

Regular Meeting Minutes of the Town Board of Commissioners Meeting of Thursday, October 16th, 2014 at the Highlands Community Building, 71 Poplar Street, Highlands, North Carolina.

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

Also Present: Town Manager Bob Frye, Town Clerk Rebecca Shuler, Town Attorney Jay Coward, MIS/GIS Director Matt Shuler, Public Works Director Lamar Nix, Planning and Development Director Josh Ward and Parks and Recreation Director Lester Norris.

1. Meeting Called to Order

Mayor Taylor called the meeting to order at 7:00pm.

2. Public Comment Period

Alice Nelson mentioned to the Board about the transgression of Bowery Road being striped and then informed the Board that she was glad the Kelsey Hutchinson Park Coalition had purchased the land adjacent to the Park. However the huge Maple tree should not be cut down and she would hope that the new plans for the park would not be to over build it.

3. Adjust and Approve Agenda

Commissioner Patterson made a motion to approve the agenda as presented, which was seconded by Commissioner Stiehler and the vote was unanimous.

4. Approval of the September 18, 2014 Regular Meeting Minutes

Commissioner Patterson made a motion to approve the regular meeting minutes of September 18, 2014 as presented, which was seconded by Commissioner Pierson and the vote was unanimous.

Approval of the September 18, 2014 Closed Session Minutes

Commissioner Pierson made a motion to approve the closed session minutes of September 18, 2014 as presented, which was seconded by Commissioner Patterson and the vote was unanimous.

5. Reports

A. Mayor

Mayor Taylor commented on the challenges from this past Tuesday's weather. Electrical crews were dealing with outages all day due to trees falling from the wind. He wished to express his appreciation to the electrical crews and Rebekah Dills for staying until 6pm to field electrical calls. The electrical crew has all power up and running, but Duke still has a few spot outages.

Taylor also expressed his appreciation for all the hard work in making HomeTown Day a success despite the weather.

B. Commissioners and Committee Reports

Commissioner Stiehler inquired of Public Works Director exactly how the town fared with outages during the recent storm. Public Works Director Nix said they had outages scattered throughout town from approximately 7am until 8:30pm.

C. Town Manager

Town Manager Frye reminded the board of the joint meeting scheduled for Tuesday, October 28, 2014 at Wolfgang's.

6. Consent Agenda

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

Commissioner Patterson questioned the status of the bids for the ball field and the pool projects. Manager Frye informed Patterson that the town didn't receive any bids on the pool project and only two for the ball field projects, therefore the projects were being sent back out for rebidding. Patterson then questioned if the town would have enough time to have the project completed before the season starts. Frye said yes for the ball field project, but that he wasn't so sure on the pool project. Patterson then questioned if staff had contacted the pool covering company and asked them about installers.

After the brief discussion on recreation projects, Commissioner Patterson made a motion to approve the consent agenda, which was seconded by Commissioner Stiehler.

7. Recognition of Highlands School HomeTown Day Poster Contest Winners

Mayor Taylor presented ribbons and prizes to the following HomeTown Day Poster Contest Winners:

4 th Grade ~ Miller	First Prize Tristan Petrone Second Prize Madison Jolly
5 th Grade ~ Hedden	First Prize Lawson Shuler Second Prize Angelique Wales
5 th Grade ~ Sanchez	First Prize Emma Minton Second Prize Reese Brewer
6 th Grade ~ Archer	First Prize Abigail Vanderwiele Second Prize Hadley Templeton

8. Financial Matters

A. Budget Amendments

Three sets of budget amendments were presented to the Board for approval.

Dam Refurbishment/Intake Project	\$824,870.00
New Christmas Decoration Purchase	\$19,000.00
Police Department	\$8,810.00

The total breakout of funds is as follows:

Lake Remediation Fund	\$468,580.00
Sewer Reserve Fund	\$356,290.00
Undesignated General Fund Balance	\$27,810.00

Commissioner Patterson made a motion to approve the fund balance appropriations for the budget amendments, which was seconded by Mayor Pro Tempore Calloway and the vote was unanimous.

