



Town of Mars Hill

MAYOR AND BOARD OF ALDERMEN

MINUTES REGULAR MEETING Mars Hill Town Hall – Conference Room February 4, 2019 at 7:00 p.m.

The Town of Mars Hill Mayor and Board of Aldermen met in regular session on Monday, February 4, 2019 at 7:00 p.m. in the Mars Hill Town Hall.

MEMBERS PRESENT: Mayor John Chandler; Aldermen Larry Davis, Stuart Jolley, Nicholas (Nick) Honeycutt and Robert W. (Bob) Zink

STAFF PRESENT: Darhyl Boone, Town Manager;
Nathan R. Bennett, Incoming Town Manager
Jamie Stokes, Town Attorney

OTHERS PRESENT: Paul Moon, News-Record and Sentinel; members of the general public

Call to Order

The meeting was called to order by Mayor John Chandler. Mayor Chandler welcomed those in attendance and introduced newly appointed Town Manager Nathan Bennett.

Approval of Minutes

The minutes of the regular meeting occurring on January 7, 2019 were presented. There being no modifications or additions to the minutes, Alderman Stuart Jolley made a motion that the minutes be approved as presented, Alderman Larry Davis seconded the motion. Upon a call for a vote on the motion by the Mayor, the minutes were approved unanimously.

Approval of the Agenda

Upon review of the agenda, Mayor Chandler called for a motion. Alderman Nicholas Honeycutt made a motion that the agenda be approved as presented, Alderman Robert Zink seconded the motion. Upon a call for a vote on the motion by the Mayor, the agenda was approved unanimously. (Attachment A)

Petition Requesting Annexation

Town Manager Darhyl Boone then presented a petition received from Dan Arnold and Laurel Arnold requesting non-contiguous annexation into the Town of Mars Hill certain real property they own in the vicinity of 1993 North Main Street and Mitchell View Drive. The property morefully described in the Petition and Application documents incorporated into these minutes as "Attachment B." Mr. Boone recommended denying the petitioners request. Upon hearing the presentation from Mr. Boone, Mayor

Chandler called for a motion. Alderman Zink made a motion to deny the request for non-contiguous annexation to the Town of Mars Hill, Alderman Davis seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion was approved unanimously.

Budget Amendment to Fiscal Year 2018-2019

Mr. Boone then presented a budget amendment to the 2019-2019 Fiscal Year General Fund Budget. The budget amendment provides funds to make certain entrance modifications to the administration/payment collection area of the Town Hall to improve safety and security for staff and the public. The amendment proposes transfer of \$10,000.00 (Ten Thousand Dollars) from the General Fund Balance to the expense item "Public Buildings-Capital Outlay-Buildings." Upon hearing from Mr. Boone, Mayor Chandler called for a motion. Alderman Davis made a motion to approve the budget amendment as presented, Alderman Jolley seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion was approved unanimously. (Attachment C)

Old Business

Mr. Boone then discussed the matter of "Knox Box" installation on commercial buildings in Town as required by the "Town of Mars Hill Fire Prevention Ordinance." Mr. Boone reminded the Board that when the ordinance was approved nearly five years ago, the Board authorized a five (5) year grace-period for property owners to have time to comply with the ordinance requirement for installation of these boxes. Mr. Boone advised the Board that the grace period is soon expiring, and a number of properties have still not installed these boxes as required. Additionally, he advised that the ordinance did not set a penalty for failure to comply. Mr. Boone recommended the Board authorize an amendment to the existing ordinance requiring (1.) establishing December 31, 2019 as the official compliance date, and (2.) Provide a fine of \$500.00 (Five Hundred Dollars) for non-compliance. Upon discussion of this matter by the Board, Mayor Chandler called for a motion. Alderman Zink made a motion to amend the "Town of Mars Hill Fire Prevention Ordinance" in the appropriate section of the ordinance as follows: (1.) Establishing December 31, 2019 as the official compliance date of the Knox Box installation provision, and (2.) Provide a fine of \$500.00 (Five Hundred Dollars) for non-compliance. Alderman Honeycutt seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion was approved unanimously. There was unanimous consensus of the Board that Town staff send a letter to the subject property owners as a reminder of this ordinance requirement, the deadline, and the potential penalty for failure to comply. Staff will compile a list of property owners and send a reminder letter. (Attachment D)

New Business

There was no new business.

