

REGULAR MEETING OF THE TOWN BOARD OF COMMISSIONERS OF MAY 19, 2010

Town Board Present: Mayor David Wilkes, Vice Mayor Amy Patterson, Commissioner Dennis DeWolf, Commissioner Larry Rogers, Commissioner John Dotson and Commissioner Gary Drake.

Also Present: Town Manager Jim Fatland, Police Chief Bill Harrell, Recreation Director Selwyn Chalker, Town Engineer Lamar Nix, Recording Secretary Jane Capman and Town Attorney William Coward.

1. Call to order

Mayor David Wilkes called the meeting to order at 7:00 p.m.

2. Public Comments

Michael Rogers advised the Board of the future sale of Creighton “Zeke” Sossomon’s building and its potential use by the Town to enlarge Kelsey-Hutchinson Park. Mr. Rogers also discussed with the Board the graveling of Sunset Road.

Alan Marsh discussed the false rumors surrounding police department personnel and also discussed the police department’s budget.

Dr. Patti Wheeler discussed with the Board the barbeque pit at Mountain Fresh and the smoke that it creates.

3. Approve Agenda

Vice Mayor Amy Patterson moved to approve the Agenda, was seconded by Commissioner Larry Rogers, and was unanimous.

4. Approve minutes of May 3 and May 5, 2010

Minutes of May 3, 2010

Commissioner Dennis DeWolf moved to approve the minutes of May 3, 2010, was seconded by Commissioner Gary Drake and was unanimous.

Minutes of May 5, 2010

The May 5, 2010 minutes are amended as follows:

Page 8, Section 10, Paragraph 2, last line: the word Power is amended to read Powell.

Commissioner Dennis DeWolf moved to approve the minutes of May 5, 2010, as amended, was seconded by Commissioner Gary Drake and was unanimous.

5. Reports

A. Mayor

Mayor Wilkes reported that “we have a celebrity in town” and announced that Bevin Schiffli, a Highlands School junior is a regional finalist in a Google logo contest called “*Doodle 4 Google*”. Should Ms. Schiffli win the national competition, she will receive a \$15,000.00 scholarship and Highlands School will receive \$25,000.00 for new computers.

B. Commissioners

There were no commissioner reports.

C. Committees

The Finance Committee gave its report.

The Sustainability Committee gave its report.

The Business Committee gave its report.

D. Town Manager

Town Manager Jim Fatland discussed with the Board the Bowery Road case that went to a jury trial and advised that the Town offered \$23,500.00 while the Defendant, Mildred Johnson, was seeking \$149,000.00. The jury returned a verdict of \$43,881.00.

Mr. Fatland also advised that he has received positive feed back regarding the renovations at Town Hall.

6. Consent Agenda

- A. Public Services Department
- B. Police Department
- C. Parks & Recreation Department
- D. Planning & Zoning Department
- E. Treasurer's Report for Month Ended April 30, 2010
- F. Monthly Calendar
- G. Grant Status Report
- H. Post Vacancies for Planning Board
- I. Appointment of Stormwater Administrator

Recreation Director Selwyn Chalker advised that the pool deck had been replaced.

Commissioner Gary Drake inquired of Police Chief Harrell about false alarms and was advised that the fee schedule would be discussed at the budget work session.

Commissioner John Dotson moved to approve the Consent Agenda, was seconded by Commissioner Gary Drake and was unanimous.

Vice Mayor Amy Patterson inquired when the budget work session would be set and was advised by Mr. Fatland that is in the process of setting the same but that there was no set date.

7. Resolution Approving Water Shortage Response Plan

Town Manager Jim Fatland wanted to thank Lamar Nix and his staff for their work. Mr. Nix addressed the Board and advised that although there is a policy in place, it does need to be rewritten and the State requires a resolution, which was presented to the Board, for their review and consideration. Town Manager Jim Fatland discussed the possibility of a drought and what needed to be done.

After further discussion, it was decided to table this matter until the next regular scheduled meeting.

8. Proposed Dog Park at Recreation Center

Landscape architect Hank Ross made a presentation to the Town Board and advised that the community benefits would be socialization and exercising dogs in a safe environment, promoting responsible pet ownership, would provide the elderly and disabled owners with an accessible place to exercise their dogs, would provide visitors and second home owners a popular recreation destination, would enable dogs to legally run off-leash, would promote public health and safety, would provide a recreational area for public interaction and socializing and provide a recreational area for dogs that would not conflict with other recreational use.

