

Town of Mars Hill

MAYOR AND BOARD OF ALDERMEN

John L. Chandler
Mayor
Nicholas A. Honeycutt
Vice-Mayor
Robert W. Zink
Treasurer
Stuart L. Jolley
Clerk
Larry H. Davis
Secretary

MINUTES REGULAR MEETING Mars Hill Town Hall – Conference Room May 3, 2021 at 6:00 p.m.

The Town of Mars Hill Mayor and Board of Aldermen met in regular session on Monday, May 3, 2021 at 6:00 p.m. in the Mars Hill Town Hall.

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

STAFF PRESENT: Nathan R. Bennett, Town Manager; Jamie Stokes, Town Attorney; Jon Clark, Police Chief; and Chad Wilson, Police Captain

Call to Order

The meeting was called to order by Mayor John Chandler. Mayor Chandler welcomed those in attendance.

Approval of the Agenda

Mayor Chandler asked the Board to review the proposed agenda for approval. Upon review of the agenda, Mayor Chandler called for a motion. **Alderman Nicholas Honeycutt made a motion the agenda be approved as presented.** Alderman Stuart Jolley seconded the motion. Upon a call for a vote on the motion by the Mayor, the agenda was approved unanimously. (Attachment A)

Approval of Minutes

Mayor Chandler then asked the Board to review the minutes of the meetings held in the month of April 2021. There being no modifications to the minutes, **Alderman Jolley made a motion that the minutes for April 5, April 15, April 19, and April 26, 2021 be approved as presented by management.** Alderman Larry Davis seconded the motion. Upon a call for a vote on the motion by the Mayor, the minutes were approved unanimously.

DEPARTMENT REPORT – Police Department

Mayor Chandler then recognized Chief of Police Jon Clark who provided a report on the activities and plans for the police department. He advised that he has been updating a number of policies and procedures for the department and looks forward to continuing the good stewardship of the department by his predecessor. The Board thanked Chief Clark for his report and extended thanks to the entire department for their hard work.

Town Manager Report – Nathan Bennett, Town Manager

Mayor Chandler then recognized Mr. Bennett to provide the Town Manager Report.

COVID-19 Response

Mr. Bennett provided the Board an update on the continuing Town response to the coronavirus and COVID-19 situation. The Town continues to be under the state and locally designated state of emergency in response to COVID-19. He advised there have been no issues related to COVID-19 with town operations. He reported that the county health department reports approximately 38% of Madison County residents have been vaccinated with at least one dose, and 34% have been fully vaccinated. The situation with COVID-19 has continued to improve as the vaccine has become more widely available, and the State has begun to reduce many of the restrictions that were placed to address the pandemic. Additionally, the Town continues to wait for the U.S. Treasury Department to release guidance on the utilization of funds from the American Rescue Plan Act he discussed last month. Mr. Bennett advised this is the situation with every jurisdiction around the country and when more is known he will work with the Board to determine the most appropriate way to utilize those funds.

Finance Report – 3rd Quarter

Mr. Bennett gave an overview of the Financial Report for the 3rd quarter of the fiscal year. He reported that at this point in the fiscal year, the target is to be at or below 75% of budget. On the revenue side in the General Fund, the Town is in excellent shape with property and fire tax collections exceeding the budgeted amount and the inclusion of the federal CARES act funding utilized for COVID-19 response efforts. On the expenditure side in the General Fund, most departments are under that 75% target and those that are slightly above are due to COVID response expenses which have not been reconciled yet with the grant funds received. Once those budget amendments are made all departments will be in line with expectations. Mr. Bennett pointed out that interest income has significantly been impacted due to the economic downturn due to the pandemic. In regard to the Water and Sewer Fund, revenues are at 67%, slightly under target, which can be attributed to continued depressed usage from the university due to COVID-19 impacts on the operation schedule. Expenditures are tracking within expectations at 73%. Management will monitor these items as the remainder of the year progresses and will look to control expenses to align with revenue projections. Upon completion of discussion, Mayor Chandler called for a motion. **Alderman Bob Zink made a motion to approve the Financial Report as presented.** Alderman Davis seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously. (Attachment B)

General Update

Mr. Bennett advised the Board that he has been working with the consultant to prepare a grant application to the North Carolina Parks and Recreation Trust Fund for development of Bailey Mountain Preserve and Farm Center on Forest Street. He advised the application was completed and submitted today and that awards will be announced in August. Mr. Bennett further reported that he had followed up on the items from last month, in particular he has ordered the garbage truck to replace the current vehicle and notified the new audit firm for the Town of their selection with a meeting scheduled soon to discuss the transition to their firm and get work underway on this year's audit process. Mr. Bennett advised that the pool is expected to open on Memorial Day weekend at full capacity with COVID-19

social distancing and regulations in place as provided by State health officials. We have removed the pool slide due to unrepairable damage and have no plans to replace the slide this year. Finally, Mr. Bennett reported that budget planning for FY 2022 is in process and that he plans to have a proposed budget for the Boards consideration at the June meeting.

