECONDED BY COMMISSIONER STIEHLER AND THE VOTE WAS UNANIMOUS

6. Consent Agenda

Public Works Department
Police Department
Parks & Recreation Department
Planning & Development Department
Treasurer's Report
2020 Chamber of Commerce Events
CNIMP Budget Amendment



**A Resolution Permitting the Use of Pyrotechnics in Connection
With the Public Exhibition for the 4th of July
Resolution No. 2020-02-Res**

WHEREAS, NCGS §14-413 permits the Governing Board of city authorization to issue permits for the use of pyrotechnics in connection with concerts and public exhibitions; and

WHEREAS, the Macon County Board of Commissioners passed a resolution at a regular meeting on the 8th day of May, 2012 authorizing the Board of Commissioners for the Town of Highlands to issue permits for the use of pyrotechnics in connection with concerts and public exhibitions §NCGS 14-413(a1); and

NOW, THEREFORE, BE IT RESOLVED, the Town of Highlands Board of Commissioners grants the Highlands Chamber of Commerce permission to use pyrotechnics in connection with the public exhibit for Saturday, July 4, 2020, with alternative inclement weather date of Saturday, September 5, 2020.

Upon motion duly made and seconded, the above resolution was unanimously adopted by the Board of Commissioners at a regularly scheduled meeting held on the 16th day of April, 2020, in the Highlands Community Building, 71 Poplar Street, Highlands, NC.
This the 16th day of April, 2020.

Patrick L. Taylor, Mayor

ATTEST:

Gilberta B. Shaheen, Town Clerk



THE TOWN OF
HIGHLANDS

**Resolution to Request A Parade Permit for
Halloween in Highlands, North Carolina
Resolution No. 2020-03-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 Halloween Celebration in the downtown area on Main Street (US 64/NC 28), Saturday evening, October 31st, 2020, from 5:00pm to 8:00pm; 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 Halloween 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 Halloween Celebration to be held in Highlands, North Carolina on Saturday evening, October 31, 2020, from 5:00pm to 8:00pm, 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 celebration 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: October 31, 2020

Time: 5:00pm-8:00pm

Route Description: The celebration will take place in the downtown area of Main Street. Main Street will be closed from 5:00pm to 8:00pm for the celebration. Traffic will be re-routed during the celebration.

Upon motion duly made and seconded, the Resolution was unanimously adopted by the Board of Commissioners at a regularly scheduled meeting held on the 16th day of April, 2020, in the Highlands Community Building, 71 Poplar Street, Highlands, North Carolina.

This the 16th day of April, 2020.

Patrick L. Taylor, Mayor

ATTEST:

Gilberta B. Shaheen, Town Clerk



**Resolution to Request A Parade Permit for
A Christmas Parade in Highlands, North Carolina
Resolution No. 2020-04-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 5th, 2020, from 10:00am 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 5, 2020, 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 5, 2020

Time: 10:00am-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 16th day of April, 2020, in the Highlands Community Building, 71 Poplar Street, Highlands, North Carolina.

This the 16th day of April, 2020.

Patrick L. Taylor, Mayor

ATTEST:

Gilberta B. Shaheen, Town Clerk



FROM: General Fund

DEPARTMENT: Administration
 EXPLANATION: Donation for Knotweed Eradication

Account	Description	Increase/Decrease	Debit	Credit
1. 10-3100-0910	Fund Balance	Increase		\$2,000.00
	Appropriated ~ General Fund			
10-4100-5700	Donation for Knotweed Eradication	Increase	\$2,000.00	
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