Mr. Ross further stated that the dog park design would include a double gated entry, a 5 ft. fence, shade, water, good drainage, close parking, a grassy area, covered garbage cans, dog waste stations, wheelchair access, a safe central and public location and advised further that there would be regular cleanup and surface maintenance.

Mr. Ross stated that the dog park would be approximately a ½ acre protected fence area, which is sufficient for a small community with the entrance off the satellite parking lot. Mr. Ross also discussed the preservation of the buffer and that the dog park would be a “destination within the recreation park”. The park would be two surfaces, grass and mulch, which is good for waste clean up. Mr. Ross also stated that the dog park would be separated from the greenway “but on the greenway” and was looking to connect the greenway entrance. Hillrie Quin discussed the preferable route to the greenway.

The Town Board was presented with a Costs Estimate worksheet which showed the differences if all of the work were to be done by contractors verses if some of the work were to be done by town personnel.

Rick Siegel approached the Board and stated that the dog park would have a positive economic impact as people like to travel with their dogs and there are presently eight accommodations in Highlands that are dog friendly.

The Highlands Chamber of Commerce endorses the dog park.

Cassie Welsh of the Humane Society stated that she is asked where can people go with their pets and that the dog park would be an added value to the Town of Highlands, which is a pet friendly town.

Regarding the master plan, Mr. Ross stated that the dog park was the second highest item that the people wanted.

Mayor Wilkes stated that the dog park was a great idea but that the Board had to make a decision on funding it and further stated that he did not want the recreation department to handle it.

Pat Taylor stated that there are people willing to take care of the park and Selwyn Chalker suggested a “dog park club”. Mr. Taylor also stated that he would like the park open to everyone.

Commissioner Larry Rogers discussed the moving of the sidewalk which would provide more safety, extra lighting and that it was a good idea to have a “responsible committee”. Vice Mayor Amy Patterson inquired if there would be a fee to use the park to cover maintenance and suggested a \$1.00 slot box. Mr. Ross stated that he was doing research but would like to see the Town provide the land and capital improvements but that it was up to the Board to make a commitment. Mr. Chalker stated that he did not anticipate a lot of maintenance as the grassy area would only be approximately ¼ acre.

Mr. Ross was asked how long it would take to build the dog park was stated it would take approximately one month. Jim Fatland advised that the money is presently in the

recreation park budget for the park.

Vice Mayor Amy Patterson advised that she has heard from both sides and that there have been some people who have stated to her why does the Town need a dog park when we live in the middle of forest space. Vice Mayor Patterson stated that she did not have a problem with the dog park but was concerned about the costs.

Commissioner DeWolf stated that the dog park would not only be for the dogs but also for the socialization of people. Mr. DeWolf also stated that the cost to build the park is minuscule and that the Board needs to move forward.

Mr. Nix discussed the removal of trees and saving the mulch.

Commissioner Larry Rogers advised that he had heard from both sides about the park but stated that the Town should go with the park. Commissioner John Dotson stated that he had also heard from people question why the necessity of a dog park and further stated his feelings of the money being used for the dog park being unwisely spent in today's economy and further, did not agree with enclosing a picnic shelter within the park.

Mayor Wilkes stated that no one was opposed to the matter and that the Town has the property but the underlying question is of how the money would be spent.

Commissioner Gary Drake commented that the silent majority has remained silent.

Commissioner Dennis DeWolf made a motion to create a dog park on the land proposed at a cost of \$15,000.00 with a maximum expenditure of \$17,339.00, was seconded by Commissioner Larry Rogers and the motion passed 3 to 2. Vice Mayor Amy Patterson and Commission John Dotson voted no.

Although the motion passed there was continued discussion.

9. Second Annual Mountain Tail Waggers Walk & Pet Festival

Cassie Welch, Executive Director of the Cashiers-Highlands Humane Society stated that the society was requesting permission to stage the Second Annual Mountain Tail Waggers Walk and Pet Fest in Highlands on September 4, 2010. Ms. Welch advised that last year's event was very successful and felt that this year's proposed event would be even bigger and more successful with increased publicity and would be held in conjunction with the arts and crafts festival being held at Kelsey Hutchinson Park. Ms. Welch discussed with the Board the parade route, police support, directional signage, food vendors, barricades on the morning of the event and Town support for garbage pickup/disposal and dumpster placement. Also discussed were the necessary permits and liability insurance.

