

Regular Meeting Minutes of the Town Board of Commissioners
Thursday, September 17th 2015
Highlands Community Building

Town Board Present: Mayor Patrick Taylor, Commissioner John Dotson, Mayor Pro Tempore Brian Stiehler, and Commissioner Amy Patterson.

Town Board Absent: Commissioner Donnie Calloway, Commissioner Eric Pierson.

Town Staff Present: Town Manager Robert Frye, Parks and Recreation Director Lester Norris, Public Works Director Lamar Nix, and Police Chief Bill Harrell.

1. Meeting Called to Order

Mayor Patrick Taylor called the Town Board into session at 7:00 p.m.

2. Public Comment Period

No comments were received.

3. Adjust and Approve Agenda

Town Manager Robert Frye requested that approval of the 4th Street Wall Bids be added as Item G. under Financial Matters.

Motion was made by Commissioner Stiehler and seconded by Commissioner Patterson to approve the agenda as amended. Vote was unanimous.

4. Minute Approval

A. Approval of September 17th Regular Meeting Minutes: Commissioner Patterson requested the following clarifications and additions:

Town Managers Comments: that the minutes should reflect that Mr. Frye informed the Board of multiple issues with the new pool dome that were to be repaired by the manufacturer; including the underpowered motor for opening, under designed support members, and leaking window panels.

Broadband Service Request: that the minutes reflect the agreed upon internet charge of \$100.00 per month.

Motion was made by Commissioner Stiehler and seconded by Commissioner Patterson. Vote was unanimous.

5. Reports:

A. Mayor

Mayor Taylor updated the board on the latest state sales tax deliberations. He also informed the Board that he would be attending the annual League of Municipalities meeting in October; and gave an update of the South Western Commission's most recent meeting that he had attended.

B. Commissioners and Committees

Commissioner Stiehler informed the board that the annual scholarship golf tournament would be held on October 15th at the Wildcat County Club.

C. Town Manager

Town Manager Frye informed the board that the Parks and Recreation Committee was continuing to meet to work on the development of a set of use policies for the Kelsey Hutchison Park and would make a recommendation to the full board by the end of the year. Manager Frye also informed the board the process had begun for the search for a new Planning Director.

6. Consent Agenda

Public Works Department

Police Department

Parks & Recreation Department

Treasurer's Report

Certification to Lower Speed Limit on SR 1547 (Webbmont) to 25 mph

Town of Highlands 457 Plan Resolution

Certificate of Corporate Resolution Resolution No. 2015-02-Res

The undersigned Clerk of Town of Highlands 457 Plan (the Corporation) hereby certifies that the following resolutions were duly adopted by the Board of Commissioners of the Corporation on September 17, 2015, and that such resolutions have not been modified or rescinded as of the date hereof;

RESOLVED, that Amendment Number 001 to the Town of Highlands 457 Plan (the Amendment) effective August 24, 2015, presented at this meeting to the Board of Commissioners is hereby approved and adopted and that the proper officers of the Corporation are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the amendment.

RESOLVED, that the proper officers of the Corporation shall act as soon as possible to notify employees of the Corporation of the adoption of this Amendment by delivering to each employee a copy of the summary description of the changes to the Plan in the form of the Summary of Material Modifications presented at this meeting to the Board of Commissioners, which form is hereby approved.

The undersigned further certifies that attached hereto as Exhibits A and B respectively, are true copies of the Amendment and Summary of Material Modifications approved and adopted in the foregoing resolutions.

Upon motion duly made and seconded, the above resolution was unanimously adopted by the Board of Commissioners at a regularly scheduled meeting held on the 17th day of September, 2015 in the Highlands Community Building, 71 Poplar Street, Highlands, NC.

This the 17th day of September, 2015.

Patrick L. Taylor, Mayor

ATTEST:

Rebecca R. Shuler, Town Clerk

Commissioner Patterson made a motion to adopt the consent agenda and seconded by Commissioner Dotson. Vote was unanimous.

7. Financial Matters:

A. Request for Assistance: Knotweed Eradication: Ms. Mercedes Heller representing the Land Stewards of the Plateau, requested town assistance in the eradication of knotweed on the Plateau. After much discussion, the Board agreed to provide \$2,500.00 in funding to assist the Land Stewards in addressing this issue with the understanding that Town staff would not apply pesticides on private property or state road right of ways. Commissioner Brian Stiehler agreed to work with town staff in identifying and treating areas of knotweed on town owned property.

