



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 3, 2022 at 6:00 p.m.

The Town of Mars Hill Mayor and Board of Aldermen met in regular session on Monday, October 3, 2022, 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; and Nathan Waldrup, Mars Hill Fire Chief

OTHERS PRESENT: Barbara Shepard, Phil Shepard, and Fred Moore

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 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 1, 2022. There being no modifications to the minutes, **Alderman Larry Davis made a motion that the minutes for August 1, 2022, be approved as presented by management.** Alderman Honeycutt seconded the motion. Upon a call for a vote on the motion by the Mayor, the minutes were approved unanimously.

DEPARTMENT REPORT – Mars Hill Fire Department

Mayor Chandler then recognized Fire Chief Nathan Waldrup to provide a report for the Mars Hill Fire Department. Chief Waldrup presented the September 2022 activity report and advised that call volume was at near normal levels with approximately 100 calls for service. He further noted that during the month that three residential structures were lost in the community with approximately a total lost value of \$500,000. Chief Waldrup updated the Board on the repair status of fire engine 53, which sustained significant damage in a July 1, 2022 accident. The repair is nearly complete but delayed by the lack of a final part which has yet to arrive at the

repair facility. It is uncertain when that part may become available but as soon as it does the vehicle repair will be complete and returned to service.

Chief Waldrup advised the Board that the department has been awarded a \$35,000 grant from the N.C. Office of the State Fire Marshal. These funds will be used to purchase a breathing air compressor to fill oxygen tanks and related purposes. Currently, the department depends on the Ebbs Chapel VFD to bring a portable compressor unit to fill these tanks. Chief Waldrup stated that this new equipment will allow the Mars Hill Fire Department to be self-sufficient in this regard. Remaining grant funds will be used to purchase other needed equipment, turn-out gear, and uniforms for staff. Board members thanked Chief Waldrup for his presentation.

Old Business

Mayor Chandler then moved to address old business. There was no old business.

New Business

Mayor Chandler then moved to address new business.

PROCLAMATION – World Polio Day

Mayor Chandler then recognized Mrs. Barbara Shepard, president of Rotary of Madison County, to provide information concerning the annual observance of World Polio Day by Rotary International. Mrs. Shepard provided the Board information and statistics concerning polio. She advised this year the observance was somewhat more meaningful as recently polio virus samples have been detected in New York City. Previously, polio has only been known to be found in Afghanistan and Pakistan. The work of Rotary continues to ensure the eradication of this disease and one part of that work is to bring awareness to the community through information and events such as World Polio Day. Mrs. Shepard thanked the Board for considering this request and their interest in the subject. Mayor Chandler read the resolution as prepared by staff. Upon completion of discussion of the proposed proclamation, Mayor Chandler called for a motion. **Alderman Jolley made a motion to approve the “PROCLAMATION – 2022 World Polio Day,” proclaiming same to be observed on October 24, 2022, as presented.** Alderman Bob Zink seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously. (Attachment B)

REZONING REQUEST – 66 Roy Edwards Lane

Mayor Chandler then recognized Town Manager Nathan Bennett to present the Board information concerning an application requesting rezoning of 66 Roy Edwards Lane from Ms. Suzetta Wolfe, representative of the property owner Maggie Howard, LLC. The property was recently voluntarily annexed into the town limits and the request from the owner is to rezone the property from R-1 – Rural Residential and Agricultural District, to C-2 – Commercial Highway Business. Mr. Bennett advised that the Town previously had the property zoned C-2 as part of the Extra-Territorial Jurisdiction of the Town, but when the ETJ was terminated a couple of years ago, the zoning designation reverted to R-1 under the Madison County zoning regulation. This owner request will bring the property back to C-2 where it had been for many previous years. Mr. Bennett advised the action requested at this time is for the Board to schedule the required public hearing for a future Board meeting to receive input from the public. The matter is still currently pending before the planning and zoning board, but that board will meet on the matter later in October to recommend action. Upon completion of discussion of the matter, Mayor Chandler called for a motion. **Alderman Honeycutt made a motion to set a public hearing for November 7, 2022, at 6:00 p.m. to consider and take action of the rezoning request of 66 Roy Edwards Lane, Mars Hill as presented.** Alderman Jolley seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously. (Attachment C)

