TOWN OF NEWLAND

MONTHLY BOARD MEETING

JUNE 20th, 2022

**Attending**:

**Mayor:** Derek Roberts

**Alderman:** Kenny Caraway, Gail Haller, Christie Hughes, James C. Johnson,   
 Lauren Turbyfill (Via Phone)

**Guests:** Clara Dickson, Lois Johnson, Glen Johnson, Jason Yates, Mike Shirley,  
 John Phillips, John Millan

**Staff:** Chief Byron Clawson, Captain Michael Fields, Public Works James Clark,  
 Finance Officer Jessica Buchanan, Town Clerk Jennifer Beam

The Mayor called the meeting to order at 6:00 pm. The Mayor then led the assembly in the Pledge to the American Flag and reminded everyone of ethics awareness.

The Mayor invited John Millan to address his topic on the agenda. John Millan mentioned to the board that he spoke last month about the issue at hand, several citizens have expressed serious concerns about those who speed around town. He mentioned the locations that he would like to focus the board's attention to including Watauga Street, around the county pool, and the elementary school. His concern is someone will be injured or killed. He suggested lowering the speed limit, “no through traffic” signs, and speed bumps throughout the streets mentioned. Mr. Millan also suggested a four-way stop sign at the Banner Hill/Watauga Street intersection, he stated it had been done in the past. James Clark said yes, the town did it before but there were almost ten accidents within a week there. Mr. Millan gave props to the police department, saying they do an excellent job patrolling. However, when they are not around speeders will speed. He also suggested “Slow Children Playing” signs around the pool and elementary school.

Christie Hughes mentioned her uncle was in an accident near Dollar General and Roses. There are no longer stop signs there, and people are not stopping. The Mayor asked her where are the stop signs? Gail Haller said they haven’t been there in a long time. Christie said they need to be replaced. The Mayor told the clerk to write a letter to the businesses responsible stating they need to replace the stop signs.

Mayor Roberts wants to make the alley beside the town hall “one-way” street. James Johnson said the board would need to have a public hearing along with a resolution to make that a one-way street. Kenny Caraway said the town had a public hearing to close that alley at one time. James Johnson agreed that it was done for parking for the town employees. Also, the Mayor mentioned the road behind Back Alley Pickers. James asked if he was referring to Hardees Alley. The Mayor said yes. James said it would take more than one business to get that street to be a one-way street and he suggested that the board would have to ask several businesses to help make that decision. The Mayor asked Mr. Glen Johnson if he thought that it would be beneficial to “one-way” that street? Mr. Johnson replied yes.

Mr. Glen Johnson suggests slowing people down on Old Toe River Road. Several people, including Chief Clawson, agreed. Christie says the board has had several people up here to look at that situation, however the road is state owned and the board can’t do anything about it. James asked if he was referring to Old Public Road. Mr. Johnson says yes. The Mayor states he will be meeting with the NC DOT and Phillip Barrier about putting a crosswalk by United Community Bank to the county building. Christie states that many of these issues have been brought up several times and nothing has been done. Gail asked if there would be anything to stop traffic to allow people to cross. The Mayor explained that there will be a button for pedestrians to press so that they may cross safely. Christie mentioned a crosswalk would be good at the main red light as well. The Mayor thanked Chief Clawson for parking a car in front of Carolina Barbeque so that people would slow down.

The Mayor said that the town has started sending out nuisance letters and he does see that progress is being made. The Mayor asked Chief Clawson and his officers to be on the lookout as they are patrolling, if they see a nuisance to report it to the town clerk and the town will send out a letter.

