



# 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 October 7, 2019 at 6:00 p.m.

The Town of Mars Hill Mayor and Board of Aldermen met in regular session on Monday, October 7, 2019 at 6:00 p.m. in the Mars Hill Town Hall.

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

Aldermen Larry Davis was absent.

**STAFF PRESENT:** Nathan R. Bennett, Town Manager; Jamie Stokes, Town Attorney

**OTHERS PRESENT:** Bill Zink, Bill Downey, and Alyssa Phillips.

#### **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 Nick Honeycutt made a motion that 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 regular meeting held on August 5, 2019 and the special meeting held on September 19, 2019. There being no modifications to the minutes, Alderman Honeycutt made a motion that the minutes for August 5, 2019 and September 19, 2019 be approved as presented by management. Alderman Jolley seconded the motion. Upon a call for a vote on the motion by the Mayor, the minutes were approved unanimously.

#### **Town Manager Report – Nathan Bennett, Town Manger**

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

### **RESOLUTION – Water Shortage Response Plan**

Mr. Bennett advised the Board that the Town is required by the N.C. Department of Environmental Quality (NCDEQ) to review the Water Shortage Response Plan every five years. This plan was reviewed December 28, 2018 and submitted to the NCDEQ as required. The Town received notification in August from NCDEQ that the updated plan was received and meets the required criteria. NCDEQ further advised the next step is for the Board of Aldermen to adopt a resolution approving the revised plan. Mr. Bennett presented the proposed resolution consistent with NCDEQ requirements and recommended the Board approve the resolution. Upon review and discussion of the resolution by the Board, Mayor Chandler called for a motion. Alderman Jolley made a motion to approve the resolution titled “Resolution – Approving Water Shortage Response Plan” as presented. Alderman Honeycutt seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion was approved unanimously. (Attachment B)

### **Personnel Policy Revisions**

Mr. Bennett next presented two recommended revisions to the Town of Mars Hill Personnel Policy. The first revision is to the section regarding the holidays observed by the Town. Current policy identifies nine (9) holidays but does not formally include Martin Luther King, Jr.’s Birthday or Veterans Day, and, also only observes two (2) days at Christmas while requiring employees to take a vacation day for a third day at Christmas. This policy is inconsistent with the current holiday schedule as observed by the State of North Carolina. Mr. Bennett recommended the Town policy be revised to follow the holiday schedule as set by the North Carolina Human resources Commission and published by the N.C. Office of State Human Resources. This change means Town employees would receive the same holidays as state employees and effectively, and formally, provide employees an additional three (3) holidays. Upon completion of discussion by the Board, Mayor Chandler called for a motion. Alderman Honeycutt made a motion to approve the revised holiday schedule policy as presented by management to “Article V: Holidays and Leaves of Absence, Section 2. Holidays” (Attachment C). Alderman Jolley seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion was approved unanimously.

Mr. Bennett then addressed the second personnel policy revision regarding vacation leave accumulation and roll over. Current policy caps the amount of vacation leave that can be carried into the new calendar year at eighty (80) hours and a maximum of forty (40) of those excess hours be rolled over to sick leave. Mr. Bennett recommends changing the policy to increase the cap of hours that can be carried into the new calendar year to 240 hours. Additionally, any amount of accrued vacation hours in excess of 240 at the end of the year can be rolled to sick leave meaning there will be NO CAP on the amount of those excess vacation hours that can be rolled to sick leave. The removal of this cap on sick leave will not be a financial cost to the Town as sick leave hours are not paid out upon an employees’ separation from employment but it does allow, in addition to being available for illness, those “banked” sick leave hours to be converted for service credit upon retirement. Upon completion of discussion by the Board, Mayor Chandler called for a motion. Alderman Jolley made a motion to approve the revised annual leave policy as presented by management to “Article V: Holidays and Leaves of Absence, Section 5. Annual Leave Maximum Accumulation and Roll Over,” and “Article

V: Holidays and Leaves of Absence, Section 6. Payment upon Separation” (Attachment D). Alderman Honeycutt seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion was approved unanimously.

### **General Update**

Mr. Bennett provided the Board with a status report on capital projects that are underway as well as a summary of various town activities. Of particular note, the Exit 11 pump station/force main and wastewater treatment plant improvement project is complete as designed. However, the Town is in discussion with the grant funding agencies and engineers to potentially add additional rehabilitation of the Carl Eller Road pump station near the Exxon Station using unspent project grant funds. A cost analysis is being completed to determine financial viability of adding this to the scope of work. The waterline replacement project along NC 213/Cascade Street from Park Drive to the town limits is complete and in service.