Town Manager Report – Nathan Bennett, Town Manager

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

General Update

Mr. Bennett advised the Board that several items included in the new fiscal year budget had been completed. He advised the Board that the Town has received delivery of a new police vehicle, a 2022 Chevrolet Silverado 1500 truck, and that it is pending the necessary lighting/siren and radio installation and will be placed in service in the coming weeks. Mr. Bennett advised that Carolina Management Team, the contractor, has completed the painting and maintenance project for the water processing tanks, filters, and piping at the water treatment plant. This project took nearly two weeks and was completed on September 27. Mr. Bennett then advised the Board that the tennis courts at the Recreation Park have been resurfaced and lined by the town's contractor, Whalen Tennis Company. He stating this work was completed over two weeks in early September and consisted of filling all cracking in the asphalt, a layer of resurfacer, two coats of acrylic coating, and lining the courts. All four existing courts were lined for tennis and two of those were also lined to accommodate pickleball play. Mr. Bennett advised the Board that he received notice from NCDOT that the NC 213 resurfacing paving project is scheduled to begin this week. NC 213 will be milled, patched, and resurfaced from I-26, exit 11, to Gabriel's Creek Road. The work is to be done at night, between 7 p.m. and 7 a.m.

Mr. Bennett informed the Board of upcoming special events including, the October First Friday event on October 7, and the Madison Heritage Arts Festival and the Bascom Lamar Lunsford Festival on October 8. He also stated that there will be a Halloween Trunk or Treat event on Main Street and College Street on October 31. Alderman Zink advised there will also be a trunk or treat event at Advanced Superabrasives on October 29.

Mr. Bennett provided the Board with a general update of Town operations and other items of interest to the Board.

Public Comment

Mayor Chandler then moved to public comment. Mayor Chandler recognized Mr. Fred Moore to provide comments. Mr. Moore spoke about the speed limit on NC 213 as leaving town toward Marshall, particularly the new 25 MPH zone. He stated that aggressive drivers tailgate him and flash lights at him, for his obeying the posted speed limit and wondered if the speed limit could be increased or other actions to address the behavior of these drivers. Mr. Bennett advised him that the police department would be notified regarding these issues and that NCDOT conducted a traffic study warranted this speed limit and he was directed to NCDOT for further information.

Mayor Chandler reported on the Shriner event held at the Mars Hill Recreation Park on Friday and Saturday, September 30 and October 1. He sated the event was well attended and over \$14,000 was raised for the Children's Hospital. He stated that everyone was very pleased with the success of the fundraiser for this important charity. Mayor Chandler further expressed his appreciation to the Town public works staff who had the park in good condition and setting up the tables for the event.

There being no further public comments, Mayor Chandler moved to the next agenda item.

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

Mayor Chandler advised the Board that there are items to address in closed session. Mayor Chandler called for a motion to enter closed session to consider items relating to personnel and consultation with legal counsel.

Alderman Zink made a motion to enter into closed session pursuant to N.C.G.S. 143-318.11(a)(3)(5) & (6) to discuss personnel and consultation with legal counsel for legal matters. 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 discussion of the items subject 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 to open session.** Alderman Davis 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.


Open Session

Upon return to open session, Mayor Chandler stated there was a motion from the Board regarding discussion from the closed session. **Mayor Chandler made a motion to approve the employment of Tristan Edwards and Steven Shelton as full-time firefighters as recommended by Fire Chief Waldrup.** Alderman Honeycutt seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion to was unanimously approved. **Alderman Honeycutt then made a motion to approve certain employee salary increases in the amount of \$1,200 per annum for completion of applicable certifications as follows: Jason Riddle (Grade C - Surface Water Treatment Facility Operator), Gordon Peek and Garrett Fox (NC Department of Agriculture Pesticide Management Training & Licensure).** Alderman Jolley 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 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 November, 2022.


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

October 3, 2022 at 6:00 p.m.