Commissioner Patterson made the motion to allocate funds to assist in the eradication of knotweed, and for town staff to work with Commissioner Stiehler to address areas of knotweed on town property; seconded by Commissioner Stiehler. Vote was unanimous.

B. Sanitation Department: Purchase of Trash Truck. \$208,000.00 was budgeted for this vehicle. Bids were received with the low bid being submitted by Nu Life Environmental in the amount of \$202,300.00. Commissioner Patterson made the motion to accept the bid from Nu Life Environmental. Motion seconded by Commissioner Stiehler. Vote was unanimous.

C. Electric Department: Purchase of a Line Truck. \$190,000.00 was budgeted for this vehicle. Due to the addition of several safety features that staff felt were needed, the total cost of this vehicle as bid was \$231,951.00. As this was \$45,775.00 over budget, staff requested a fund balance appropriation from the Electric Reserve to make up the difference. Commissioner Patterson made the motion to accept the bid from Terex in the amount of \$231,951.00 and to approve a fund transfer from the Electric Reserve to cover the overage of \$45,775.00. Motion seconded by Commissioner Stiehler. Vote was unanimous.

D. Fire Department: Purchase of Tahoe. \$45,000 was budgeted for the purchase of a 4x4 replacement vehicle for the Fire Department's Crown Victoria. Commissioner Patterson made the motion to accept the bid from Smoky Mountain Chevrolet for a Tahoe in the amount of \$37,849.00. Motion seconded by Commissioner Stiehler. Vote was unanimous.

F. Budget Amendment: Electric Department. Commissioner Patterson made the motion to approve a fund transfer from the Electric Reserve in the amount of \$45,775.00 to cover the overage in the bid amount for the new electric line truck purchase. Motion seconded by Commissioner Stiehler. Vote was unanimous.

F. Recreation Department: Fee Schedule Update. On a motion by Commissioner Stiehler and seconded by Commissioner Dotson, the fee schedule for Parks and Recreation was amended to include new charges and fees associated with the new pool complex. Vote was unanimous.

THE FEE SCHEDULE

OF THE

TOWN OF HIGHLANDS

STATE OF NORTH CAROLINA

Effective September 17, 2015

RECREATION

Proposed Changes/Additions in Red

Fitness Center	Single	Family	Time Period	
	\$150.00	\$250.00	1 year	
	\$100.00	\$175.00	6 months	
	\$70.00	\$120.00	3 months	
	\$35.00	\$60.00	1 month	
	\$20.00 \$16.00	\$30.00	1 week	
	\$7.00 \$8.00	\$15.00	1 day	
Swimming Pool	Per Day Daily	Season Pass Monthly	Summer (3mths)	Annually
Child 12 & Under	\$2.00 \$3.00	\$50.00		
Adult Individual	\$3.00 \$4.00	\$50.00 \$35.00	\$85.00	\$250.00
Family of 2	\$7.00	\$55.00	\$90.00 \$140.00	\$425.00
Family over 2			\$125.00	
Water Aerobics Classes	Daily	Monthly (12 visits)		
	\$4.00	\$30.00		
Pool Parties	\$75.00 with \$50.00 Deposit			
Pool w/Fitness	Daily	Monthly	Summer (3mths)	Annually
Individual	\$10.00	\$55.00	\$120.00	\$300.00
Family	\$18.00	\$90.00	\$200.00	\$525.00
Corporate	10 or less employees			\$1,000.00
	10-25 employees			\$1,500.00
	25+ employees			\$2,000.00
Tennis	Hourly Daily	Season Pass Monthly		
	\$2 per Player	\$60.00 \$20.00		
Child Care				
After School	Daily			
	\$2.00			
Rec. Camp		Hourly	Daily	Weekly
1 st Child		\$3.00	\$24.00	\$135.00
Each additional Child		\$2.00	\$18.00	\$90.00
Prepaid Specials		Full Session	4 Weeks	Per Week
1 st Child		\$800.00	\$450.00	\$120.00
Each additional Child		\$400.00	\$225.00	\$75.00
Rental Facilities				
Meeting room 25'x45'		\$15/hr		
Kitchen		\$15/hr		