Public Comment

There were no comments offered by the public.

Closed Session – Personnel Matter

Mr. Boone advised the Board that there is a personnel matter requiring a closed session. Upon hearing from Mr. Boone, Mayor Chandler called for a motion. Alderman Zink made a motion to enter closed session pursuant to N.C.G.S. 143-318.11(3) to discuss a personnel matter, Alderman Jolley seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion to enter closed session was unanimously approved.

Closed Session

Upon completion of the business pertaining to the closed session, Mayor Chandler called for a motion to end the closed session. Alderman Zink made a motion to end the closed session and return the meeting to open session, Alderman Jolley seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion to return to open session was unanimously approved.


Return to Open Session

Upon returning to open session, Mayor Chandler made a motion to approve the requested pay increase of 62 cents per hour, retroactive to January 30, 2019, for Officer Larson Danes pursuant to his completion of the introductory probation period, Alderman Honeycutt seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion was unanimously approved.


Adjourn

There being no further business before the Board, Mayor Chandler called for a motion to adjourn. Alderman Zink made a motion to adjourn, Alderman Davis seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion to adjourn was unanimously approved.

Approved and authenticated this the 4th day of March, 2019.


John L. Chandler, Mayor

ATTEST:


Nathan R. Bennett,
Town Manager



Attachment "A"

Town of Mars Hill
MAYOR & TOWN ALDERMEN
February 4, 2019 7:00 p.m.

A G E N D A

1. Call to Order: Mayor Chandler.
2. Approval of January 2019, Minutes.
3. Agenda Modification/Acceptance.
4. PETITION REQUESTING ANNEXATION.
5. Budget Amendment Fiscal Year 2018-2019.
6. Old Business.
7. New Business.
8. Public Comment.
9. Closed Session-Personnel Matter.
10. Adjourn.

Attachment "B"



