

REGULAR MEETING OF THE TOWN BOARD OF COMMISSIONERS OF APRIL 20, 2011

Town Board Present: Mayor David Wilkes, Vice Mayor John Dotson, Commissioner Larry Rogers, Commissioner Dennis DeWolf and Commissioner Gary Drake. Commissioner Amy Patterson was not present.

Also Present: Town Manager Jim Fatland, Police Chief Bill Harrell, Town Engineer Lamar Nix, Interim Town Planner Mark Maxwell, Recreation Director Selwyn Chalker and Recording Secretary Jane Capman.

1. Call to order

Mayor David Wilkes called the meeting to order at 7:00 p.m.

2. Public Comments

Pat Taylor raised his concern of the monies that will be spent by the Town regarding Fleming Bell from the North Carolina School of Government and that the Board should use the talent of the Town Attorney to make any necessary changes to the Town Charter to comply with State statutes.

3. Approve agenda

As there were no changes to the Agenda, Commissioner Dennis DeWolf moved to approve the Agenda, which was seconded by Vice Mayor John Dotson and the Agenda of April 20, 2011 was unanimously approved.

4. Approve Minutes of April 16, 2011

The Minutes of April 16, 2011 are amended as follows:

Section 5B (Commissioners Reports) is amended to read as follows:

Commissioner Amy Patterson inquired of Town Attorney Coward if the Ordinances conforming to the Town's Charter. Town Attorney Coward advised that it is the opinion of A. Fleming Bell at the UNC School of Government that they did not conform and further explained the forms of government. After much discussion and further explanations, it was agreed to extend an invitation to A. Fleming Bell of the North Carolina School of Government to come before the Board and explain whether or not the Town's Charter complies with State statutes.

Section 8. The title of this section is amended to read as follows: Resolution to Sell Surplus Fire Department Equipment.

Section 9(A) (Report from Finance Committee) is amended to read as follows:

Vice Mayor John Dotson addressed the Town Board and the public present and advised that the Finance Committee met with the Fire Department and the Recreation Department and based upon the information provided, all is in good order for the coming year. The Finance

Department recommends approval of the budgets as presented. Also discussed were reserve funds, the proposed mini pumper and the hiring of a second full time fire fighter.

Section 16 (Set Joint Meeting with Planning Board to Review Uniform Development Ordinance) is amended to show that Mark Maxwell was asked to coordinate.

Section 18 (Set Date for Employee Meeting) is amended to change paragraph 2, last word in first sentence: who is amended to read as whom.

Commissioner Gary Drake moved to approve the Minutes of April 6, 2011, as amended, which was seconded by Commissioner Larry Rogers and was unanimously approved.

5. Reports

A. Mayor

The Business Committee discussed the Town Square project as well as upcoming plans for the downtown area.

B. Commissioners

There was no Commissioner reports.

C. Committees

The Land Use Committee advised that the Noise Ordinance has been drafted and will be presented to the Town Board for review in May and advised that the public hearing will be set. Also discussed was the proposed Gaming Ordinance.

Bob Kieltyka of the Chambers of Commerce advised that the budget for the Visitor Center had been drafted, that the last 12 months had strong returns and will go to the County next week.

D. Town Manager

Town Manager Fatland advised that the joint meeting of the Planning and Town Board has been set. Mr. Fatland also advised that 14 applications had been received from non-profit organizations and will be presented to the Town Board for review in the future. Mr. Fatland also advised that the Leadership of Highlands will meet with the Town Board at its next regular meeting. Mr. Fatland further discussed sales and ad valorem tax revenues.

Mayor Wilkes stated that due to the collection efforts made by the Town, delinquent utility bills are down 50%.

6. Consent Agenda

- A. Public Services Department
- B. Police Department
- C. Parks & Recreation Department

- D. Planning & Zoning Department
- E. Treasurer’s Report for Month Ended March 31, 2011
- F. Monthly Calendar
- G. Grant Status Report
- H. White Goods Pick-Up

Commissioner Dennis DeWolf moved to approve the Consent Agenda, as presented, which was seconded by Vice Mayor John Dotson and was unanimously approved.