Mr. Bennett updated the Board regarding the vacancy left by the resignation of the fire chief. Mr. Bennett advised the Board that the position was advertised and upon completion of the recruitment process, the position was filled by current deputy fire chief Nathan Waldrup. Mr. Waldrup assumed the position of fire chief effective September 14, 2019. The process is now underway to recruit a replacement for the deputy fire chief left vacant by the promotion of Mr. Waldrup. Position is currently being advertised in the local paper, town website, social media and contacts with other area fire service associations. Applications are due by October 25, 2019 with the position to be filled as soon as possible thereafter.

Mr. Bennett reported that Town did not receive the N.C. Parks and Recreation Trust Fund grant that was submitted in April. The Town’s application scored well but fell just short of being awarded. Out of 56 applications statewide, the Town application was ranked at 22 and the top 15 projects were funded. The project application will be reviewed and revised as needed and will be looking to resubmit in the next funding cycle in Spring 2020. Mr. Bennett advised the Board of current activity at the Smith Farm/Bailey Mountain park property. Mars Hill University took 425 freshmen and first year students up Bailey Mountain utilizing our property on September 23. The Muddy Sneakers outdoor education group took 80 students from Mars Hill Elementary School out on the property September 30. The property is getting a lot of individual use and this activity shows how important this park project is to the community.

Other items noted in the managers report included the Town’s auditing firm has been onsite the past two weeks completing our annual audit, the Town has created a Twitter account to provide timely information to the public, the Fall edition of the Mars Hill Letter (newsletter) went out in the October water bill, and announcements of upcoming events.

### **Old Business**

The Mayor then moved to address Old Business.

**Christmas Parade.** Mr. Bennett advised the Board that he has discussed the Christmas Parade with Town staff and other community entities and recommends the Town sponsoring a parade this year. The date of the Mars Hill Christmas Parade will be Saturday, December 7, 2019 at 11:00 a.m. Applications to participate in the parade are available in the town administrative offices and on the town's website.

**ETJ Update.** Mr. Bennett advised the Board that no additional action has been taken regarding the discussion to potentially dissolve the extraterritorial jurisdiction. He advised the Board that he has been in contact with the UNC School of Government and that he and Town Attorney Jamie Stokes will begin work on that project this month and have additional information available at the November meeting.

No additional old business.

### **New Business**

The Mayor then asked if there was any new business. Mayor Chandler reported on the annual Shriners Auction held at the Mars Hill Recreation Park on September 28, 2019. The event very well and raised over \$12,000 for the Shriners Hospital. The Mayor also advised that he has been approached by a member of the Board of Elections and asked about a potential alternative early voting and election day voting location for the general elections to occur in both March and November 2020. Currently, the Mars Hill Library is used for this purpose, but the library director has asked that their facility not be used for due to the long period of time that it restricts use of their space. General discussion followed regarding this matter and potential alternative locations subject to the Town's control which no other location seems to be appropriate. There was consensus that if asked formally by the Board of Elections the Town will work with them to secure some other alternative location for voting purposes.

There was no additional new business.

### **Public Comment**

The Mayor the asked if there was any public comment. The first to speak was Bill Zink who spoke about the Mars Hill Fire Department. Mr. Zink advised that he was a long-time, continuous, member of the department having joined in 1970. He thanked the Board for the great support provided to the department in terms of facilities, equipment and personnel. Mr. Zink reported he appreciated the good leadership provided to the department by former chief, Bryan Hopps, and he will be missed. Mr. Zink is concerned with the lack of volunteerism and number of reliable volunteers that serve in the Mars Hill department, which is a universal problem in the volunteer fire service. Mr. Zink advised the Board that he would ask Board members to help find ways to recruit more active volunteers, look to add additional paid firefighters to at least two per shift, and support and thank the firefighters for their service. The Mayor and other Board members thanked Mr. Zink for his comments and advised him that the Town of Mars Hill does appreciate our great firefighters and first responders and all of those in the fire service and will work on the items he identified.

There were no other public comments.

**Closed Session (Pursuant to N.C.G.S. 143-318.11(a)(6))**

Alderman Bob Zink made a motion to enter closed session pursuant to N.C.G.S. 143-318(a)(6) to discuss a personnel matter. Alderman Jolley seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion was approved unanimously.

