

**Regular Meeting Minutes of the Town Board of Commissioners Meeting of
October 17th, 2013 at the Highlands Civic Center 600 North 4th Street
Thursday, October 17th 2013**

Town Board Present: Mayor David Wilkes, Commissioner John Dotson, Commissioner Gary Drake, Commissioner Brian Stiehler, Commissioner Amy Patterson, Commissioner Eric Pierson.

Town Staff Present: Town Manager Robert Frye, Parks and Recreation Director Lester Norris, Public Works Director Lamar Nix, Police Chief Bill Harrell and MIS/GIS Field Technician Chuck Crisp

1. Meeting Called to Order

Mayor David Wilkes called the Town Board into session at 7:00 p.m.

2. Public Comment Period

The following persons addressed the Board.

Mike Little and Charles wolf spoke in favor of a town ban on the use of truck compression brakes (Jake Brakes).

Mike Bryson spoke in support of the use of such brakes and stated they are a safety feature and urged the board to take no action on this matter.

Tami Hernandez from the Highlands Playhouse announced that the Playhouse's new movie system had been installed and that their first movie series would begin on November 1st and she invited those present to attend.

Bob Kieltyka; Executive Director of the Highlands Chamber of Commerce, thanked the board for the new sidewalk in front of the Chamber and thanked the board for their ongoing support.

Alice Nelson stated that she liked the new Town Gateway signs and was opposed to the Town hiring a Main Street Coordinator.

3. Adjust and Approve Agenda

Town Manager Robert Frye requested one addition and one deletion to the agenda. Mr. Frye asked that a budget amendment to recognize revenue raised to pay for new free weights for the Parks and Recreation Department be added to Item 6: Consent Agenda. Mr. Frye also requested that Item 13: MIS/GIS Matters: Communications Matters; be deleted from the agenda due to MIS/GIS Director Matt Shuler's absence.

Motion was made by Commissioner Amy Paterson and seconded by Commissioner John Dotson to amend the agenda. Vote was unanimous.

4. Approval of September 19th Regular Meeting Minutes

Motion was made by Commissioner Gary Drake and seconded by Commissioner Eric Pierson to approve the September 19th regular meeting minutes. Vote was unanimous.

5. Reports:

A. Mayor

There was no report from the Mayor.

B. Commissioners and Committees

Commissioner Amy Patterson expressed concern about the long term profitability of the ABC Store and asked that staff contact the ABC board to obtain budgetary and personnel information from the ABC Board so that the Town Board might have a better idea of the ABC Store's current status. Commissioner Eric Pierson suggested that the board consider forming a subcommittee of the town board to meet with the ABC Board if needed.

Commissioner Gary Drake updated the Board of current Macon County EDC activities.

C. Town Manager

There was no report from the Town Manager.

6. Consent Agenda

- Public Works Department
- Police Department
- Parks & Recreation Department
- Planning & Development Department
- Treasurer's Report
- Disposal of Surplus Equipment
- Budget Amendment: Parks and Recreation Recognizing Revenue

Commissioner Amy Patterson made a motion to adopt the consent agenda which was seconded by Commissioner Brian Stiehler. Vote was unanimous.

7. Public Hearing: Amendment to Articles 2, 3, 4, 10, 11, and Table of Contents of the Town of Highlands Unified Development Ordinance: Discontinuance of the Appearance Commission

Mayor Wilkes entertained a motion to open a Public Hearing on the proposed amendment to Articles 2, 3, 4, 10, 11, and Table of Contents of the Town of Highlands Unified Development Ordinance: Discontinuance of the Appearance Commission.

Commissioner Amy Patterson then made a motion to open the public hearing; Commissioner Eric Pierson seconded. Vote was unanimous.

Mile Bryson asked the Board if these changes would increase the size of the Planning Board. He was informed by Interim Planning and Development Director Josh Ward that there would be no change to the Planning Board.

There being no other questions, the public hearing was closed on motion by Commissioner Gary Drake and Seconded by Commissioner Eric Pierson. Vote was unanimous.

Commissioner Brian Stiehler then made a motion to approve the amendment to Articles 2, 3, 4, 10, 11, and Table of Contents of the Town of Highlands Unified Development Ordinance: Discontinuance of the Appearance Commission and the vote was unanimous.

8. Public Hearing: Amendment to Articles 3, 4, 5, and Table of Contents of the Town of Highlands Unified Development Ordinance: Conditional Zoning

Mayor Wilkes then entertained a motion to open a Public Hearing on the proposed amendment to Articles 3, 4, 5, and Table of Contents of the Town of Highlands Unified Development Ordinance: Conditional Zoning.

Commissioner Eric Pierson made the motion to open the public hearing; Commissioner Brian Stiehler seconded. Vote was unanimous.

Patrick Taylor spoke in favor of the amendments.

