

**Regular Meeting Minutes of the Town of Highlands Board of Commissioners Meeting of January 25, 2018, at the Highlands Community Building, 71 Poplar Street, Highlands, North Carolina**

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

Town Board Absent: Commissioner Brian Stiehler

Also Present: Town Manager Josh Ward, Town Attorney Jay Coward, Finance Director Rebecca Shuler, Public Works Director and Town Engineer Lamar Nix, MIS/GIS Director Matt Shuler, Police Chief Bill Harrell, Parks & Recreation Director Lester Norris, Planning & Development Director Andrew Bowen, Computer Support Specialist Mark Hall and Town Clerk Gibby Shaheen

**1. Meeting Called to Order**

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

**2. Public Comment Period**

Jerry Moore commented he would support year round parking restrictions. Moore continued it is harder for employees to mentally transition to parking restrictions for continuity it just makes sense and would be easier for law enforcement would be easier, and if the Board is entertaining a change, he was in favor.

**3. Adjust and Approve the Agenda**

Town Manager Josh Ward asked to add Energy Consultant Kevin O'Donnell to the Agenda as number 7.

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

**4. Approval of the December 14, 2017, Regular Meeting Minutes**

Commissioner Patterson asked to change "Mary Lacum" to "Mary Lapham" in item number 10.

Commissioner Calloway made a motion to approve the December 14, 2017, regular meeting minutes as amended, which was seconded by Commissioner Patterson and the vote was unanimous.

**5. Reports**

**A. Mayor**

Mayor Taylor stated the Committees have been working well together and thinks they should remain the same. Mayor Taylor also stated it was Commissioner Eric Pierson's turn in the rotation to act as Mayor Pro Tempore.

Mayor Taylor stated he was asked by the NC League of Municipalities to submit an application to serve in Federal Communication in Washington to be a voice for small rural communities. Mayor Taylor continued and stated he would be applying with the help of the League.

Mayor Taylor stated he had communicated informally with the Department of Transportation engineers and expressed concerns about the increase of garbage, and they are supposed to be stepping up the maintenance department and will be picking up more garbage. Mayor Taylor stated he had met with Beverly at the Chamber and the gorge cleanup is scheduled for Saturday, April 21<sup>st</sup>.

**B. Commissioners and Committee Reports**

Commissioner Patterson discussed and presented pictures of Sunset Road and the problems with erosion. Commissioner Patterson stated the gravel we provide is going over the banks into the road and even further into the Botanical Gardens and we need to

do something to get it worked out. Commissioner Patterson asked how often the road gets repaired and Public Works Director and Town Engineer Lamar Nix replied after every rain. Commissioner Patterson stated the gravel cannot be contained on granite, so we need to pave it or close it, either way it's time to find a solution because it is impacting the property below the road.

Commissioner Calloway stated that he would meet with Commissioner Pierson and Public Works Director and Town Engineer Lamar Nix to determine possibilities.

### **C. Town Manager**

Town Manager Josh Ward stated the Rec Park project was coming along and the stage was almost finished, the foyer is to be painted on Tuesday closing the front entrance so the back entrance will be used. Town Manager Josh Ward continued that Monday the work would begin downstairs and the Nautilus would close so the engineers can check out the problem in the ceiling and floor.

Town Manager Josh Ward stated that the cameras had been ordered and staff are putting them up on Main Street and Big Bear Pen for public use, and MIS/GIS Director Matt Shuler stated they are up and the links will be available on the website. Commissioner Patterson asked if people who want the link sent to them should contact town hall. MIS/GIS Director Matt Shuler stated that it was posted on our website, and he would rather anyone wanting a link to contact town hall so it wouldn't require a hosting service to keep it localized.

Town Manager Josh Ward stated that Verizon will not be up and running this month, hopefully in February they have had some issues with the microwave shot. MIS/GIS Director Matt Shuler stated that he had spoken with Kevin Pelham and the reason they weren't up and running was because they tried to get a microwave shot from Sapphire and it didn't work, and he had tried to get them to use our fiber, but it would be more like March. Town Manager Josh Ward stated we had several calls asking when it would be up and running.

Town Manager Josh Ward reported that the Dog in the park Committee would be meeting Wednesday to work out details to have for the February meeting.

Mayor Taylor asked MIS/GIS Director Matt Shuler to report on the Broadband status and MIS/GIS Director Matt Shuler stated Wide Open has been asked to present a first draft of a Contract for the Tech Committee to review at the request of our attorney who advised to see what is offered prior to the Town's requests being submitted because the offer could be better. MIS/GIS Director Matt Shuler stated the financial analysis was finished and had been reviewed by the attorney and was ready for Contract.