*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 Honeycutt 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**

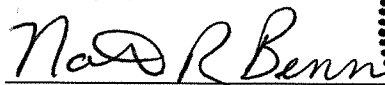
Upon returning to open session, there was discussion concerning the Southern Appalachian Repertory Theatre and potential financial support. Mr. Bennett advised the Board that prior support of the Theatre by the Town has been sporadic. Mr. Bennett advised the Board that the year-round impact SART makes on the community is significant. The financial impact by SART through the direct purchase of goods and services from Mars Hill businesses for productions to the patrons who dine and shop at downtown and area business, illustrates SART's position as a vital economic driver for the Town of Mars Hill. Mr. Bennett advised the Board that he would recommend the Board allocate \$2,000 from the downtown leadership budget to support SART activities. Upon completion of the discussion on the matter, Mayor Chandler asked if there was a motion. Alderman Jolley made a motion to allocate \$2,000 to the Southern Appalachian Repertory Theatre from the Downtown Leadership budget to support vital economic initiatives. Alderman Honeycutt seconded the motion. Upon a call for a vote on the motion 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 Honeycutt seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion to adjourn was unanimously approved.

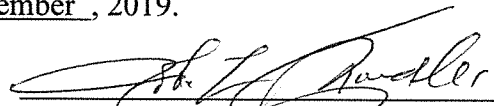
Approved and authenticated this the 4<sup>th</sup> day of November, 2019.

ATTEST:



Nathan R. Bennett,  
Town Manager



  
John L. Chandler, Mayor



# Town of Mars Hill

## MAYOR AND BOARD OF ALDERMEN

John L. Chandler  
*Mayor*  
Nicholas A. Honeycutt  
*Vice-Mayor*  
Robert W. Zink  
*Treasurer*  
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### AGENDA

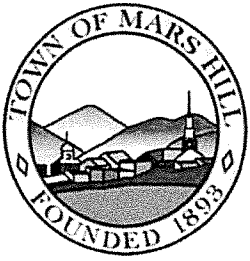
#### **REGULAR MEETING**

*Mars Hill Town Hall Conference Room*

*October 7, 2019 at 6:00 p.m.*

1. Call to Order – *Mayor John L. Chandler*
2. Approval of Agenda
3. Approval of Minutes: August 5, 2019 and September 19, 2019 meetings
4. Town Manager Report – *Nathan Bennett, Town Manager*
  - a. **RESOLUTION** - Water Shortage Response Plan
  - b. Personnel Policy Revisions
  - c. General Update
5. Old Business
  - a. Christmas Parade
  - b. ETJ Update
6. New Business
7. Public Comment
  - a. Bill Zink – *Subject: Fire Department*
8. Closed Session (*Pursuant to N.C.G.S. 143-318.11 – if needed*)
9. Adjourn





# Town of Mars Hill

## RESOLUTION

### APPROVING WATER SHORTAGE RESPONSE PLAN

**WHEREAS,** North Carolina General Statute 143-355 (I) requires that each unit of local government that provides public water service and each large community water system shall develop and implement water conservation measures to respond to drought or other water shortage conditions as set out in a Water Shortage Response Plan and submitted to the Department for review and approval; and

**WHEREAS,** as required by the statute and in the interest of sound local planning, a Water Shortage Response Plan for the Town of Mars Hill has been developed and submitted to the Mars Hill Board of Aldermen for approval; and

**WHEREAS,** the Board of Aldermen finds that the Water Shortage Response Plan is in accordance with the provisions of North Carolina General Statute 143-355 (I) and that it will provide appropriate guidance for the future management of water supplies for the Town of Mars Hill, as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute.

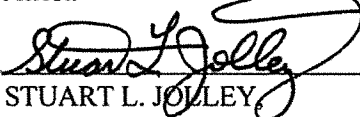
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF MARS HILL THE FOLLOWING:**

That the Water Shortage Response Plan for the Town of Mars Hill, North Carolina, dated February 23, 2010 and Reviewed December 26, 2018, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources.

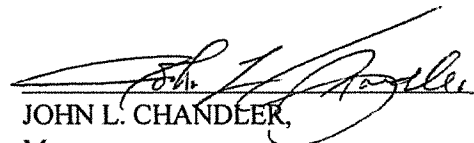
That the Board of Aldermen of the Town of Mars Hill intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statutes and sound planning practice.

