

Regular Meeting Minutes of the Town of Highlands Board of Commissioners Meeting of September 16th, 2021, via Zoom

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

Also Present: Town Manager Josh Ward, Town Attorney Jay Coward, Public Works Director Lamar Nix, Officer Mike Jolly, 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 7:00pm.

2. Public Comment Period

Chamber of Commerce Director Kaye McHan spoke about the differences on both sides and asked the Board to consider further research. Homeowners, real estate brokers and residents spoke, some for and some against short term rentals.

3. Adjust and Approve the Agenda

Commissioner Hehn asked to add a question during Closed Session about a Fiber Contract issue.

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

4. Approval of the July 15th, 2021, Regular Meeting Minutes

Commissioner Hehn asked to add in the Minutes Item 15 to reflect that he had requested Stewart Company to provide a proposal of Zoning Amendments and thought he had requested that and Item 16 asked for the contract's completion date and liquidated damages.

COMMISSIONER HEHN MADE A MOTION TO APPROVE THE JULY 15TH, 2021, REGULAR MEETING MINUTES AS AMENDED, NO SECOND OR VOTE. MAYOR TAYLOR ASKED FOR A NEW MOTION.

COMMISSIONER DOTSON MADE A MOTION TO APPROVE THE JULY 15TH, 2021, REGULAR MEETING MINUTES AS PRESENTED, WHICH WAS SECONDED BY MAYOR PRO TEMPORE PATTERSON AND THE VOTE WAS 4 TO 1 WITH COMMISSIONER HEHN OPPOSING.

Approval of the August 2nd, 2021, Special Meeting Minutes

COMMISSIONER STIEHLER MADE A MOTION TO APPROVE THE AUGUST 2ND, 2021, SPECIAL MEETING MINUTES AS PRESENTED, WHICH WAS SECONDED BY MAYOR PRO TEMPORE PATTERSON AND THE VOTE WAS UNANIMOUS.

5. Reports

A. Mayor

Mayor Taylor thanked Dennis DeWolf for his service on the Planning Board; reported that Harrison Construction has been working on the curbs and sidewalks getting them up to ADA Standards; and stated the Town has had good voluntary compliance in stores with the mask requirement.

B. Commissioners and Committee Reports

Commissioner Hehn thanked Kaye McHan for the suggestion to work through the Short-Term Rental situation together and reported the hospital has 40 open positions.

C. Town Manager

Town Manager Ward reported the Fire Department was moving along with the elevator shaft and slab for retaining walls completed, the walls had been backfilled and seeded and the brick will be started next week; the tower situation had been taken care of with Verizon Wireless moving down 2 feet and Chuck Cooper moving up 2 feet; and the Fiber Contract would be reviewed by the attorney one more time before coming to the Board.

6. Consent Agenda

Public Works Department
Police Department
Parks & Recreation Department
Planning & Development Department
Treasurer's Report

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

7. Request for Public Hearing: Ellis Property Annexation

Assistant Planning & Development Director Michael Mathis stated a petition for annexation into the Town of Highlands was submitted by Wiley Ellis. Mr. Ellis owns a 44.36-acre tract (PIN # 7449744840) that is contiguous with the Ravenel Subdivision, which is zoned R-1 Residential. The Planning Board reviewed this item on August 23, 2021, and recommended that the property be zoned R-1 Residential if annexed into the Town. The recommendation is to set a public hearing for the next regularly scheduled Town Board Meeting of October 21st, 2021.

MAYOR PRO TEMPORE PATTERSON MADE A MOTION TO SET A PUBLIC HEARING FOR THE ANNEXATION AND ZONING OF THE ELLIS PROPERTY FOR THE NEXT REGULARLY SCHEDULED BOARD MEETING OF OCTOBER 21ST, 2021, AT 7PM, WHICH WAS SECONDED BY COMMISSIONER STIEHLER AND THE VOTE WAS UNANIMOUS.

8. Chamber Events Request

Chamber of Commerce Director Kaye McHan asked the Board if the Christmas Parade could begin 30 minutes earlier at 10:30am so the Chamber can bring in more bands, and the Board agreed.

McHan also presented a plan for a Snow Event on January 29, 2021, in the park. This would include closing the park on Friday for blowing snow. Commissioner Dotson raised concern for the noise disturbance. McHan would get more information about decibels, machines and length of time and coordinate with Parks & Recreation Director Lester Norris for final approval to move forward.

COMMISSIONER HEHN MADE A MOTION TO APPROVE THE SNOW EVENT AS PRESENTED, CONDITIONAL ON THE SPECIFICS OF THE SNOW BLOWING TO BE PROVIDED, WHICH WAS SECONDED BY COMMISSIONER STIEHLER AND THE VOTE WAS UNANIMOUS.

9. Duke Energy Update

Kevin O'Donnell updated the Board on the Duke Rate Formula, refunds, coal ash recovery, legislation and rates.

The Board agreed the Finance Committee should meet regarding rate stabilization.

10. Closed Session: Pursuant to NCGS §318.11(a)(3) Attorney Client Privilege: Short Term Rentals and Fiber Contract issue.

COMMISSIONER CALLOWAY MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO NCGS §318.11(A)(3) ATTORNEY CLIENT PRIVILEGE: SHORT TERM

RENTALS AND FIBER CONTRACT ISSUE AT 8:40PM, WHICH WAS SECONDED BY MAYOR PRO TEMPORE PATTERSON AND THE VOTE WAS UNANIMOUS.

ONCE DISCUSSION WAS HELD, COMMISSIONER DOTSON MADE A MOTION TO GO BACK INTO OPEN SESSION AT 9:57PM, WHICH WAS SECONDED BY COMMISSIONER CALLOWAY AND THE VOTE WAS UNANIMOUS.

Discussion was held. No action was taken.

11. 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 9:57PM.

Patrick Taylor
Mayor

Gilberta B. Shaheen
Town Clerk