

Regular Meeting Minutes of the Town of Highlands Board of Commissioners Meeting of July 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 Lamar Nix, Police Chief Andrea Holland, Parks & Recreation Director Lester Norris, Planning & Development Director Assistant Michael Mathis and Town Clerk Gibby Shaheen

1. Meeting Called to Order

Mayor Taylor called the meeting to order at 7:03pm.

2. Public Comment Period

Richard Delany expressed concerns about safety in Highlands on the sidewalks and in the business district because of the inability to social distance.

Chief Holland stated that law enforcement couldn't enforce masks except for trespassing charges in businesses requiring masks. Town Attorney Jay Coward stated stricter requirements can be enforced by amending the Declaration. Commissioner Dotson mentioned we had good voluntary compliance with it on the signs. Chief Holland said it would help if it was mandated.

COMMISSIONER PATTERSON MADE A MOTION THE TOWN OF HIGHLANDS REQUIRE A FACECOVERING, COVERING MOUTH AND FACE, IN THE COMMERCIAL DISTRICT, WHICH WAS SECONDED BY COMMISSIONER DOTSON AND THE VOTE WAS UNANIMOUS.

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 May 21st, 2020, Regular Meeting Minutes

COMMISSIONER PATTERSON MADE A MOTION TO APPROVE THE MAY 21ST, 2020, REGULAR MEETING MINUTES AS PRESENTED, WHICH WAS SECONDED BY COMMISSIONER DOTSON AND THE VOTE WAS UNANIMOUS.

Approval of the June 18th, 2020, Regular Meeting Minutes

COMMISSIONER PATTERSON MADE A MOTION TO APPROVE THE JUNE 18, 2020, REGULAR MEETING MINUTES AS PRESENTED, WHICH WAS SECONDED BY COMMISSIONER DOTSON AND THE VOTE WAS UNANIMOUS.

5. Reports

A. Mayor

Mayor Taylor announced meetings will remain on Zoom for now. Mayor Taylor stated the Board of Education and the schools were facing a tremendous challenge and he had step forward and made the offer if the Town could help to let us know. Mayor Taylor reported on the coronavirus cases in the county.

B. Commissioners and Committee Reports

There were no commissioner or committee reports.

C. Town Manager

There was no Manager's report.

6. Consent Agenda

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

TOWN OF HIGHLANDS BUDGET AMENDMENT
 AMENDMENT # _____

July 13, 2020

FROM: Sewer Fund



DEPARTMENT: Sewer Dept.
 EXPLANATION: To add Scada to the pump station that overflowed at the Sewer Plant.

Account	Description	Increase/Decrease	Debit	Credit
1. 31-3800-0910	Fund Balance Appropriated	Increase		\$37,000.00
31-8210-7400	Capital Outlay/Other Improvements	Increase	\$37,000.00	
	Subtotal		\$37,000.00	\$37,000.00
	Totals		\$37,000.00	\$37,000.00

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 STIEHLER AND THE VOTE WAS UNANIMOUS.

7. Old Edwards Inn Annexation Request for “The Farm” B-3 Zoning Request for “The Farm”

Planning & Development Director Assistant Michael Mathis said on Monday, June 8, 2020, a Petition for Conditional Zoning District was submitted to the Town of Highlands Planning Department. Old Edwards Inn and Spa, LLC (OEI) submitted the application, and it concerns "The Farm" property located off Arnold Road (PIN#7530623323). OEI will be requesting annexation by the Town Board so they can access Town utilities. Currently, the property is 22.27 acres, located in Macon County, and contiguous with the Town of Highlands. Upon recommendation from the Land Use Committee and contingent on approval, OEI will add 4.34 acres, to the parcel, to comply with the Town's Watershed requirements. The Farm currently operates as a wedding venue/outdoor entertainment area. The use was established while the property was a part of Macon County. At one time, the subject property was included in the Town's Extraterritorial Jurisdiction (ETJ) and zoned B-5 commercial. In this application, OEI is applying for B-3 conditional zoning so that the use will conform with the Town's Unified Development Ordinance. The approval is site plan specific, therefore, OEI would be required to seek a Zoning Map Amendment to expand or alter this property. The Town of Highlands Planning Board reviewed and approved this application on June 22, 2020. The Town of Highlands Zoning Board will review this item on July 15, 2020. The recommendation is to set a Public Hearing for this Conditional Zoning Application. Mathis explained the first plat went to the centerline of road but needed to cross the road to make the property contiguous to the town limits. With Conditional Zoning, changes will have to be site plan specific and existing will have to operate as operated and have access to town utilities and any changes will have to be approved.

Commissioner Patterson pointed out that the square footage of the structures and parking lot impervious percentages needed to be added to the map prior to the public hearing.