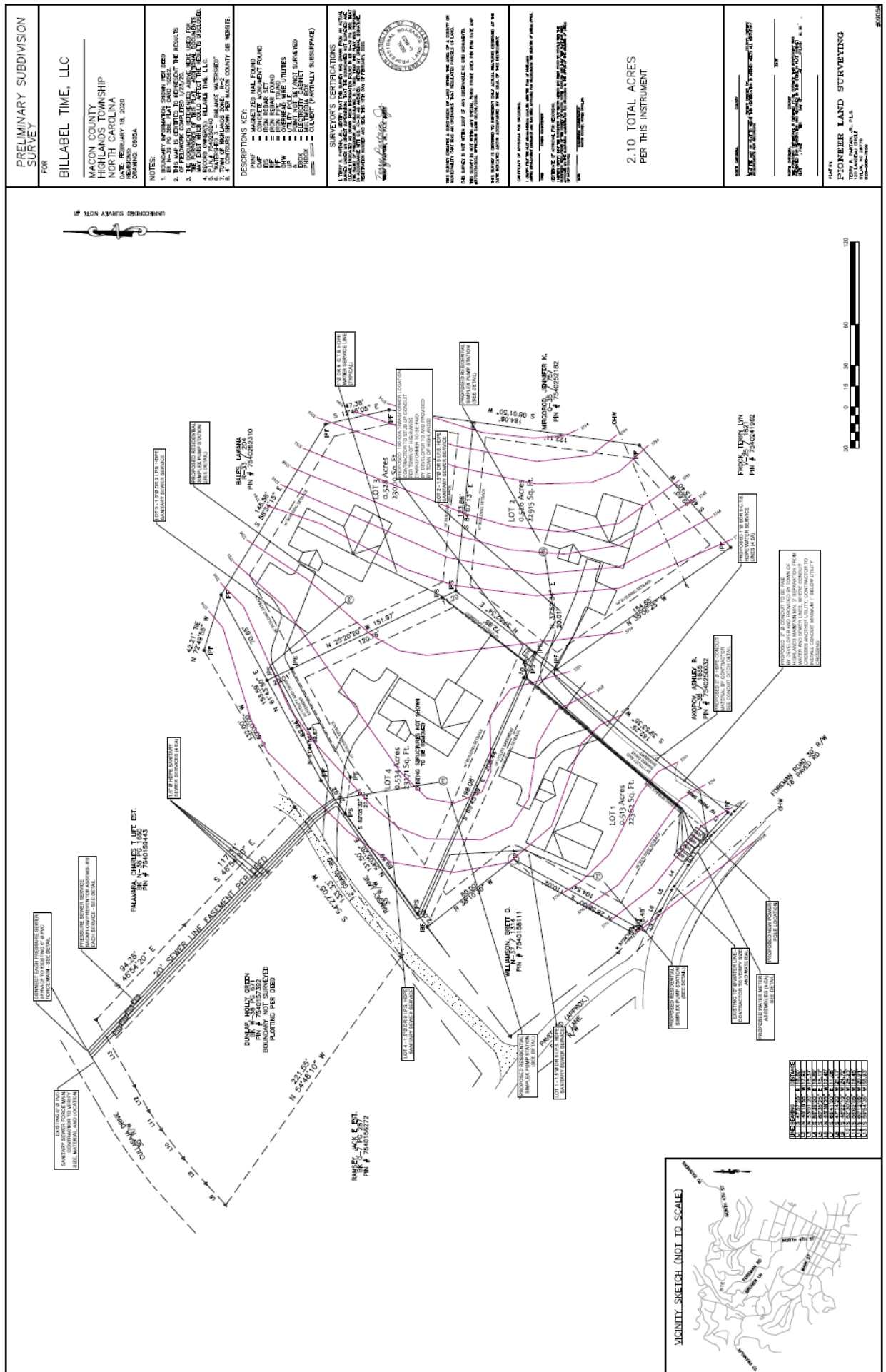
Finance Director

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

COMMISSIONER PATTERSON HAD AN EMERGENCY CALL AND HAD TO EXCUSE HERSELF.