Mr. Bennett updated the Board on other items of interest to the Town. He advised the Board that NCDOT and their contractor, NHM Construction, continue work on the Crossroads Parkway extension.

Old Business

Mayor Chandler then moved to address old business.

New Business

Mayor Chandler then moved to address new business.

2021 Municipal Election – Agreement

Mayor Chandler recognized Mr. Bennett to discuss the 2021 Municipal Election information before the Board. Mr. Bennett reminded the Board that 2021 is a municipal election year with the election scheduled for November 2, 2021. Candidate filing begins July 2, 2021 at noon and closes on July 16, 2021 at noon. Positions expiring this year are Mayor Chandler and Aldermen Honeycutt and Zink. As in prior years, the Town election will be administered by the Madison County Board of Elections (BOE). The BOE has provided the Town an agreement and other supporting documentation to conduct the municipal election. This agreement is the standard agreement as in prior years with a term of two (2) years beginning July 1, 2021 and terminating on June 30, 2023. The agreement provides that the BOE will provide all required election administration services and will bill the Town the actual cost of conducting the election, subject to the setoff of the retained filing fees paid by candidates. In 2019, the cost of the election was approximately \$4,650.00 and we expect the cost for the 2021 election to be similar. Upon completion of discussion, Mayor Chandler called for a motion. **Alderman Jolley made a motion to approve the “Agreement to Conduct Municipal Elections” by the Madison County Board of Elections as presented.** Alderman Davis seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously. (Attachment C)

Public Comment

The Mayor then moved to public comment. The first to speak was James Heinel regarding his business space located at 10 N. Main Street. He discussed a potential tenant being an art gallery/tattoo studio. Mr. Heinel introduced the owners of Bone and Ink Studios, Jennifer and Jonathan Allen, and Mr. Allen provided a brief presentation regarding their business and the desire to locate in Mars Hill. The Board thanked each of them for their comments but took no action and directed Mr. Heinel to contact the Town Manager regarding the zoning permit process.

Closed Session (Pursuant to N.C.G.S. 143-318.11)

Mayor Chandler then advised that there are some items for discussion subject to the closed session.

Alderman Jolley made a motion to enter closed session to consult with legal counsel pursuant to

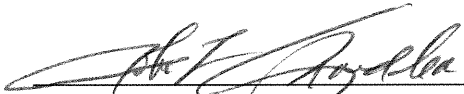
N.C.G.S. 143-318.11(1) & (3). Alderman Honeycutt seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously.

Upon completion of discussion of items subject to the closed session, Mayor Chandler called for a motion to return to open session. **Alderman Jolley made a motion to return to open session.** Alderman Davis seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously.


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 Jolley 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 7th day of June, 2021.


John L. Chandler, Mayor

ATTEST:


Nathan R. Bennett,
Town Manager





Town of Mars Hill

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AGENDA

REGULAR MEETING

Mars Hill Town Hall Conference Room

May 3, 2021 at 6:00 p.m.

1. Call to Order – *Mayor John L. Chandler*
2. Approval of Agenda
3. Approval of Minutes: April 5, 2021, April 15, 2021, April 19, 2021, and April 26, 2021
4. **DEPARTMENT REPORT** – Police Department – Jon Clark, Police Chief
5. Town Manager Report – *Nathan Bennett, Town Manager*
 - a. COVID-19 Response Update
 - b. Financial Report – 3rd Quarter
 - c. General Update
6. Old Business
7. New Business
 - a. 2021 Municipal Election – Agreement and Related Documentation to Conduct Municipal Elections with Madison County Board of Elections
8. Public Comment
9. Closed Session (*Pursuant to N.C.G.S. 143-318.11 – if needed*)
10. Adjourn