Certificate of Sufficiency

To the Board of Commissioners of the Town of Highlands, Highlands, North Carolina:

I, Gilberta B. Shaheen, Clerk of the Town of Highlands, do hereby certify that I have investigated the attached petition and hereby make the following findings:

- a. The petition contains an adequate property description of the area proposed for annexation.
- b. The area described in the petition is contiguous to Highlands primary corporate limits, as defined by NCGS §160A-31.
- c. The petition is signed by and includes the address of the owner of real property lying in the area described therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Highlands, this 16th day of July, 2020.

Gilberta B. Shaheen, Town Clerk

MAYOR PRO TEMPORE CALLOWAY MADE A MOTION TO SET A PUBLIC HEARING FOR THE ANNEXATION AND ZONING OF THE PROPERTY PRESENTED FOR THE NEXT REGULARLY SCHEDULED BOARD MEETING OF AUGUST 20, 2020, AT 7PM, WHICH WAS SECONDED BY COMMISSIONER STIEHLER AND THE VOTE WAS UNANIMOUS.

8. B.E.A.R. Wise Committee Update

- **Education Partnership with Bear Task Force**
- **Bear Feeding Ordinance**
- **Residential Bear Resistant Toter Requirement**

Mayor Patrick Taylor said the Bear Wise Committee had met with Cynthia Strain and Ashley Hobbs via Zoom to discuss issues regarding sightings and feeding of bears with vrbo's encouraging putting out scraps so they can see bears. The committee discussed some changes to the ordinances, but decided the changes needed work for more specific and detailed ordinances to take care of these issues.

Town Manager Josh Ward asked the Board if the deadline for the bear resistant toters should be changed after talking to Jim Luke at Reeves stating he had a waiting list of 80 people. Public Works Director and Town Engineer Lamar Nix said he would appreciate compliance as soon as possible, although the bear situation is very much approved.

Commissioner Patterson suggested to maintain August deadline but no penalties until Reeves has no back log, so everyone has the opportunity to meet the requirement, the Board agreed.

Commissioner Dotson suggested we should offer to pickup old cans in a white goods pickup, maybe in September and take them down for recycling temporarily. Commissioner Dotson also expressed appreciation for those who have bought them.

9. Preliminary Engineering Report Proposal for Priority Water System Capital Projects

Public Works Director and Town Engineer Lamar Nix said there was potential of an infrastructure stimulus plan in the near future, and in order to receive some of those funds we must be prepared by having shovel-ready projects. The first step in the process is to have preliminary engineering reports completed for each project. The new water master plan has given us a list of capital project priorities within the water system and the plan has been shared with Withers-Ravenel, an engineering and design firm in Asheville. The projects identified as top priorities are Dog Mountain Tank & Waterline Replacement, Water Treatment Plant Pre-Clarifier Tank Replacement and the upgrading to Variable Speed Drive Pumps at the Water Treatment Plant. The recommendation is to approve the budget amendment to proceed with the preliminary engineering reports and if the stimulus plan didn't come through the plans can be used within 5 years.

TOWN OF HIGHLANDS BUDGET AMENDMENT
AMENDMENT # _____

July 13, 2020

FROM: Water Fund



DEPARTMENT: Water Dept.

EXPLANATION: To have certain Water Projects shovel ready in case grants are awarded for Infrastructure

Account	Description	Increase/Decrease	Debit	Credit
1. 30-3800-0910	Fund Balance Appropriated	Increase		\$20,000.00
30-8110-7300	Capital Outlay/Other Improvements	Increase	\$20,000.00	
	Subtotal		\$20,000.00	\$20,000.00
	Totals		\$20,000.00	\$20,000.00

Approved by Town Manager _____

Action by Town Board _____

Approved and Entered on Minutes Dated _____

Finance Director _____

COMMISSIONER HEHN MADE A MOTION TO APPROVE THE PRELIMINARY ENGINEERING, WHICH WAS SECONDED BY COMMISSIONER PATTERSON AND THE VOTE WAS UNANIMOUS.

COMMISSIONER PATTERSON MADE A MOTION TO APPROVE THE BUDGET AMENDMENT PRESENTED TO MOVE FORWARD WITH THE PRELIMINARY ENGINEERING FOR PROJECTS, WHICH WAS SECONDED BY COMMISSIONER STIEHLER AND THE VOTE WAS UNANIMOUS.

10. Adjournment

AS THERE WERE NO FURTHER MATTERS TO COME BEFORE THE BOARD OF COMMISSIONERS, COMMISSIONER PATTERSON MOVED TO ADJOURN WHICH WAS SECONDED BY COMMISSIONER STIEHLER AND UPON A UNANIMOUS VOTE, THE TOWN BOARD ADJOURNED AT 8:26PM.

Patrick Taylor
Mayor

Gilberta B. Shaheen
Town Clerk