Commissioner Patterson asked MIS/GIS Director Matt Shuler about the status of the engineering and MIS/GIS Director Matt Shuler stated it was about two weeks out from completion of the design phase.

## **6. Consent Agenda**

- Public Works Department
- Police Department
- Parks & Recreation Department
- Planning & Development Department
- Treasurer's Report
- Budget Mtg. Schedule FY2018-19
- Delinquent Utility Bill Publication
- Town Maintenance Contracts 2018

Commissioner Dotson asked Finance Director Rebecca Shuler that in the past the Delinquent Utility list was run in the newspaper and Finance Director Rebecca Shuler stated it was presented to get permission to publish them.

**Town of Highlands**  
**Proposed FY 2018-19 Budget Schedule**  
(May 17<sup>th</sup> Regular Board Meeting Rescheduled for May 24<sup>th</sup>)

**Thursday, March 8<sup>th</sup>**

Town Board Retreat (Review Capital Requests)

**Thursday, April 12<sup>th</sup>**

Town Board Budget Workshop #1 (Preliminary Budget Review)

Time: 3:00-5:00 p.m.

Location: Town Community Building

**Thursday, May 3<sup>rd</sup>**

Town Board Budget Workshop #2 (Preliminary Budget Review)

Time: 3:00-5:00 p.m.

Location: Town Community Building

**Thursday, May 17<sup>th</sup>**

Town Board Budget Workshop #3 (Final Budget Review)

Time: 3:00-5:00 p.m.

Location: Town Community Building

**Thursday, May 24<sup>th</sup> Town Board Meeting**

Presentation of Proposed FY 2018-19 Budget

**Thursday, June 21<sup>st</sup> Town Board Meeting**

Public Hearing on FY 2018-19 Proposed Budget

Adoption of FY 2018-19 Proposed Budget



Please publish in the February 1<sup>st</sup> edition of the paper.

PLEASE TAKE NOTICE that at the regular Board of Commissioners' meeting of February 20, 2014, the Town Board voted to list all Town of Highlands Delinquent Accounts in the newspaper every 6 months. The following accounts are over 60 days past due.

**Delinquent Utility Accounts**

Sarah Anderson	\$153.89
Thomas Batson	\$137.39
Roberto Barbosa	\$375.65

Binder Biomedical	\$548.52
Adil Bouazzaoui	\$224.14
Brick Oven	\$508.79
Cheryle Carlton	\$536.79
James Carlton	\$606.36
Amy Crook	\$286.99
Dennis Franklin	\$1,050.50
Mary Beth Buck	\$837.80
Highlands Quick Mart	\$4,028.26
L K Partners	\$1,378.10
John Mutter	\$63.12
Randall Peterson	\$369.16
Connie Smith	\$131.36
Cory Allen Talbot	\$1,232.39
Stuart Thompson	\$289.04
Charles Weatherly	\$903.84
Charles Weatherly	\$313.96
Jeannette Chidsey	\$508.70
John Clyatt	\$2,713.48
Melba Egan	\$514.82
Pamela Lomba	\$770.20
Pamela Lomba	\$91.84
Jason Williams	\$366.69
Samantha McCall	\$1,165.13
Sandra Gauthier	\$333.39
Kristin Araujo	\$2,002.82
William John Araujo	\$41.55
Rachael Evans	\$340.81
Highlands Smokehouse	\$1,499.62
Alan James	\$1,908.26
Samantha Stauch	\$504.09
Alicia Tremblay	\$532.67
Mary Propst	\$892.53
Tokyo Restaurant	\$378.92
Elisa Espinosa Parra	\$1,153.89
Athens Leasing	\$9,934.14
John Bryant	\$192.11
Frank Cassiano	\$3,744.94

Mike Chatlos	\$702.05
TL Coffeen	\$1,406.99
Michael & Maxine Davidoff	\$180.27
Michael Hammond	\$778.63
Margaret Hardin	\$17.15
The Highlands BBQ Company	\$4,064.66
Ann Jacob	\$116.88
Michelle Jaffe	\$86.39
Thomas Littlejohn	\$73.29
Joan Maps	\$1,038.24
Joshua Mendenhall	\$165.34
Steven Merlino	\$674.21
Michael Morrone	\$159.66
Movie Stop	\$976.83
Steve Muraco	\$128.86
Prudential MB Realtors	\$95.90
Richard Read	\$430.42
Roto Rooter Plumbers	\$1,184.28
Brendon Roland	\$521.56
Schmitt Building	\$3,248.23
Nikki Smolarsky	\$121.72
The Lost Hiker	\$2,126.13
Sara Vanderbilt	\$26.32
Tonya Wales	\$382.10
Devonta "Ladarius" Wilson	\$669.29
Deborah & Ross Young	\$8,179.32
Jeffrey Zerilli	\$174.75

**Delinquent Accounts Receivable Accounts**

Roto Rooter Plumbers	Sludge	\$7,825.00
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Payments may be made to: Town of Highlands, PO Box 460, Highlands, NC 28741 to bring accounts to a current status to avoid further collection processes and public notice.