7. Billabel Time, LLC (Bill Futral) Subdivision Preliminary Plat Approval Request

Planning & Development Director Assistant Michael Mathis Mathis stated the following “A preliminary plat was submitted to the Planning Department by Bill Futral concerning a property subdivision on 781 Foreman Road, PIN #: 7540250240. The property is 2.10 Acres (per drawing #: 0905A prepared by Pioneer Land Surveying) and is located in the R-2 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-2 zoning district, and the balance of the town's watershed is .50 acres. When referencing the Preliminary prepared by Pioneer Land Surveying, and subject to approval, "Lot 1" will contain .513 acres; "Lot 2" will contain .526 acres; "Lot 3" will contain .528 acres; and "Lot 4" will contain .534 acres. There will be two shared driveways created, one will be off of Foreman Road for Lots 1&2, and one will be off of Ramsey Lane for Lots 3&4. Each parcel will soon have a connection to town water, electricity, and sewer (per Public Works Director Lamar Nix). If approved, each parcel will comply with all density requirements in the Town of Highlands Unified Development Ordinance. 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 plat must successfully pass through the Planning Board and Board of Commissioners before any improvements are made. The Town of Highlands Planning Board approved this recommendation on February 24, 2020.” The recommendation is to approve the preliminary plat as submitted.



COMMISSIONER HEHN MADE A MOTION TO APPROVE THE BILLABEL TIME, LLC SUBDIVISION PRELIMINARY PLAT AS PRESENTED, WHICH WAS SECONDED BY COMMISSIONER DOTSON AND THE VOTE WAS UNANIMOUS.

COMMISSIONER PATTERSON RETURNED TO THE MEETING.

8. Comprehensive Water Master Plan/Asset Management Plan

Public Works Director and Town Engineer Lamar Nix stated the Grant for the Comprehensive plan requirements is that the Executive Summary had to be presented

and recorded in the minutes and it was in the budget pre COVID-19 and the target date for the plan should be in August.

COMMISSIONER HEHN MADE A MOTION TO APPROVE THE COMPREHENSIVE WATER MASTER/ASSET MANAGEMENT PLAN, WHICH WAS SECONDED BY COMMISSIONER STIEHLER AND THE VOTE WAS UNANIMOUS.

9. Performing Arts Center Utilities

Town Manager Josh Ward said the Performing Arts Center (PAC) had received free utilities as part of an Agreement in the Contract dated July 2018 when the PAC had presented the plan for a new building and the property was transferred into PAC. Utilities were supposed to be covered through March 2020, but issues with cost of construction building have stopped them from completing the construction.

Town Manager Josh Ward stated Finance Director Rebecca Shuler had spoken with the School of Government over the legalities of free utilities with COVID-19. Finance Director Rebecca Shuler said they reinforced the fact that it is not legal unless you give it to the whole class. Ward continued that the reason it was allowed at first is because we owned the property and the agreement provided for the free utilities through March 2020.

Finance Director Rebecca Shuler added that several years ago the Town did away with nonprofit grants because of the legalities of the grants.

Performing Arts Center representative Cindy Trevathan said they certainly understood the legalities and their Board was pursuing other ways to work on renovations and would love the town to partner and help and support in the endeavor. Trevathan thanked the Board for talking about it and putting it on the Agenda.

MAYOR PRO TEMPORE CALLOWAY MADE A MOTION TO BEGIN CHARGING UTILITIES TO THE PERFORMING ARTS CENTER, WHICH WAS SECONDED BY COMMISSIONER DOTSON AND THE VOTE WAS UNANIMOUS.

10. Adjournment

AS THERE WERE NO FURTHER MATTERS TO COME BEFORE THE BOARD OF COMMISSIONERS, MAYOR PRO TEMPORE CALLOWAY MOVED TO ADJOURN WHICH WAS SECONDED BY COMMISSIONER DOTSON AND UPON A UNANIMOUS VOTE, THE TOWN BOARD ADJOURNED AT 7:44PM.

Patrick Taylor
Mayor

Gilberta B. Shaheen
Town Clerk