B. Bid Award: 28 Waterline Project

The current 2014-2015 budget has \$690,000.00 for the replacement of the existing water our NC28 from Brushy Face Road to Buena Vista. The project consists of over 4,000 lf of six inch ductile iron pipe, fire hydrants and connects back to other distribution lines along the route.

On October 9, 2014 bids were received and opened. The two bids received were as follows:

Contractor	Executed Bid Bond	Addenda Acknowledged	Base Bid	Alt. 1	Alt. 2
Stillwell Enterprises	X	X	\$425,760.00	\$145,000.00	\$50,000.00
Larry Rogers Construction	X	X	\$785,265.82	\$133,500.00	\$175,000.00

The low bid was from Stillwell Enterprises for the base bid of \$425,760.00 and the Road Repair/Contingence of \$145,000.00 for a total of \$570,760.00. The engineer fees for the project are estimated at \$37,000.00. The total project costs are \$607,760.00. Commissioner Patterson stated that Stillwell Enterprises had always done great work for the town. Patterson then made a motion to award the bid for the NC28 Waterline Project to Stillwell Enterprises at \$607,760.00. Commissioner Stiehler asked how long the project would take and was told by Public Works Director Nix approximately 150 days or 5 months. Commissioner Stiehler seconded the motion to award the bid to Stillwell Enterprises and the vote was unanimous.

9. Miscellaneous Matters

A. Highlands Greenway Request

The upcoming improvements at the Kelsey Hutchinson Park will replace the existing gazebo that has been used as a stage for events for several years. The Highlands Greenway Committee has requested the gazebo be relocated to Oak Street at the entry point to the newly established sled run. The location has been reviewed by staff and is within the setback and should not interfere with pedestrian/vehicular traffic or utilities.

Mayor Pro Tempore Calloway questioned if staff was going to move the gazebo and was informed they were. Commissioner Stiehler then questioned what would be used to move it. Public Works Director Nix stated a trailer would be used.

Commissioner Patterson questioned the gazebo being publicly owned and wanted to make it clear that the Greenway Committee was to be responsible for the maintenance even though it was still owned by the town.

Commissioner Dotson made a motion to move the gazebo to Oak Street with the town retaining ownership and the Greenway Committee being completely responsible for all maintenance. Commissioner Pierson seconded the motion and the vote was unanimous.

B. Request for Permit of Operation

Louis Batista approached the Town with a request to obtain a privilege license to operate a limousine service within the Town of Highlands. The Town has an ordinance regulating taxicabs 6-76 through 6-88 (for all purpose under State Statute taxicab refers to limousines). In the ordinance, it speaks of the Board issuing a certificate of convenience and necessity.

Mr. Batista secured a tax id from the State and provided the Town with a copy of his vehicle registration and proof of insurance. Inquiry as to ABC license to serve alcohol in the limo has been conducted and there is no license to acquire per Tami Clifton, Director Permit & Product Compliance Div. North Carolina ABC Commission.

After a very brief discussion as to parking regulations, Commissioner Stiehler made a motion to issue the certificate of convenience and necessity which was seconded by Mayor Pro Tempore Calloway and the vote was unanimous.

10. Closed Session: Attorney Client Privilege pursuant to NCGS §143-318.11(a)(3)

Commissioner Pierson made a motion to go into Closed Session at 7:32pm, which was seconded by Commissioner Dotson and the vote was unanimous. The Board met in closed session pursuant to NCGS §143-318.11(a)(3) to discuss a legal matters under attorney client privilege. Commissioner Dotson moved the Board back into open session at 8:16pm, which was seconded by Mayor Pro Tempore Calloway and the vote was unanimous. No action was taken.

11. 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 unanimous vote, the Town Board adjourned at 8:16pm.

Patrick Taylor
Mayor

Rebecca R. Shuler, CMC, NCCMC
Town Clerk