1. Call to Order – *Mayor John L. Chandler*
2. Approval of Agenda
3. Approval of Minutes: August 1, 2022 Regular Meeting
4. **DEPARTMENT REPORT** – Mars Hill Fire Department – Nathan Waldrup, Fire Chief
5. Old Business
6. New Business
 - a. **RESOLUTION** – World Polio Day – Rotary of Madison County, Barbara Shepard
 - b. **REZONING REQUEST** – 66 Roy Edwards Lane – Maggie Howard, LLC – Suzetta Wolfe
 - i. Schedule Public Hearing Date (November 7, 2022)
7. Town Manager Report – Nathan Bennett, Town Manager
 - a. General Update
8. Public Comment
[Policy: Each speaker shall be limited to a maximum of three (3) minutes. The public comment period is not intended to require the Board of Aldermen or staff to answer any impromptu questions. The Board will not take action on an item presented during the public comment period. The Board may refer inquiries made during the public comment period to the Town Manager to address as appropriate. If necessary, the item may be placed on the agenda of a future meeting.]
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



Town of Mars Hill

PROCLAMATION 2022 WORLD POLIO DAY ROTARY INTERNATIONAL

WHEREAS, Rotary International (Rotary) is a global network of neighbors, friends, leaders, and problem-solvers who unite and take action to create lasting change in communities across the globe; and

WHEREAS, the Rotary motto, Service Above Self, inspires members to provide humanitarian service, follow high ethical standards, and promote goodwill and peace in the world; and

WHEREAS, Rotary in 1985 launched PolioPlus and in 1988 helped establish the Global Polio Eradication Initiative, which today includes the World Health Organization, U.S. Centers for Disease Control and Prevention, UNICEF, and the Bill & Melinda Gates Foundation, and Gavi, the Vaccine Alliance, to immunize the children of the world against polio; and

WHEREAS, polio cases have dropped by 99.9 percent since 1988 and the world stands on the threshold of eradicating the disease; and

WHEREAS, to date, Rotary has contributed more than US\$2.1 billion and countless volunteer hours to protecting more than 2.5 billion children in 122 countries; and

WHEREAS, Rotary is working to raise an additional \$50 million per year, which would be leveraged for maximum impact by an additional \$100 million annually from the Bill & Melinda Gates Foundation; and

WHEREAS, these efforts are providing much-needed operational support, medical staff, laboratory equipment, and educational materials for health workers and parents; and

WHEREAS, in addition, Rotary has played a major role in decisions by donor governments to contribute more than \$10 billion to the effort; and

WHEREAS, there are over 1.2 million Rotary members in more than 35,000 clubs throughout the world that sponsor service projects to address such critical issues as poverty, disease, hunger, illiteracy, and the environment in their local communities and abroad.

NOW, THEREFORE, by the Mayor and Board of Aldermen for the Town of Mars Hill, North Carolina,
IT IS ORDERED:

Section 1. That October 24, 2022, is hereby proclaimed “2022 WORLD POLIO DAY” in the Town of Mars Hill, North Carolina.


Section 2. That all citizens are encouraged to join Rotary International in the fight for a polio-free world.

Section 3. This Proclamation shall be effective upon adoption.

ADOPTED this 3rd day of October 2022, by the Mayor and Board of Aldermen for the Town of Mars Hill, North Carolina.


JOHN L. CHANDLER, Mayor

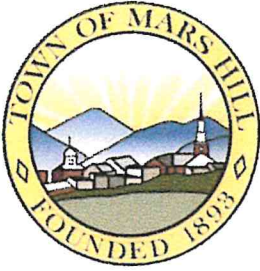

STUART L. JOLLEY, Clerk


LARRY H. DAVIS, Secretary




NICHOLAS A. HONEYCUTT, Vice-Mayor


ROBERT W. ZINK, Treasurer



TOWN OF MARS HILL
 ADMINISTRATION OFFICE
 280 N. MAIN STREET • PO BOX 368
 MARS HILL, NC 28754
 PHONE: (828) 689-2301 • FAX: (828) 689-3333

APPLICATION TO AMEND ZONING ORDINANCE

Please print or type

GENERAL INFORMATION

Applicant Name: Maggie Howard, LLC/Suzetta Wolfe-Managing Member			Date: 8/15/2022	
Address: 2113 Churchill Drive		City: Greensboro	State: NC	ZIP: 27410
Phone: (336)324-3381	Fax:	E-mail address: suziewolfe98@gmail.com		

LOCATION OF DEVELOPMENT / PROJECT

Project Name: _____
Project Street Address: 44 Roy Edwards Lane, Mars Hill NC 28754 and 0 Roy Edwards Lane, Mars Hill, NC 28754 (Combined Deed Attached)
Property Identification Number (PIN): 9757-02-9970/9757-12-2807 Current Zoning District: RA
Current Owner of Property (if different from Applicant): _____
Current Owner Address: _____ Phone: _____
Legal Relationship of Applicant to Owner: _____ Vacant Site: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO M2M-Rental

REQUESTED DEVELOPMENT

I (WE) HEREBY FILE THIS APPLICATION TO THE TOWN OF MARS HILL MAYOR AND BOARD OF ALDERMEN FOR THE REZONING OF THE PROPERTY DESCRIBED HEREIN.