**ADOPTED** this the 7<sup>th</sup> day of October, 2019 by the Town of Mars Hill Mayor and Board of Aldermen.


Attest:

  
STUART L. JOLLEY  
Town Clerk



  
JOHN L. CHANDLER,  
Mayor

ATTACHMENT C

	<p><b>TOWN OF MARS HILL</b></p> <p><b>ARTICLE V: HOLIDAYS AND LEAVES OF ABSENCE</b></p> <p><b>Section 2. HOLIDAYS</b> <i>Revised as rewritten</i></p>	Effective Date: <u>November 1, 2019</u>
		Council Approval Date: <u>Oct. 7, 2019</u>
		Page 1 of 1
		<u>Town Manager</u> Responsible Party

**Section 2. Holidays.**

The policy of the Town is to follow the holiday schedule consistent with that approved by the North Carolina Human Resources Commission and published by the N.C. Office of State Human Resources (or its successor) for observation by the employees of the State of North Carolina. The following holidays have been designated for observance:

- |                                    |                       |
|------------------------------------|-----------------------|
| New Year's Day                     | Labor Day             |
| Martin Luther King, Jr.'s Birthday | Veteran's Day         |
| Good Friday                        | Thanksgiving (2 days) |
| Memorial Day                       | Christmas (3 days)    |
| Independence Day                   |                       |


The schedule of actual dates of observance is issued on a calendar year basis. The Town Manager shall post or issue written notice of the holiday schedule.

In order to be eligible for holiday pay, an employee must work the day before and the day after the holiday(s), or have been granted approved leave.

Regular holidays which occur during a scheduled annual leave or during sick or other leave period of any employee shall not be considered as annual, sick, or other leave.

***POLICY NOTE: This policy supersedes previous policy "Holidays," Article V, Section 2 contained in the Town of Mars Hill Personnel Policy, 2005 edition, et al.***



	<p><b>TOWN OF MARS HILL</b></p> <p><b>ARTICLE V: HOLIDAYS AND LEAVES OF ABSENCE</b></p> <p><b>Section 5. ANNUAL LEAVE MAXIMUM ACCUMULATION AND ROLL OVER</b></p> <p><b>Section 6. PAYMENT UPON SEPARATION</b> <i>Revised as rewritten</i></p>	<p>Effective Date: <u>November 1, 2019</u></p> <p>Council Approval Date: <u>Oct. 7, 2019</u></p> <p>Page 1 of 1</p>
		<p>_____ Town Manager Responsible Party</p>

**Section 5: Annual Leave Maximum Accumulation and Roll Over.**

Annual leave may be accumulated during the calendar year without any applicable maximum until December 31 of each year. However, if the employee separates from service, payment for accumulated leave shall not exceed 240 hours.

On December 31 of each year any employee with more than 240 hours of accumulated leave shall have the excess accumulation converted to sick leave so that only 240 hours are carried forward to January 1 of the next calendar year.

***POLICY NOTE:** This policy supersedes previous policy “Annual Leave Maximum Accumulation and Roll Over,” Article V, Section 5 contained in the Town of Mars Hill Personnel Policy, 2005 edition, et al.*

**Section 6: Payment upon Separation**

An employee who has successfully completed the six months probationary period will normally be paid for accumulated annual leave upon separation not to exceed the number of hours accrued to the date of separation and provided notice is given to the supervisor at least two (2) weeks in advance of the effective date of resignation. **Maximum amount of annual leave hours for which a terminated employee can be compensated is 240 hours.** If an employee is separated prior to completion of the probation period, he/she is not entitled to compensation for accrued annual leave. Any employee failing to give the notice required by this section shall forfeit payment for accumulated leave. The notice requirement may be waived by the Town Manager when deemed to be in the best interest of the town. Employees who are **involuntarily** separated may receive payment for accumulated annual leave based on the individual circumstances as determined and approved by the Town Manager. At the time of separation, any annual leave owed the Town shall be deducted from the employee’s final compensation.

The estate of an employee who dies while employed by the Town of Mars Hill shall be entitled to payment of accumulated annual leave credited to the employee’s account up to 240 hours.

***POLICY NOTE:** This policy supersedes previous policy “Payment upon Separation,” Article V, Section 6 contained in the Town of Mars Hill Personnel Policy, 2005 edition, et al.*