PETITION REQUESTING A NON-CONTIGUOUS ANNEXATION

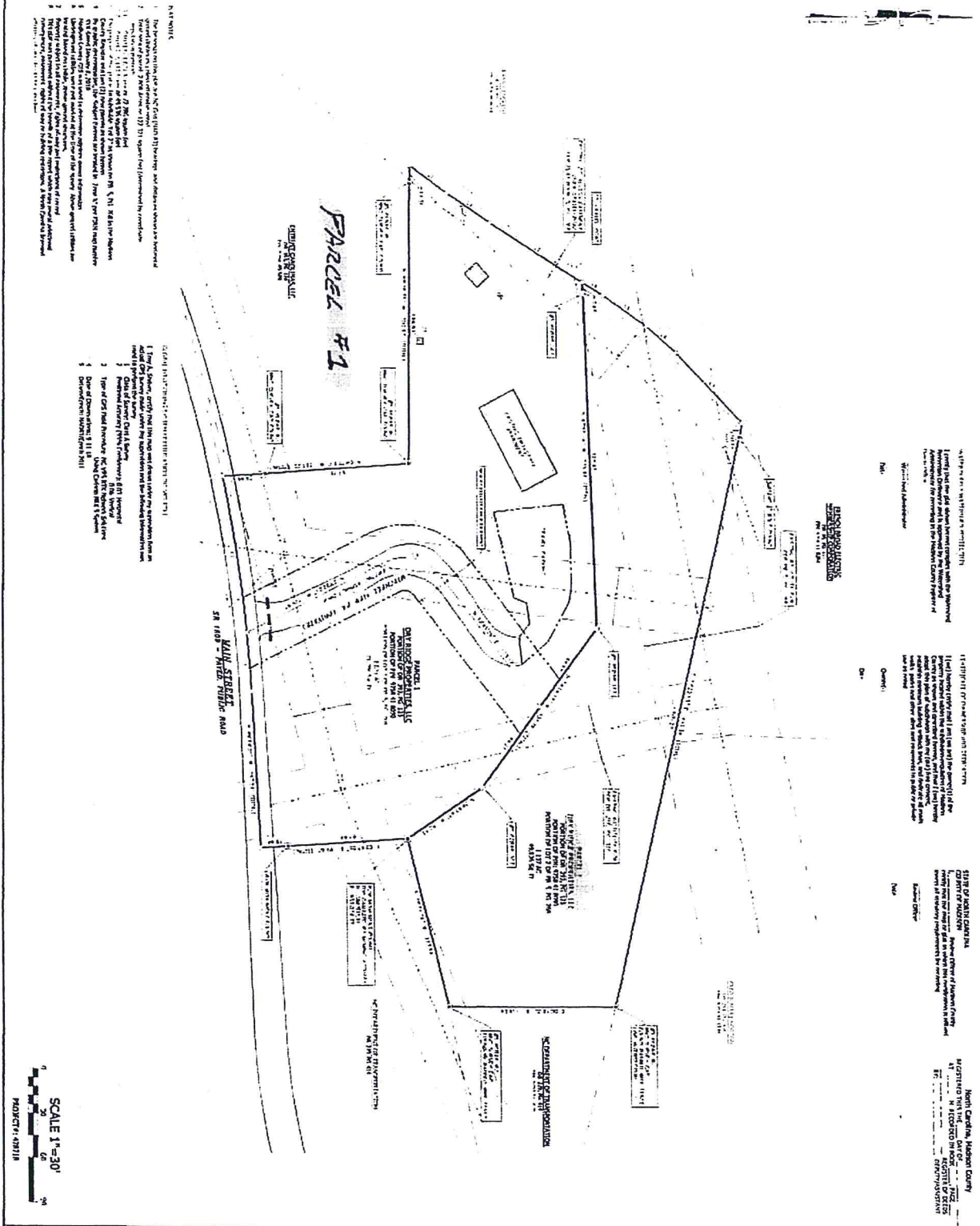
DATE 7/24/19

TO: Board of Aldermen, Town of Mars Hill

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Mars Hill.
2. The area to be annexed is non-contiguous to the Town of Mars Hill and the boundaries of such territory are as follows:

(Insert Metes and Bounds Description of Boundaries)
3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the Town.

	NAME	ADDRESS
1.	Van Arnold 	1326 Barnardville Hwy Barnardville, NC 28707
2.	Laurel Taylor 	1326 Barnardville Hwy Barnardville, NC 28707
3.		
4.		
5.		



11/17/2018 10:54 AM
 [Title] [Owner] [Address] [City] [State] [Zip]
 [Owner Name]
 [Address]
 [City] [State] [Zip]

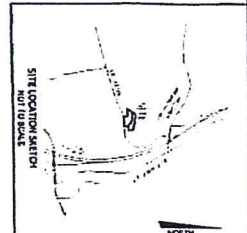
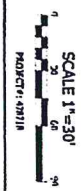
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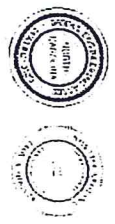
11/17/2018 10:54 AM
 [Title] [Owner] [Address] [City] [State] [Zip]
 [Owner Name]
 [Address]
 [City] [State] [Zip]

1. The plat is prepared in accordance with the provisions of Chapter 40A, Article 1, of the North Carolina General Statutes.
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Special Subdivision For:
DRY RIDGE PROPERTIES, LLC

Deed Book 393, Page 125
 PLA Book 5, Page 768
 Tax PIN: 9758-41-8090
 No. 4 Township Madison County, NC
 September 12, 2018 Scale: 1" = 30'

BROOKS
 ENGINEERING & SURVEYING
 1000 W. MAIN STREET, SUITE 200
 MADISON, NC 27025
 704-835-1234

PARCEL # 1

Exhibit A
for

BOOK 393 PAGE 130
Entrust Carolinas, L.L.C., Trustee, FBO Laurel Taylor, IRA # 00175-05, a 47.917% interest, &
Entrust Carolinas, L.L.C., Trustee FBO Dan Arnold, IRA # 00176-05, a 52.083% interest

Being all of Lot 1 as shown on that plat recorded in Plat Book 5, at Page 768 of the Madison County, NC Register's Office; reference to which Plat is hereby made for a more particular description of said Lot.