Description of Property:

See Attached Exhibit "A"

GENERAL REQUIREMENTS

Fronting _____ feet on the _____ side of _____
Beginning _____ feet _____ from the _____ corner of _____
Depth _____ feet.

Request the REZONING of said property to C2-Commercial _____.

STATE REASON FOR REZONING

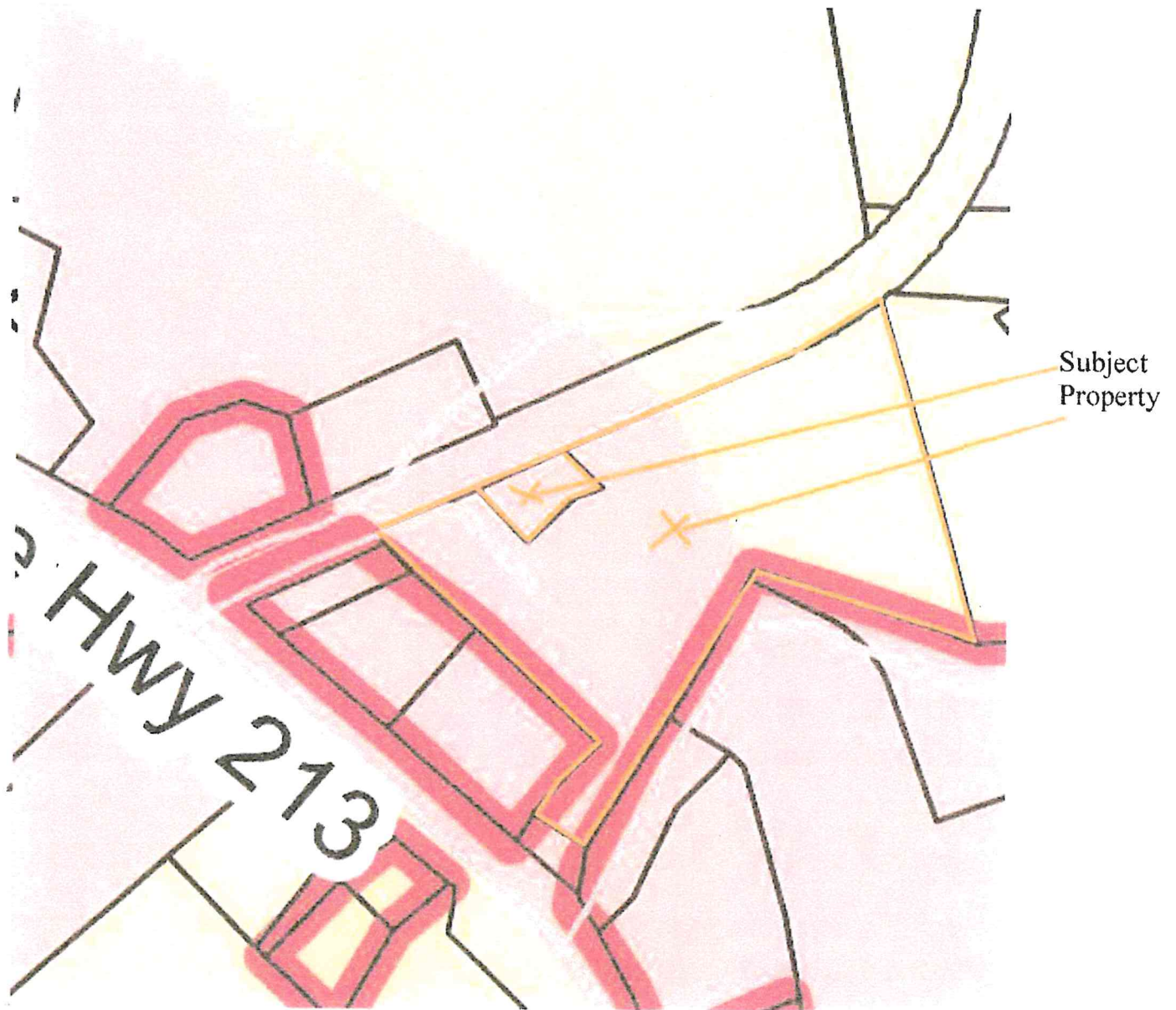
Property lies Primarily within the Town of Mars Hill Zoning Map for "Highway Business" C2-Zoning Code and is surrounded by "Highway Business" Zoning. See attached Magnified Version of the Town of Mars Hill Zoning Map.