Arts and Crafts Room	\$15/hr
1/2 Arts and Crafts Room	\$10/hr
Gym (Bleachers only)	\$30/hr
Gym (Bleachers and Chairs)	\$50/hr
Stage	\$50/hr day
Ball Field	\$100/day(\$100 deposit required)
	\$150/weekend
Zachary Field	\$100/day(\$100 deposit required)
	\$150/weekend(\$100 deposit required)
K/H Park	\$250 \$200/day weekend (\$100 deposit required non-alcoholic)
Picnic Shelter	\$20/day
Setup/ Take down (Civic Center)	\$75/day
Facility Attendant (after hours)	\$20/hr
Pool	\$25/hr
Lifeguard (1 per 25 Swimmers)	\$15/hr

Community Building

Non-Alcohol	Full Day (8-16 12-24 hours)	\$350
	Half Day (4-8 6-12 hours)	\$200
	Per hours less than 4 6	\$35/hr
Alcohol	Full Day (8-16 12-24 hours)	\$1,000
	Half Day (4-8 6-12 hours)	\$500
	Per hours less than 4 6	\$100/hr
Cleaning Fee	\$75	
Setup Fee	\$50	

Deposits

Alcohol Served	\$1,000
Alcohol not Served	\$250

Exercise Classes

20% of Instructor's charge *The instructor has the responsibility of keeping records of attendance and what they charge. At the end of each month, they provide the recreation department a report along with the 20% for the month.

*Non-profit groups under IRS code section 501© will receive a 20% discount for rental fee only, not for the security deposit.

*Benefits for medical assistance or natural disasters (hospitalizations, house fires, tornados, windstorms, etc.) a flat rate of \$100. A charge of \$20 per hour will be charged if a staff member has to stay past their scheduled time.

G. Approval of 4th Street Wall Project Bids. \$195,000.00 was budgeted for this project. Staff received quotes totaling \$173,557.00 for the bulk of the construction work which is scheduled to begin on November 1st. There will be additional costs associated with this project which will be incurred at the end of this project. The remaining funds should be sufficient to cover any

remaining costs. Commissioner Patterson made the motion to approve the bids in the amount of \$173,557.00. Motion seconded by Commissioner Dotson. Vote was unanimous.

8. Discussion: Duke Energy Contract Modification for Coal Ash

Kevin O'Donnell from Nova Energy Consultants briefed the board on issues resulting from Duke Energy's coal ash cleanup cost recovery efforts; specifically whether or not the Town of Highlands should sign a confidentiality agreement with Duke Energy and what the potential share of the coal ash costs could be for the town.

Based on the information available to him, Mr. O'Donnell, estimates cost to the town of the remaining 15 years of its contract with Duke Energy to amount to approximately \$900,000.00. This would translate into a \$21.00 per year charge per customer or a \$1.75 monthly charge.

Richard Knight of Duke Energy also addressed the board and addressed Duke's need for a confidentiality agreement.

After much discussion, the Board decided it was not in the best interest of the Town of Highlands to sign a confidentiality agreement and the Board asked Mr. O'Donnell to return next month at the October board meeting with a recommendation on how to proceed.

No action was taken on this matter.

9. Parks and Recreation Matters: Transfer of Kelsey Hutchinson Park Phase 2 to Town

Skip Taylor and Hank Ross of the Founder's Park Coalition were on hand to formally hand over the Phase 2 Park Property (Sossoman Property) to the Town of Highlands. Commissioner Patterson made a motion to accept the property. Motion was seconded by Commissioner Stiehler. Vote was unanimous.

10. Miscellaneous Matters:

A. Planning Board Appointment: On a motion made by Commissioner Stiehler and Seconded by Commissioner Dotson, Amanda Sullivan was appointed to fill the vacancy on the Planning Board. Vote was unanimous.

B. Installation of Electric Car Charging Station at Ugly Dog. On a motion made by Commissioner Stiehler and Seconded by Commissioner Patterson, permission was granted for Thomas Craig; owner of the Ugly Dog to install an electric car charging station and allow one reserved parking space for electric cars at the Ugly Dog. Vote was unanimous.

11. Adjournment

As there were no further matters to come before the Board of Commissioners, Commissioner Stiehler moved to adjourn, which was seconded by Commissioner Dotson and upon unanimous vote, the Town Board adjourned at 9:05 p.m.

Patrick Taylor
Mayor

Robert A. Frye Jr.
Town Manager