Published this 26<sup>th</sup> day of January, 2017.

Town of Highlands



**Agenda Item**

**Date:** January 25, 2018  
**To:** Mayor Patrick Taylor and Town Board of Commissioners  
**Prepared By:** Rebecca Shuler, Finance Director  
**Subject:** **Landscaping/Mowing Contracts**

**Background:**

The Town annually sends out the Town’s Mowing and Landscaping contracts for bid. Attached is a summary of this year’s bids. As you can tell the apparent low bid on all contracts are as follows:

Highlands Parks & Rec.	Zoellner Landscaping, Inc.	\$27,500.00
Zachary Park	J&J Lawn & Landscaping Services, Inc.	\$16,282.00
Highlands Memorial Park	Zoellner Landscaping, Inc.	\$36,150.00
Town Landscape	Tate Landscaping Service, Inc.	\$22,200.00
Kelsey/Hutchinson Park	Tate Landscaping Service, Inc.	\$7,860.00

**Recommendation:**

Town Staff recommends for the Board to award the contracts to the apparent low bidder.

Commissioner Patterson made a motion to accept the consent agenda as presented, which was seconded by Mayor Pro Tempore Dotson and the vote was unanimous.

**7. REPS and Coal Ash Update**

Energy Consultant Kevin O’Donnell thanked Mayor Taylor for attending the hearing for Duke in Asheville. O’Donnell stated the Coal Ash recovery costs will depend on North Carolina Utilities Commission and what is deemed reasonable. O’Donnell continued that the case was ongoing and had been for 6 weeks and he was testifying on Tuesday and Mayor Taylor and Town Manager Josh Ward had copies of his testimony if anyone was interested.

O’Donnell presented the Proposed Town of Highlands Electric Rate Changes and the recommendations are \$4.05 per month for residential consumer and \$14.17 for commercial consumers. O’Donnell stated that the rate change is for the period of February 2018 through December 2018 and next period we will true-up the coal ash rate with under collection or over collection. O’Donnell stated the Town was not making or losing money, it is a State mandated collection for the Coal Ash costs.

Mayor Taylor asked if there was a disallowance of 50% Duke is still intending on taking it to the Supreme Court and it could litigate in courts for years. Commissioner Patterson stated we will be paying the rate until it’s decided no break at all. O’Donnell stated that it would have to be paid and then refunded. O’Donnell stated he felt they wouldn’t get what they want so it probably would go through the courts.

## **8. Governor's Crime Commission Grant Application**

Chief Bill Harrell stated last year the department had applied for the Grant for mobile CAD, and the government is still sitting on the applications and haven't received any funds, but the 2018/2019 application process had begun and if allowed to proceed the department would like to file an application for \$18,000.00 for portable radios. Chief Bill Harrell stated that since the radios went digital the department had been shorthanded.

Commissioner Calloway made a motion to approve the submission of the Application, which was seconded by Commissioner Patterson and the vote was unanimous.

## **9. Surplus of Vehicle – Police Dept.**

Police Chief Bill Harrell stated he was hopeful to sell the Ford truck so graciously given to the police department by Public Works Director and Town Engineer Lamar Nix because it was inadequate for events.

Commissioner Patterson made a motion to approve the sale of the surplus vehicle, which was seconded by Mayor Pro Tempore Dotson and the vote was unanimous.

## **10. Proposed Budget Amendment: Purchase of Replacement Police Cargo Vehicle**

Police Chief Bill Harrell stated the current truck did not have sufficient storage for events and was a straight shift and only a few employees could drive the truck. Police Chief Bill Harrell stated that with the \$3,100.00 made with the other surplus vehicles and the current truck he should have enough to get a used special events truck that would be more functional for less than \$10,000.00.

Commissioner Patterson made a motion to approve the budget amendment to purchase a vehicle with adequate storage, which was seconded by Commissioner Calloway and the vote was unanimous.

## **11. Policy on Accepting Streets for Town Maintenance**

Town Manager Josh Ward stated several months ago the Town received a request from a homeowners association asking the Town to accept their subdivision road as a Town street, and the road in question did not meet several of the Town's Road Development Standards within the Town of Highlands Public Works Utility Manual. Town Manager Josh Ward stated the new policy would require any similar request to meet the standards within the manual prior to submitting a request to the Town Board. The policy would help to eliminate the lengthy discussions that have occurred at the Town Board meetings in the past. Town Manager Josh Ward stated staff recommendation is to approve the policy as submitted.