The above-described property is further conveyed together with and subject to an easement for ingress, egress, regress and installation of utilities services crossing Lot 2 and leading to the state maintained road. The exact location and scope of said easement shall be determined at a later time by the then owners of Lot 1 and Lot 2. This easement shall be memorialized and duly recorded in the public record once a survey is obtained from which a more particular description of said easement can be drawn. Any joint expense related to the installation and maintenance of said easement shall be shared on an equal and pro-rata basis by the owners of Lot 1 and Lot 2. It is further understood and agreed that this easement for ingress, egress, regress and installation of utilities services has been deemed of equal interest and value to both Lot 1 and Lot 2. Fifty percent of which interest and value in said easement shall be attributable to Lot 1 and fifty percent of which interest and value shall be attributable to Lot 2. Any subsequent relocation, modification or termination of said easement shall not be deemed an increase or decrease in interest or value to either Lot. It is further understood and agreed that this easement for ingress, egress, regress and installation of utilities services shall terminate without further action or documentation once a subsequent easement or right of way agreement is entered into and duly recorded by the owners of Lot 1 and Lot 2.

The above-described property is further conveyed together with and subject to an easement to draw water from a prospective well to be located upon Lot 2 as shown on the above referenced Plat. Said well shall be for the benefit of both Lot 1 and Lot 2. The exact location and scope of said well easement shall be determined at a later time by the then owners of Lot 1 and Lot 2. Once the exact location of the well is determined by a new survey a more particular well easement shall memorialized and duly recorded in the public record by the owners of Lot 1 and Lot 2. The owner of Lot 1 shall have the right to enter upon Lot 2 for the installation and maintenance of water lines and associated well apparatus. Any joint expense related to the installation and maintenance of the prospective well shall be shared on an equal and pro-rata basis by the owners of Lot 1 and Lot 2. It is further understood and agreed that this well easement has been deemed of equal interest and value to both Lot 1 and Lot 2. Fifty percent of which interest and value in said easement shall be attributable to Lot 1 and fifty percent of which interest and value shall be attributable to Lot 2. Any subsequent relocation, modification or termination of said easement shall not be deemed an increase or decrease in interest or value to either Lot. It is further understood and agreed that this well easement shall terminate without further action or documentation once a subsequent well easement is entered into and duly recorded by the owners of Lot 1 and Lot 2.

2. Redesignated: *[Handwritten initials]*

Together With and Subject To those easements and rights of way shown on the above-referenced Plat and as recorded in the Madison County, NC Register's Office.

And being a portion of that property described in deed recorded in Book 126, at Page 690 of the Madison County, NC Register's Office.

Attachment "C"

Town of Mars Hill
Mars Hill, North Carolina

2018-2019 Fiscal Year

BUDGET AMENDMENT

GENERAL FUND:

Revenues Anticipated:

Appropriated Fund Balance	\$ 10,000.00
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TOTAL ANTICIPATED REVENUES	\$ 10,000.00
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Expenditures Authorized:

Public Buildings-Capital Outlay-Buildings	\$ 10,000.00
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TOTAL AUTHORIZED EXPENDITURES	\$ 10,000.00
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Town of Mars Hill

AMENDMENT

to ORDINANCE NUMBER 217

Known as the "Town of Mars Hill Fire Prevention Ordinance"

BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Mars Hill as follows:

Amend Section 11, Paragraph (D), by replacing entire paragraph with the following new "Paragraph D":

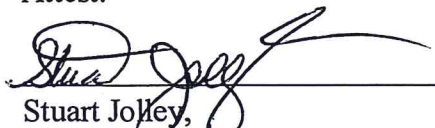
"D) **Knox Boxes**. Knox boxes shall be required to be installed on all new construction other than one or two family occupancies. Knox boxes shall be required on all existing buildings other than one or two family dwellings no later than December 31, 2019."

1. **Penalty**. Failure to comply with this subsection shall be a fine of \$500.00 (five hundred dollars.)"

This amendment approved by the Town of Mars Hill Mayor and Board of Aldermen by unanimous vote at a regularly called meeting on February 4, 2019.


John L. Chandler, Mayor

Attest:


Stuart Jolley,
Clerk to the Board of Aldermen



APPROVED 02-04-2019