Mars Hill Town Hall

280 North Main Street • P.O. Box 368

Mars Hill, North Carolina 28754

Phone: (828) 689-2301 • Fax: (828) 689-3333

ATTACHMENT B

Town of Mars Hill			
Mars Hill, North Carolina			
FINANCIAL STATEMENT			
31-Mar-21			
SECTION I: General & Powell Bill Funds		Budget	Actual
A. REVENUES ANTICIPATED			
Property Tax (Current Year/\$.47 per \$100)	\$	593,659.00	\$ 626,062.00
Property Tax (Prior Years)	\$	5,500.00	\$ 5,801.00
Payment in Lieu of Taxes	\$	8,000.00	\$ 11,586.00
Tax Penalties and Interest	\$	2,000.00	\$ 1,271.00
Ad Valorem Vehicle Tax	\$	40,000.00	\$ 42,354.00
Municipal Parking Fee	\$	5,000.00	\$ 8,785.00
Interest Earned/Investments	\$	10,000.00	\$ 591.00
Rents and Concessions	\$	3,000.00	\$ -
Utilities Revenue	\$	2,500.00	\$ 564.00
Miscellaneous Revenue	\$	5,000.00	\$ 14,110.00
Utilities Franchise Tax	\$	125,000.00	\$ 91,716.00
Excise Tax - Beer & Wine	\$	8,000.00	\$ -
Powell Bill Street Allocation	\$	56,000.00	\$ 53,122.00
Local Option Sales Tax	\$	425,000.00	\$ 490,931.00
State Gov. Grants - COVID Funds	\$	-	\$ 148,309.00
Court Costs, Fees, Etc.	\$	100.00	\$ 81.00
Parking Violation Penalties	\$	3,000.00	\$ 975.00
Zoning Permits	\$	100.00	\$ 420.00
Inspection/Fire Codes Fee/Fines	\$	-	\$ 850.00
Street Department Revenue	\$	-	\$ 96.00
Police Department Revenue/Donation	\$	100.00	\$ 954.00
Recreation Department Revenues	\$	20,000.00	\$ 10,570.00
Fire Department Revenues	\$	3,000.00	\$ 5,934.00
Fire Dept. Relief Funds	\$	4,000.00	\$ -
Tax Refunds	\$	10,000.00	\$ 18,771.00
Special Fire District Tax	\$	575,000.00	\$ 687,621.00
Appropriated Fund Balance, General	\$	35,000.00	\$ -
Appropriated Fund Balance, Powell Bill	\$	90,000.00	\$ -
Other Fin. Sources/Uses-Transfer In	\$	-	\$ -
TOTAL ANTICIPATED REVENUES	\$	2,028,959.00	\$ 2,221,474.00
B. EXPENDITURES AUTHORIZED			
1. Governing Body	\$	84,300.00	\$ 61,443.00
2. Administration	\$	254,300.00	\$ 206,938.00
3. Elections	\$	-	\$ -
4. Tax Collections	\$	2,500.00	\$ 1,552.00
5. Public Buildings	\$	30,000.00	\$ 21,360.00
(Continued to Page 2)			

SECTION III: WW Treatment Improvement Project**A. Revenues Anticipated**

Federal Government Grants/EDA	\$	390,120.00	\$	317,444.00
State Government Grants/Golden Leaf	\$	487,650.00	\$	438,885.00
Local Government Funds	\$	97,530.00	\$	-
Due to/From Other Funds (Enterprise Loan)	\$	-	\$	97,530.00
TOTAL REVENUES ANTICIPATED	\$	975,300.00	\$	853,859.00

B. Expenditures Authorized

Con. Serv./Mobilization	\$	19,500.00	\$	19,500.00
Sludge Pump Station	\$	162,900.00	\$	162,900.00
D.O. Control System/Blower	\$	132,500.00	\$	30,185.00
Concrete Tank Restoration	\$	145,000.00	\$	164,629.00
Exit 11/1000 LF Sewer Line	\$	95,000.00	\$	95,000.00
Exit 11/Sewer Line Pump Station	\$	151,000.00	\$	151,000.00
Exit 11/SPS Sewer Force Main	\$	42,800.00	\$	42,800.00
Contingency	\$	74,900.00	\$	-
Design & Permitting	\$	74,900.00	\$	74,900.00
Bidding/Award	\$	8,400.00	\$	8,400.00
Construction Administration	\$	37,400.00	\$	31,465.00
Grant Administration	\$	24,500.00	\$	24,500.00
Legal	\$	6,500.00	\$	-
TOTAL EXPENDITURES AUTHORIZED	\$	975,300.00	\$	805,279.00

SECTION IV: Bailey Mountain Project**A. Revenues Anticipated**

Fed/Land & Water Conservation Fund	\$	250,000.00	\$	250,000.00
St./Clean Water Mgmt. Trust Fund	\$	352,326.00	\$	352,326.00
Local Funds	\$	106,074.00	\$	80,000.00
Enterprise Fund (Loan) Due/to From	\$	-	\$	-
TOTAL REVENUES ANTICIPATED	\$	708,400.00	\$	682,326.00

B. Expenditures Authorized

Capital Outlay/Land Purchase	\$	675,000.00	\$	675,000.00
Legal/Adm/Professional Costs	\$	33,400.00	\$	5,752.00
TOTAL EXPENDITURES AUTHORIZED	\$	708,400.00	\$	680,752.00

ATTACHMENT C



Madison County Board of Elections

5707 US Hwy 25-70 Marshall, North Carolina 28753
Phone: 828-649-3731 Fax: 828-649-0187

April 28, 2021

NORTH CAROLINA
MADISON COUNTY

AGREEMENT TO CONDUCT MUNICIPAL ELECTIONS

THIS AGREEMENT made and entered into by and between the Town of Mars Hill, a municipal corporation hereinafter referred to as "Municipality" and the Madison County Board of Elections hereinafter referred to as "Board of Elections."