Mr. Yates complained about the sewer station below his house. The Mayor says that he does have a meeting scheduled with Mr. Phillip Barrier to discuss the grinder. Mr. Yates’ complaint is why is it taking so long to get the grinder? James Clark suggested that the current grinder has not been working for about a year and Sandy was only told to order it about two months ago. Mr. Yates said that he had spoken with the previous public works supervisor last fall, and he had told him that they had already ordered the grinder. He cannot go outside his home because of the smell. James Clark said they have put lime down to try to contain the smell.   
Also, Mr. Yates said whoever mows down there at the wastewater plant went in after it rained and made a mess. James Clark spoke with Daryl and told him not to go in after the rain. James Johnson asked Mr. Yates if he was in town limits. Mr. Yates said no, his house is not within town limits. Christie said Ms. Ruth Shirley had spoken with her about the smell and said, it is especially bad when the power was out. James Clark informed that the town’s waste settles at the grinder and until they get that part replaced it is going to smell. The grinder is on order and as soon as the town gets it, Iron Mountain is going to install it. Mr. Yates says surely if this happens again it won’t take a year to get it replaced. Mr. Yates continued to say that he does not have an air conditioner and when the weather is hot it is particularly hard because of the smell outside you cannot open the windows. Mr. Glen Johnson asked if the aldermen did not know about this. James Johnson said that the aldermen knew about it, and they approved the grinder, however it was never ordered by the maintenance department. Mr. Glen Johnson asked who was supposed to follow up with the grinder and James Johnson said the town administrator at the time. James and Christie agreed that at the time, if the aldermen were to say anything to the employees, it would be considered micromanaging.

Mr. Mike Shirley is Mr. Yates' neighbor who lives on the east side of the plant. He explained how raw sewage isn’t healthy to smell, especially from a municipality. Mr. Shirley said it is not just human waste, it is also toxic chemicals, and car wash materials as well. James Johnson asked Mr. Shirley if he had an air conditioner. Mr. Shirley said he had put in two window units. James Johnson suggested that the town pay for two air conditioners for the two gentlemen since they have had to endure this for so long. James Johnson said for Mr. Shirley to bring his receipts to the town that there would need to be a vote. James Johnson asked James Clark when the grinder is scheduled to be installed, James Clark said it was twenty-seven weeks out from when Sandy ordered it. James Johnson asked the board for a vote to reimburse the men for the air conditioners. James Johnson made a motion, the Mayor asked for a second; no-one seconded the motion. The Mayor told the men to get the numbers and receipts to the town clerk and the board would bring it back up. Mike Shirley continued to speak about what he and his neighbors are being exposed to health wise. He questioned what safety precautions are being put into place for the town staff who deal with the wastewater plant.

The Mayor says that Mike Nelson is not here, but he will discuss the situation. James Clark said that the two taps for Mr. Nelson have already been done. The Mayor suggested there was no need to talk about it then. James Johnson asked what had been done? James Clark said that the previous public works director made an agreement with Mike Nelson in exchange for two taps, he would do some paving. James Johnson asked if that agreement was voted on? Christie Hughes said no, it was agreed upon with a gentleman’s handshake. The Mayor said that according to Mike Nelson, he had done $40,000 worth of paving for exchange. Christie asked where he had paved. The paving took place on Banner Hill according to James Clark. Gail asked where he paved on Banner Hill and why. James said he repaved where they had to dig up to fix a leak above Banner Cabinets.

Mr. John Phillips is in the process of purchasing the NAPA building in Newland. He said looking at the town setbacks there is supposed to be a ten-foot setback off of all street lines. In order for him to use the dock on the building he needs to swing the loading dock around to the side of the building close to Senior Lane. He stated that when the building was built, the senior center was not behind it and tractor trailers could drive up to the dock. Now they cannot do that. He stated that if he were to bring the dock to the side of the building it would encroach on the ten-foot setback. He asked the board to come look at what he was referring to. James Johnson asked if the building is going to be storage. He replied it is going to be a warehouse, a distribution center. James Johnson said if it didn’t come out in the road, he would not see a problem with moving the dock. Kenny asked how much it would affect the roadway. Mr. Phillips said he was concerned people would run into it as well. Gail mentioned that there is a lot of traffic on that roadway. The Mayor said the dock would be on Mr. Phillips' property and Mr. Phillips agreed. The Mayor asked when Mr. Phillips would need an answer. Mr. Phillips said that it would be ok to discuss the dock at the next board meeting. Christie assumed he had an attorney, Mr. Phillips agreed. He proceeded to show the board his plan with dock. James asked Kenny if he would be able to take a look at the dock with Mr. Phillips and report back to the board. Kenny said yes.

The Mayor asked if there was any new business. Jessica Buchanan asked if Jennifer Beam could be sworn in as town clerk. Jennifer Beam was sworn in as the new town clerk of Newland.