7. Main Street Solutions Grant Award: Town Square Project

Interim Town Planner Mark Maxwell addressed the Town Board and advised that the Town of Highlands has been awarded up to \$200,000 from the 2011 Main Street Solutions Fund to strengthen our economy. Mr. Maxwell read the letter received from the NC Department of Commerce, Community Development- Urban Development Division, which administers the Main Street Solutions Fund program. Mr. Maxwell advised that the project will start in the off-season.

8. Mirror Lake Sewer Improvement Project Final Report

Town Engineer Lamar Nix advised that the Town of Highlands applied for and received an ARRA Grant of 3 million dollars for the construction of sewer lines in the Mirror Lake Area. The project began construction in September 2009. The Town requested approval of a Change Order to include Netsi Place in the project, the change order was approved and all construction has been completed. The contractor is completing the punch list and the project is being closed out.

As to the fiscal impact, ARRA Funding was approved for \$2,790,142.00. The below chart shows the original budgeted amount and the final costs:

Item	Original Budget	Final Costs
Construction Contract	\$2,171,776.00	\$2,172,687.00
Engineering	\$262,600.00	\$175,000.00*
Legal	\$10,000.00	\$680.00*
Administrative	\$20,000.00	\$10,000.00*
Contingency	\$108,589.00	\$0.00
Additional Contingency	\$217,177.00	\$0.00
Property Acquisition	\$0.00	\$0.00
Closing Costs	\$0.00	\$0.00
Total	\$2,790,142.00	\$2,358,367.00

*Cost is approximate

The Town of Highlands was able to lower the cost of this project by \$431,775.00. The costs were lowered by Staff Engineering/Inspecting, lower rock quantities, quantity savings, and low administrative costs. The Town was successful in having Netsi Place completed without having to use contingency funds and the construction was completed only \$911.00 over the original contract amount.

Mr. Nix further advised that of the potential of 145 to hook up to the system, the Town

now has 141 new customers.

9. 2011 Municipal Election Filing & Fee Notice

Town Manager Fatland advised that each year the Town of Highlands has a Municipal Election the Macon County Board of Elections lists the open seats, filing period, and fees. This year the Town of Highlands has 3 Commissioner Seats open. The filing period will begin on Monday, July 25, 2011 at 12:00 Noon and will end on Friday, August 12, 2011 at 12:00 Noon. The filing fee for these seats is \$5.00.

Commissioner Gary Drake moved to approve the 2011 Municipal Election Filing and Fee Notice, which was seconded by Commissioner Dennis DeWolf and was unanimously approved.

10. Board Appointment(s)

The Town of Highlands has established several Boards and Committees to assist and advise the Town Board of Commissioners on various topics including, but not limited to, the Zoning Board, Planning Board, Appearance Commission, ABC Board, Scholarship Committee, Advisory Committee for Scholarship Endowment Fund, and the Cemetery Committee. There have been ordinances and policies created in regards to the appointment, reappointment, terms, etc. The current and upcoming vacancies for the following Town Boards and Committees are the Appearance Commission, ABC Board, Scholarship Committee and the Cemetery Committee.

The Town has received an application for the Appearance Commission from Samuel Green, III with a proposed term from April, 2011 through July, 2014. It is recommended that the Town Board consider and appoint the new applicant.

After discussion, it was decided to pull this agenda item in order to meet with Mr. Green and further review his application.

11. Adjourn

As there were no further matters to come before the Board of Commissioners, Vice Mayor John Dotson moved to adjourn, which was seconded by Commissioner Gary Drake and upon unanimous vote the Town Board adjourned at 7:27 p.m.

James R. Fatland
Town Manager

Jane J. Capman
Recording Secretary

Mayor David Wilkes