WITNESSETH

THAT, WHEREAS, the above named Municipality will continue its agreement with the Board of Elections to conduct its future municipal elections; and

WHEREAS, the Board of Elections will conduct said municipal elections upon proper execution of this agreement, and

WHEREAS, parties to this agreement acknowledge that fair and accurate elections cannot take place without the Board of Elections receiving accurate and complete voting district and voting schedule information from the Municipality sufficiently in advance of the election to assign voters properly; and

WHEREAS, when contracting with the county Board of Elections for the conduct of its elections, a municipality is required to pay the actual cost of conducting said elections however, the Board of Elections understands that it would benefit municipal officials to have the most accurate estimate of costs possible for allocation of budget revenues.

Barring new laws, annexations, districting, redistricting, ward changes, any other changes by the Municipality and other variables, the Board of Elections will notify the Municipality if it anticipates the cost of the next election to increase by more than ten percent when compared with the most recent odd-numbered-year election billing.

NOW, THEREFORE, IT IS MUTUALLY UNDERSTOOD AND AGREED BETWEEN THE PARTIES HERETO THAT:

The Board of Elections shall conduct all elections required by law or duly called by said Municipality, all as by law provided.

It is the responsibility of the Municipality to provide the Board of Elections with clear and accurate maps, districts, municipal lines, government changes and proof of preclearance. The

Board of Elections cannot assure voters are properly assigned to districts without accurate information to all facts necessary to conduct an election, promptly but in no event less than 90 days before filing begins. A form provided by the Board of Elections will be sent to the Municipality in advance of the filing date giving all information as to the form of government, the offices to be elected and all other dates and relevant election information. This form must be signed by the mayor, city or town manager, or other designated official and returned to the Board of Elections 30 days before filing begins.

The Municipality shall pay to the Board of Elections the actual cost of conducting an election within thirty days of receipt of billing, subject to the setoff of retained filing fees. Actual costs of an election shall include, but is not limited to all expenses, travel, actions and labor in preparation for and conduct of all primaries, runoffs, and elections. Actual costs shall also include expenses, transportation, and labor costs for election protests, petition examination, and petition certification that may arise from the elections.

The Board of Elections shall not be responsible for any expenses arising from litigation from a municipal election, except as to allegations that the Board of Elections failed to follow the instructions of the Municipality as to the election or was negligent in the conduct of the election. In addition, if the municipality requires annexation activation, ward defining, districting, or redistricting work, actual costs will be charged by the Board of Elections to the Municipality in the year of municipal elections. Reference should be made to previous billings for estimated cost of such work that may include mailing of annexation notifications, required overtime of staff, and related cost of supplies. The Municipality shall be entitled to a detailed billing for actual incurred costs.

If the Board of Elections conducts an election for said Municipality simultaneously with a countywide election, all actual expenses incurred for conducting the municipal election in excess of the cost for the countywide election shall be reimbursed by said Municipality to the Board of Elections.

The number of and compensation for poll workers and voting machine technicians, along with election preparations and training and programming of voting machines, as well as other matters directly related to any election, shall be determined according to federal election laws, North Carolina Administrative Code and General Statutes of North Carolina by the North Carolina State Board of Elections and the Madison County Board of Elections.

The North Carolina State Board of Elections and Madison County Board of Elections have jurisdiction over election matters. Therefore, any questions or problems concerning elections, including billing, should be brought directly to the Madison County Board of Elections for resolution.

All municipal filing fees paid to the Board of Elections shall be deposited to the account of Madison County and deducted from the Municipality's election costs. The Municipality will be provided exact written information as to the fees collected.

The term of this Agreement shall be for a two-year period, commencing on the first day of July 2021 and terminating on June 30, 2023. The term of this Agreement shall be automatically extended for successive two (2) year periods unless either party provides verified hand delivered notice to the other party of its intent to terminate the agreement no later than the first day of May of the year the termination is to be effective.

If the Municipality desires to allow absentee voting in its elections or to eliminate absentee ballots, it shall be the responsibility of the Municipality to comply with the provisions of General Statute 163-302.

IN TESTIMONY WHEREOF, said Municipality has caused this instrument to be executed in its corporate name by its Mayor, its Official Seal to be affixed and attested by its Clerk, and the Madison County Board of Elections has caused this instrument to be executed in its name by all members and attested by its Director in duplicate originals, the day and year first above written; one duplicate original to be retained by each of the parties hereto.

THIS, THE 3rd DAY OF MAY, 2021

BY 
JOHN L. CHANDLER, MAYOR

ATTEST


STUART L. JOLLEY, CLERK

(Municipal Seal)