James Johnson made a motion to adopt the agenda. Christie Hughes seconded the motion. All agreed by show of hands and stating aye.

James made a motion to approve the minutes from the May meeting. Christie seconded the motion. All agreed by a show of hands and stating aye.

Jessica read the finance report.

The Mayor asks James Clark about Public Works. James said they would be spraying the sidewalks with roundup. The Mayor asked the clerk to send a letter out to Scott Rhodes addressing his property and when we get an attorney, we need to address a tax issue with Mr. Rhodes as well. James continued on saying they have been servicing hydrants, spraying round up, and the two taps for Mike Nelson.

Chief Clawson gave the police report. He mentioned all notable calls for the previous month. All full-time officers have completed CJIS Security Awareness Training, which must be completed every two years. Officer Beam is now sworn in and working a shift. He mentions the department has five surplus tasers that he would like to sell to the Village of Sugar Mountain for the sum of $200.00. He was able to replace the tasers using funds from a grant. James made a motion to allow Chief Clawson to sell the tasers, Christie seconded the motion. All agreed by show of hand and stating aye.

Mayor asked if anyone had any public comments.

Ms. Dickson apologized for not getting on the agenda for the meeting. She referred back to the minutes from April that said “she had asked one of the employees from the public works department to look at the hole on her street”. She said there is no hole in the street, instead Ms. Dickson informed everyone that where her driveway and street meet, is a section that could be fixed for no more than ten dollars. She said that her issue is not a pothole, it is a scratch on the pavement. The Mayor and James Johnson said that they would be there in the morning to fix her street.

Mr. Glen Johnson asked why he did not receive a letter from the town. James and the Mayor said that the letters were mailed to town nuisances with junk vehicles or tall grass and weeds. Mr. Johnson asked the board to drive down Hardees Alley after the meeting. He mentioned the county had to take care of a situation that is the town’s responsibility, about fifty bags of trash on a property. The Mayor asked if Mr. Johnson had the address? He replied no. The clerk mentioned that Mr. Johnson is referring to Tony Luther’s property. Mr. Johnson asked if the town had sent a letter to this property. The clerk replied yes. James mentioned that this is a rental property. Mrs. Johnson said one of the commissioners spoke with her about the property and they said that Newland was supposed to pick up the garbage there last month and when the town of Newland had not done anything about it the county commissioners had made arrangements to get the bags of garbage. When Mr. And Mrs. Johnson drove up the alley, there were bags of trash piling up again. James asked Chief Clawson to take a look at the situation. Mr. Johnson suggested that the aldermen look at it as well. James said that he would drive that way after the meeting. The Mayor stated that this is the first we have heard of this situation, and he intends to go to the next commissioners board meeting and discuss some things. James Johnson asks James Clark if he had heard of this problem. James Clark said no.

Mr. Johnson said that he and his wife would take their money and buy the air conditioners for the men that spoke, since no one would approve the air conditioners. Christie said that it is not that they do not want to buy the air conditioners, it was sprung upon the board, and she has never heard of buying air conditioners for a citizen. The Mayor suggested that if a decision was not made tonight the men would have to endure another month of summer heat. He said the board should reimburse Mr. And Mrs. Johnson should they purchase the air conditioners. Mr. Gittner said that they could have one from the Inn. Mr. Glen Johnson said he would be over the next day to get it from Mr. Gittner.

Mr. Gittner would like to tell everyone about his wife's confidence in Chief Clawson. He informed everyone that his wife is never afraid because she knows she can count on the Chief and the department that he runs.

Mr. Gittner is having a grand opening at the Inn on Saturday at 10:30am. He made an announcement of all the events planned for that day. He also mentioned that the Inn at Shady Lawn is the oldest business in Newland. The Mayor asked when the restaurant beside the inn is going to open. Mr. Gittner replied, probably next month.

Mr. Glen Johnson said he would take the air conditioners to town hall. Christie asked if it would not be simpler to send public works out to get the air conditioners. The Mayor said we would send a town truck over to meet Mr. Johnson to get the air conditioners.