Vice Mayor Patterson raised her concerns about parking and Commissioner Dotson inquired of Chief Harrell of the anticipation of traffic issues and brought up the traffic issues of last year. Mayor Wilkes suggested of Ms. Welch to put in the registration form parking information.

Vice Mayor Amy Patterson moved to approve the Second Annual Mountain Tail Waggers Walk and Pet Festival with the parade route and parking to be determined, was seconded by Commissioner Dennis DeWolf and was unanimous.

10. NC Rural Center Resolution for Sewer Mater Plan Grant Application

Town Manager Jim Fatland advised that the Resolution needed to be resubmitted by June 9, 2010 and that he would be traveling to Raleigh to look for support as the Town

was previously turned down.

The following Resolution was presented to the Town Board for consideration and approval.

**NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER
PLANNING PROGRAM
AUTHORIZING RESOLUTION BY THE TOWN OF HIGHLANDS**

WHEREAS, The Appropriation Planning grant funds has authorized the making of grants to aid eligible units of government in financing the cost of planning for construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservations projects; and

WHEREAS, The **Town of Highlands** has need for and intends to plan for the construction or rehabilitation of publicly-owned wastewater collection systems, project described as a Sewer System Capital Improvements Plan and Financial Plan; and

WHEREAS, The **Town of Highlands** intends to request grant assistance from the Planning Grants Program of the North Carolina Rural Economic Development Center for the project;

NOW THEREFORE BE IT RESOLVED, BY THE TOWN BOARD OF THE TOWN OF HIGHLANDS:

That the **Town of Highlands** will arrange financing for all remaining costs of the project, if approved for a grant.

That the **Town of Highlands** will provide for efficient operation and maintenance upon completion of construction of any future facilities.

That **David Wilkes, Mayor**, and successors so titled, is hereby authorized to execute and file an application on behalf of Town of Highlands with the NCREDC (Rural Center) for a grant to assist in the completion of the project described above.

That **David Wilkes, Mayor**, and successors so titled, is hereby authorized and directed to furnish such information as the Rural Center may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Town of Highlands** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the ____ day of _____, 2010 at Highlands, North Carolina.

David Wilkes, Mayor
Chief Elected Official/Authorized

Commissioner Dennis DeWolf moved to approve the NC Rural Center Resolution for Sewer Mater Plan Grant Application, was seconded by Vice Mayor Amy Patterson and was unanimous.

11. Kelsey-Hutchinson Park Improvements

King Young appeared before the Board and advised that he was one of the original

members on the committee to purchase the land that is now Kelsey Hutchinson Park. Mr. Young suggested that the town incorporate a raised crosswalk, created with pavers, to act as a speed bump. Mr. Young also suggested the elimination of parking spaces to create more green space with the installation of grass pavers on the park side of Pine Street. Mr. Young also stated that with the proposed crosswalk, there would be a loss of four to six parking spaces on Pine Street but, six new spaces would be added on Fifth Street. Mr. Young presented the proposed drawing of the elevated crosswalk and advised that there would be no cost to the town.

Mayor Wilkes and the Commissioners voiced their concerns regarding having a speed bump/raised crosswalk and stated that it could be a dangerous situation. Also discussed was traffic, parking, handicap parking, drainage, pavers (size), curb cuts, and road scrapping.

Mr. Young stated that the Highlands- Cashiers Land Trust supports this idea and reminded the Board that it would be at no cost to the Town.

Hillrie Quin advised that he thought the project was a great idea and that the Board was asking good questions and suggested that this matter be taken to the recreation committee to smooth out concerns.

Commissioner Dennis DeWolf moved to approve the Kelsey-Hutchinson Park Improvements, was seconded by Vice Mayor Amy Patterson and passed 3 to 2. Commissioners John Dotson and Gary Drake voted against the improvements.

12. Closed Session: Bowery Road Litigation

Vice Mayor Amy Patterson moved the Town Board to closed session and was seconded by Commissioner Gary Drake.

Commissioner Gary Drake moved the Town Board back into open session and was seconded by Vice Mayor Amy Patterson.

13. Adjourn

Vice Mayor Amy Patterson moved to adjourn, was seconded by Commissioner Gary Drake and the Town Board meeting adjourned at 9:45 p.m.

James R. Fatland, Town Manager

Jane J. Capman, Recording Secretary

David Wilkes, Mayor