CERTIFICATION

I/We depose and say that all above statements and submitted materials are true to the best of my knowledge and belief.

SIGNATURE OF APPLICANT: Suzetta Wolfe - mgr. member DATE: 8/15/2022

Magnified Version showing Town of Mars Hill "Highway Business" commercial zoning area surrounding subject property



NORTH CAROLINA GENERAL WARRANTY DEED
****Combination Deed****

Excise Tax: \$0.00

Parcel Identifier No. 9757-02-9970 (Lot 1) & 9757-12-2807 (Lot 2) Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: Musial Law Firm, PLLC, PO Box 2464, Weaverville, NC 28787

This instrument was prepared by: Christopher Musial, Esq. **No Title Examination Performed by Preparer**

Brief description for the Index: Lots 1 and 2 as shown in Plat Book 9 at Page 738, Madison County Registry

THIS DEED made this 31st day of March, 2022, by and between

GRANTOR

Maggie Howard, LLC,
a North Carolina Limited Liability Company

Mailing address:
2113 Churchill Drive
Greensboro, NC 27410

GRANTEE

Maggie Howard, LLC,
a North Carolina Limited Liability Company

Mailing address:
2113 Churchill Drive
Greensboro, NC 27410

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the No. 3 Township, Madison County, North Carolina and more particularly described as follows:

See Attached Exhibit "A"

This instrument was prepared by Christopher Musial, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the County Tax Collector upon disbursement of closing proceeds.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 70 at Page 525, Book 164 at Page 93, Book 223 at Page 480, and Book 260 at Page 76, Madison County Registry.

All or a portion of the property herein conveyed ____ includes or x does not include the primary residence of a Grantor.

A map showing a portion of above-described property is recorded in Plat Book 9, at Page 738.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Easements, restrictions, rights of way of record, and ad valorem taxes not yet due and payable.

SIGNATURE AND NOTARY PAGE FOLLOWS

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Suzetta Bragg Wolfe

(SEAL)

SUZETTA BRAGG WOLFE,
Member/Manager for Maggie Howard, LLC

State of North Carolina, County of Buncombe,

I, the undersigned Notary Public of the County of Buncombe and State aforesaid, certify that **SUZETTA BRAGG WOLFE, Member/Manager for Maggie Howard, LLC** personally appeared before me, the said named to me known and known to me to be the persons described in and who executed the foregoing instrument, and they acknowledged that they executed the same, and being duly sworn by me, made oath that the statements in the foregoing instrument are true.

Witness my hand and Notarial stamp or seal this 31st day of March, 2022.

Chr R Musical

Notary Public's Signature

Christopher R Musical

Notary Public's Typed or Printed Name

My commission expires: 31612025

(Affix Seal)

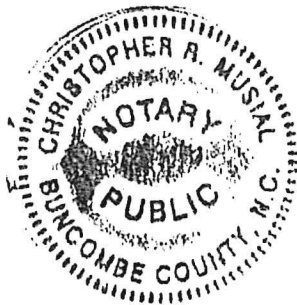


Exhibit "A"

FIRST TRACT: Being all of Lot 1 as the same is shown in **Plat Book 9 at Page 738**, Madison County Registry, reference to same being hereby made for a more particular description of said Lot.

Parcel Identification Numbers: 9757-02-9970 (Lot 1)

SECOND TRACT: Being all of Lot 2 as the same is shown in **Plat Book 9 at Page 738**, Madison County Registry, reference to same being hereby made for a more particular description of said Lot.

Parcel Identification Number: 9757-12-2807

THE PURPOSE OF THIS DEED is to combine these two above-described tracts into one lot, with one parcel identification number as shown on that plat prepared by Kudzu Survey Associates and as recorded in Plat Book 9 at Page 738, Madison County Registry; reference to same being hereby made for a more particular description of the combined property totaling 6.154 acres, more or less.