Ms. Dickson asked about the light poles being fixed in town. The Mayor said that the board put money in the budget to purchase new light poles. She also told the board that someone has been burning plastic, but she is unsure if they are in the town limits. Ms. Dickson asked if it is illegal to burn trash, James Johnson suggested that she contact the fire marshal concerning this matter.

The Mayor told the board that Mr. Mckinney agreed to change the verbiage about the $5,000 if he is not voted in at the end of the year. He also agreed to change the monthly rate to a blanket rate that includes several calls per month. Kenny said the town definitely needs an attorney and made a motion to appoint Mr. McKinney; Gail seconded the motion. All agreed by show of hands and stating aye.

Christie sent an email to the town’s district representative for The NC Downtown Developmental Association who works through HCCOG to help downtown developments. It is $150 a year to be a part of this association. Christie wants to discuss flags, lights, and Christmas décor at a workshop.

James Clark asked the board how much money that we will have for paving in July. James Johnson said the board approved around sixty thousand. James Clark said the administrator will need to get bids on the job. Christie said we will have to publish it in the newspaper as well. The Mayor wants to go with James Clark to see where the town needs to pave.

Kenny said that at the last meeting the board discussed a P.A. system. He wants the public to be able to hear the aldermen at the meetings. James Johnson said he believes that we did put this in the budget. Gail and Christie agreed. Christie says we could do a P.A. system for less than $1,000. Lauren says less than $500. Christie also suggested earbuds for people who are hard of hearing. Mr. Gittner suggested that the issue is when a citizen is speaking to the board it is hard to hear them.

Ms. Dickson mentioned it would be nice to have a map of Newland in the board room so that everyone could see the streets throughout the town as they are discussed. Christie says she will look into it the next day.

The Mayor had two resolutions for the board to vote on. James Johnson made a motion to accept the water supply plan for 2022-2023. The Mayor read the Water Supply plan resolution. Gail seconded the motion. All agreed by show of hands and stating aye. Mr. Glen Johnson asked who is testing the water now. The Mayor answered Water Quality Services. James Johnson asked James Clark how many times they test the water a week. James Clark said they check the PH and the chlorine every Monday. Mr. Johnson stated for a while he could not drink the town’s water because of the smell, and he does not drink tap water now. James Johnson asked James Clark to go by Mr. Glen Johnson’s house and test his water. James Clark said that he would.

The Mayor read the tourism developmental authority resolution. Mr. Gittner mentioned he had a conversation with the commissioners and Mr. Phillip Barrier, he now has a better understanding of where the money is going. He is going to meet with Mr. Barrier again to discuss this resolution further. The Mayor asked to be a part of the conversation. Mr. Gittner said this resolution focuses towards AirBnb’s and it is a significant amount of money that will be going straight to the county. The money is being passed through the towns and municipalities and they are not getting any of the funds. Mr. Gittner said there are towns and municipalities currently collecting their own tourism tax so that they get to collect and keep their own money. He believes that if Newland should agree to this resolution, there is a commission that gets set up in order to partition out the money. The Mayor would like for Mr. Dudley Greene to join them in this discussion about this resolution. Mr. Gittner opposed the resolution because the money is being passed to Raleigh, and the town of Newland is not going to benefit from it. James Johnson said that we should not tax our businesses, property owners, and AirBnb owners when the County is already buying our taxable income. James suggested that if the board were to sign something like this, they would need to talk with our lawyer and make it specific for the town of Newland, so the county doesn’t collect off the town and ultimately Newland collects the funds. Mr. Gittner agreed with Alderman James Johnson. The Mayor asked the board if they were alright with putting this resolution off until the next meeting. James Johnson informed everyone that the board voted to lower the tax rate from .52 cent on the hundred down to .40. James Johnson made a motion to table the tourism resolution until the next meeting, Gail seconded the motion. All agreed by show of hands and stating aye.

James Johnson says word is getting out about the fishing tournament, The Mayor suggested that we nail down a weekend for the event. James asked Chief Clawson if the police department will sponsor the event. The Chief said yes. James Johnson mentioned it will be a kid’s fishing tournament, the town will have a few fish tagged and there will be prizes.

Kenny made the motion to adjourn the meeting; Gail seconded the motion. All agreed by show of hands and stating aye.

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TOWN CLERK JENNIFER S. BEAM MAYOR DEREK ROBERTS