

**Regular Meeting Minutes of the Town Board of Commissioners Meeting of Thursday, December 11, 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, Finance Director Chuck Young, 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**

Tucker Chambers addressed the board with his concern about the dam going into private hands. Chambers stated he felt it would be detrimental to the town if this were to transpire. He feels that the Town has maintained the dam for years and should continue to do so.

Bob Kieltyka complimented the Town for helping the Chamber with all the events that take place through the holidays. Kieltyka also announced the launch of the Highlands Chamber of Commerce's Highlands App.

**3. Adjust and Approve Agenda**

Manager Frye asked that a closed session for attorney-client privilege pursuant to NCGS §143-318.11(a)(3) be added as Item 11 and the adjournment be moved to Item 12. Commissioner Stiehler made a motion to approve the agenda with the addition of a closed session, which was seconded by Commissioner Pierson and the vote was unanimous.

**4. Approval of the November 20, 2014 Regular Meeting Minutes**

Commissioner Dotson asked that the word not be added to the last sentence of paragraph 6 of Item 8 to read, "He did not feel the town should cut off property owners egress and ingress. Commissioner Stiehler made a motion to approve the regular meeting minutes of November 20, 2014 with the before mentioned correction, which was seconded by Commissioner Patterson and the vote was unanimous.

**Approval of the November 20, 2014 Closed Session Minutes**

Commissioner Patterson made a motion to approve the closed session minutes of November 20, 2014 as presented, which was seconded by Commissioner Stiehler and the vote was unanimous.

**5. Reports**

**A. Mayor**

Mayor Taylor thanked everyone for their hard work to make the Christmas Parade a huge success.

Taylor then mentioned the countywide property reevaluation and how it may affect the Town.

## **B. Commissioners and Committee Reports**

There were no Commissioner or Committee reports.

## **C. Town Manager**

Manager Frye mentioned that there were quite a lot of projects being completed during this time. The wall on 3<sup>rd</sup> street was complete and the rock covering was being finished right now.

Frye stated that the dam project was scheduled to start Monday, December 24<sup>th</sup> and while on that note wanted to mention to Mr. Chambers that the Town owned the dam and wouldn't be putting the repair money into it if the intention was to give it away.

The NC28 waterline project has started and is going smooth.

In an update on the FERC status, there have been three motions to intervene filed and on the advice of Town attorneys, the town is waiting to see if the company moves forward.

Mayor Taylor wanted to emphasize that the attorneys have been in touch in reference to these proceedings.

## **6. Consent Agenda**

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

Commissioner Patterson made a motion to approve the consent agenda, which was seconded by Commissioner Pierson and the vote was unanimous.

## **7. Organizational Matters: Election of the Mayor Pro Tempore**

Commissioner Stiehler recommended that Mayor Pro Tempore Calloway continue in that role of Mayor Pro Tempore as he had done a good job this past year. Commissioner Patterson said that it had been the practice of the Board over the past few years to rotate the role of Mayor Pro Tempore so that all Commissioners would have a turn to experience the role, therefore she would like to nominate Commissioner Stiehler to be the Mayor Pro Tempore for the 2015 year. Commissioner Dotson seconded the motion and the vote was unanimous.

## **8. Financial Matters: Presentation of the FY2013-14 Audit**

Cassie Wilson of Martin Starnes & Associates, CPAs, PA was on hand to present the FY2013-14 Audit. Commissioner Stiehler moved to approve the Audit as presented, which was seconded by Mayor Pro Tempore Calloway and the vote was unanimous.

## **9. Parks and Recreation Matters: Pool Covering Project Approval**

After rebidding this project twice, the Town finally received a bid from Lupoli Construction for this project in the amount of \$1,211,259.00.

At this time, the budget for this project is as follows:

Pool Enclosure	\$1,049,994.00
Pool House Upgrades	\$161,265.00
<b>Total</b>	<b>\$1,211,259.00</b>

Gym floor replacement \$175,000.00

**Total Contribution from Art Williams: \$1,386,259.00**

Manager Frye explained there is an expiration date for the additional \$300,000.00 donation of December 31<sup>st</sup> of this year and that John Lupoli was confident he can meet the project deadline of May 31<sup>st</sup>. Commissioner Dotson questioned who gave the May 31<sup>st</sup> deadline and Manager Frye stated Lupoli had given that date.

Commissioner Patterson questioned the company's ability to build the panels in a timely manner. Frye stated that they had what the town needed in stock and they would be ordered as soon as the notice to proceed had been given. Patterson said her biggest issue was not losing another swim season and if Lupoli said he could do it, she knew he would work hard on it.

Commissioner Dotson asked what the timeline was and Mayor Taylor informed him 6 or 7 weeks.

Mayor Pro Tempore Calloway made a motion to accept the Pool Covering Project bid of \$1,211,259.00 and award the contract to Lupoli Construction, which was seconded by Commissioner Stiehler and the vote was unanimous.

Mayor Pro Tempore Calloway made a motion to accept the additional \$375,000.00 donation from Mr. Williams, which was seconded by Commissioner Stiehler and the vote was unanimous.

Commissioner Patterson made a motion to approve the budget amendment recognizing the additional funds from Mr. Williams, which was seconded by Commissioner Pierson and the vote was unanimous.

#### **10. Miscellaneous Matters: Proposed 2015 Council Retreat Date**

Manager Frye suggested Thursday, February 26<sup>th</sup> as the date of the annual retreat. Commissioner Stiehler and Mayor Pro Tempore Calloway both informed the board they would be out of town on that date. Mayor Pro Tempore Calloway asked about Thursday, February 12<sup>th</sup> and then made a motion to set the annual retreat on Thursday, February 12, 2014 at Coleman Hall from 9:00am until approximately 3:00pm, which was seconded by Commissioner Pierson. The vote was unanimous.

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

Commissioner Pierson made a motion to go into Closed Session at 7:26pm, which was seconded by Mayor Pro Tempore Calloway 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. Mayor Pro Tempore Calloway moved the Board back into open session at 8:32pm, which was seconded by Commissioner Stiehler and the vote was unanimous.

Commissioner Patterson made a motion to have the planning board review the zoning map with reaffirmation of the Town's current zoning to be brought back at the January

2015 meeting for recommendation, which was seconded by Commissioner Stiehler, and the vote was unanimous.

**12. 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 Pierson and upon unanimous vote, the Town Board adjourned at 8:36pm.

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Patrick Taylor  
Mayor

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Rebecca R. Shuler, CMC, NCCMC  
Town Clerk