There being no other comments, the public hearing was closed on motion by Commissioner Eric Pierson and Seconded by Commissioner Gary Drake. Vote was unanimous.

Commissioner Amy Patterson then made a motion to approve the amendment to Articles 3, 4, 5, and Table of Contents of the Town of Highlands Unified Development Ordinance: Conditional Zoning and the vote was unanimous.

9. Discussion: Proposed New Performing Arts Building

Mayor Wilkes gave a brief summary of the history of this project to date and then then turned the floor over to Mr. Dale Lee of Howell, Rusk and Dodson Architects; for a brief recap of the design that was originally proposed 17 years ago.

Numerous comments were taken from the public in attendance; most of a negative nature and Mayor Wilkes stressed that no decision would be made this evening on the subject and that more information needed to be forthcoming before a decision would be made.

After a brief discussion by the Board, Commissioner Drake submitted a set of questions that he would like to see answered before he could support this project.

Questions I need answers for before voting for/against the Woodruff Proposal

Who is going to pay the initial cost for a Full Time Director?

Who is going to pay the initial cost of a Full Time sound technician?

Who is going to pay the initial cost of a Full Time lighting technician?

Who is going to pay the cost of a Web site and managing of web site?

Who is going to pay the initial cost of performances when booked?

Who is going to pay the cost of housing the performers?

Where is this housing going to be?

Who is going to pay the initial cost of a full time ticket sales associate?

*Blowing Rock spent between 5-7 Million dollars building a Performing Art Building and it has shut down, if this venture fails what would be done with the building.

*Theater of the Stars in Atlanta has cancelled the 2013-2014 season and is bankrupt.

*Flat Rock Playhouse (state funded) is in financial stress and asking for donations to keep its doors open.

A Board would have to been formed to make decisions on operations and spending, who would be on the Board and what authorization would they have to spend town's money?

It was suggested Volunteers could help off-set the cost of this venture. Highlands has the greatest volunteers anywhere in the country, but they do this for the love of the non-profits they work for. I don't believe you would get a group of volunteers to work for a Profit venture.

No further action was taken on this matter.

10. Discussion: Town Attorney Replacement Procedure

After a brief discussion, the Board agreed to call for a special meeting for Thursday November 7th for the purpose of interviewing the four interested candidates for the Town Attorney position. Beginning at 1p.m. and to be held in the conference room at the Highlands Police Department.

11. Financial Matters:

A. Pool Project Recommendation

After negotiations with the low bidder; Conner Construction; \$91,000.00 was able to be cut from this project. In order to proceed a fund balance appropriation from undesignated General Fund in the amount of \$193,075.00 will be required.

Original Low Bid:	\$689,700.00
Engineering Design Cost:	\$44,375.00
Project Total:	\$734,075.00
Revised Low Bid:	\$598,700.00
Engineering Design Cost:	\$44,375.00
Revised Project Total	\$643,075.00
Fund Balance Appropriation Required:	\$193,075.00

After a brief discussion, Commissioner Brian Stiehler made a motion to approve a fund balance appropriation in the amount of \$193,075.00 to complete the funding for this project. Motion was seconded by Commissioner Amy Paterson. Vote was unanimous.

A motion was then made by Commissioner Gary Drake to award the pool construction bid to Conner Construction and was seconded Commissioner Brian Stiehler. Vote was unanimous.

B. Bid Approval: Oak Street Sidewalk Project

On a motion by Commissioner Brian Stiehler and seconded by Commissioner Gary Drake, the Board awarded the Oak Street Sidewalk project to MJM Poured Wall Inc. in the amount of \$88,303.00. Vote was unanimous.

12. Planning Matters: Proposed Sign Ordinance Revisions

Interim Planning and Development Director Josh ward distributed a copy of the proposed revisions to the current Town sign ordinance and requested that the Board review it and be prepared at the November 17th meeting to discuss the ordinance in detail.

No further action was taken on this matter.

11. Miscellaneous Matters: Upcoming Hometown Festival.

Town Manager Robert Frye reminded the Board about the upcoming Hometown festival scheduled for Saturday November 2nd from 11:00 a.m. to 3:00 p.m. at the Kelsey-Hutchinson Park.

13. Closed Session: Personnel Matters under NCGS 143-318.11(a)(6)

Commissioner Eric Pierson made a motion to enter closed session at 8:45 p.m. Motion was seconded by Commissioner Gary Drake and the vote was unanimous.

Return to Regular Session: on a motion by Commissioner Gary Drake and seconded Commissioner Brian Stiehler; Council voted unanimously to return to regular session at 8:55 p.m. Upon return to regular session, no action was taken.

14. Adjournment

As there were no further matters to come before the Board of Commissioners, Commissioner Gary Drake moved to adjourn, which was seconded by Commissioner Eric Pierson and upon unanimous vote, the Town Board adjourned at 8:55 p.m.

David Wilkes
Mayor

Robert A. Frye Jr.
Town Manager