### **Accepting Private Streets for Town Maintenance**

**2018-01-Pol**

The Town of Highlands Board of Commissioners will only consider requests to take over a private road for Town Maintenance, if the all specifications stated within the Town of Highlands Public Works Utility Manual are met pertaining to road construction and dedication of right-of-way.

Agreed to this 25<sup>th</sup> day of January, 2018.

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Patrick Taylor, Mayor

Commissioner Patterson made a motion to approve this as a policy, which was seconded by Mayor Pro Tempore Dotson and the vote was unanimous.

## **12. Extension of Town Parking Restrictions**

Mayor Pat Taylor acknowledged Jerry Moore requesting extended restrictions throughout the entire year and we have been observing large numbers of parking for a while especially on the weekends. Mayor Taylor stated he had feedback from others such as OEI, Mountain Fresh and the Ugly Dog and they impose the restrictions on their employees year round because their employees would overwhelm the parking.

Commissioner Calloway stated he had brought up the issue up a few months ago and the committee could meet and try to come up with a solution.

Commissioner Patterson asked what the time was currently. Town Manager Josh Ward replied April through the End of the year.

Commissioner Calloway stated we are not a sleepy little town anymore. Commissioner Patterson stated we were busy through Christmas.

Town Manager Josh Ward stated in April that Chief Harrell and the Police Department would have to send out flyers and reminders regarding the restrictions, and Police Chief Bill Harrell stated that from his office's point of view it makes sense to keep it year round. Commissioner Patterson stated we should keep it simple.

Mayor Taylor suggested to not doing anything now and when the restrictions begin again in the spring we could just keep enforcing them and make them year round.

Mayor Pro Tempore Dotson stated it is coming before the Board do we need to implement it now because the need is now or do we phase it in. Mayor Taylor suggested to phase it in. Mayor Pro Tempore Dotson implement now and be lenient on the learning curve. Commissioner Patterson stated it was a good point that the problem is now.

Mayor Pro Tempore Dotson made a motion to implement parking restrictions effective immediately with a grace period to end April 1, 2018, which was seconded by Commissioner Patterson and the vote was unanimous.

## **13. Town Christmas Tree Discussion**

Mayor Pro Tempore Dotson stated a number of citizens have come to him regarding the current Christmas Tree and would like us to entertain another live Christmas Tree that looks like one and is well maintained and grown and something to be proud of, or as an alternative have a cut tree of substantial size each year. Mayor Pro Tempore Dotson continued that it was a disgrace and embarrassment to him and in other towns they have nice well maintained tree.

Mayor Taylor stated he had talked with the Mayor of Franklin and they had an artificial tree and he was not enthused about an artificial tree, it had to be stored and fluffed.

Commissioner Calloway asked professional landscaper Jimmy Tate where would the best place be to put a new tree, and asked if we moved the white pines at the corner if it would work there. Tate stated that we would lose the beneficial aspect of the white pine. Mayor Pro Tempore Dotson asked what the beneficial aspect was of the white pines. Hank Ross stated you would lose the buffer along with shade and height and personally feel they should stay.

Tate stated the tree is still alive but it was placed in a drought season and it just didn't take well in that area and the base was rock. Mayor Pro Tempore Dotson asked if there was good soil there because he had heard that the hole had to be blasted because of the

rock. Tate explained that his crew did not have to blast to install the tree but the base of the tree is sitting on rock. Parks & Recreation Director stated his staff watered it for 4-6 hours a day and it still was not enough.

Commissioner Calloway asked if for the growth of the tree was where the pines are a better location. Tate and Ross agreed for the growth of the tree.

Ross asked if they could discuss it more and maybe Ross and Tate could come up with some ideas.

Mayor Pro Tempore Dotson stated the reason he was bringing it up now, because we are moving towards the end of being able to install or move the tree to give it the best possible chance. Tate stated we have until mid-April.

Commissioner Patterson stated she is concerned where the current tree is because of the rock and the tree won't be able to take root.

Town Manager Josh Ward stated per Public Works Director and Town Engineer Lamar Nix said it was tough to decorate the tree up the bank and it will get harder to decorate.

Ross asked if the Town would be buying the tree, and Mayor Taylor stated we had a donor.

Mayor Taylor proposed that Tate and Ross meet with Mayor Pro Tempore Dotson, Commissioner Patterson and Parks & Recreation Director Lester Norris and come back to the next Board Meeting with some options, everyone agreed.

#### **14. Adjournment**

As there were no further matters to come before the Board of Commissioners, Commissioner Patterson moved to adjourn which was seconded by Mayor Pro Tempore Dotson and upon a unanimous vote, the Town Board adjourned at 8:15pm.

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Patrick Taylor  
Mayor

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Gilberta B. Shaheen  
Town Clerk