

TOWN OF NEWLAND  
MONTHLY BOARD MEETING  
JANUARY 3RD, 2023



**ATTENDING:**

**Mayor:** Derek Roberts

**Attorney:** Gerald McKinney

**Alderman:** Kenny Caraway, Gail Haller, Christie Hughes,  
Lauren Turbyfill

**Guests:** Nathan Gittner, Lily Kincaid, Nancy Davis, Sandy Lewis, Walt  
McRee, Glen Johnson, Lois Johnson, Anne Winkelman, Dane  
Phillips, Colby Palmer, David Wright, Linda Benfield

**Staff:** Town Administrator Bill Bailey, Town Clerk Jennifer Beam, Police  
Chief Byron Clawson, Captain Michael Fields, Public Works  
Supervisor Gary Lewis, Melisa Borkowski

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

**PUBLIC HEARING:**

Bill began the public hearing by stating the hearing is for the board to discuss annexation at the end the board could defray the decision, or they could make a decision regarding the annexation. The Mayor asked Walt McCree to speak on the matter. Walt introduced himself and began by mentioning the property that is being proposed to annex is just under seven acres across from Mountain Glen Golf Course. Walt suggested that this property could potentially be an opportunity for The Town of Newland to have new services. He would like for the property to have multi-family residences that could be both rental and owned properties. Walt continued it would also be an opportunity for "low-key" retail and professional offices. Sandy Lewis asked the board if the town has grant money to pay for this project. The Mayor stated that we do. Sandy asked if it specifically addresses the annexation. The Mayor stated yes. Bill stated that the annexation is one issue, it meets the criteria for a satellite annexation. The Board can decide yes or no. The next question will be how the town will provide services to the property. We did

further. Lauren agreed with Kenny and stated she feels like towns tend to move away from themselves and the Town of Newland does have many infrastructure issues. Bill suggested to close the Public Hearing. The Mayor asked if anyone else had anything to say on the matter and proceeded to close the hearing.

Gail and Christie both concurred with Lauren and Kenny to look at the infrastructure of the town before expanding.

The Mayor stated that when he met with Dudley Greene to discuss the items that the town would like to address with the grant funds, he had brought it before the board several months ago. The top three items that the town needed were to pay off the waste treatment plant, pay off the backhoe, and a couple million dollars to run the water lines to this property. The Mayor stated he is upset that the funds were meant for one use and now going to be used for something else. The Mayor continued that the county had specifically asked him to help with this project when he became Mayor. The Mayor gave an example of Bakersville, N.C. obtaining a grant of around nineteen million because they worked with the county. Bill confirmed that there are two pools of money the state was awarding out. The county was awarded seven million that is unrestricted funds, the funds that we received is restricted on how we can use it. The Mayor stated that he understands there are internal issues but he does not understand using the funds for something other than what the town asked for them to be used on. Bill stated that no decision needed to be made and the board could postpone the decision to listen to information about the town's infrastructure.

Gary suggested getting an engineering survey before deciding. The amount of money that the town has may not be enough to cover the cost of running a line that far out especially if a storage tank is needed. The Mayor asked Bill if the county did not indicate that they would be willing to contribute. Bill stated they have indicated it but there is no commitment on their part. Bill continued; the county looks at it from an economic development perspective. There's a lot of property out there that can be developed but it can't be developed without getting water and sewer. An engineering study would most likely cost eighty thousand and we would need the study because like Gary said, we may have to have another well, we may have to have a tank because we can't meet the pressure loads, or we may have to a pump station to get the sewage back. The Mayor asked if the town did not have the biggest wastewater plant in four counties.

## **PUBLIC COMMENTS:**

Dane Phillip's came before the board representing his business Appalachian Waste Management. The Mayor stated that the town has a contract that tells the citizens what trash company they can use. Bill stated yes, we do have a contract until June 30<sup>th</sup>. The Mayor stated that anyone that wants to utilize Appalachian Waste Management can do so, regardless of what the board signed with Republic. Bill stated that the town of Newland signed a contract and that contract's exclusive, it does but stay specifically for any citizen use over a three-year period. The Mayor asked Bill if he was telling him because of what the Town of Newland signed, he cannot call Appalachian Waste to pick up his trash. Bill stated yes and Republic has been pretty aggressive enforcing the contract. The Mayor stated that a Republican representative needs to attend a meeting and we need to see what Gerald can do to void that contract. The Mayor asked if anyone on the board remembered the contract. Lauren stated she did remember the contract, but nothing was ever brought up about it blocking someone from using another company. Dane stated that he has had run-ins with Republic on Beech Mountain and Sugar Mountain and where he personally goes into the homes of his clients, Republic does not. This has allowed him to continue services. Dane stated when he got kick-back from Sugar Mountain and Beech Mountain, he told them he did not see how they could tell a business what services they could offer. Dane stated that he wanted to make sure his company would not be in jeopardy while operating in the town. He wanted to make sure he has the town's support as a small business owner, as well as a citizen of Avery County.

David Wright stated that he is still concerned about speeding on Shady Street, lack of signage on the street, as well as trash from the campground. The Mayor stated that we are working on moving our dumpster away from that site, as well as getting Puerto to move their dumpster so that option is not available for the campers. The Mayor stated that the town is working on getting stop signs as you come out of the campground and potentially working towards blocking that entrance off. David was also concerned about talk of shutting down the other entrance due to construction, and more traffic coming through the back entrance. The Mayor stated Mike is having several issues with federal agencies including the Corp of Engineers. Bill stated the Corp seems to be driving the issues and Mike will have ninety days from the 31<sup>st</sup> of January to get the engineering for the entrance done and then he will have another ninety days to get everything

The Mayor stated that Gary's report is something that he issued as a way of management to keep everyone informed. It was not something that was asked of him by anyone it is something that he initiated. Christy stated that she would like to see the administrators report typed as well so she could read it.

Gary gave the public works report. He mentioned that the new sweet mix has worked well on the roads. There have been no major issues due to the cold. Gary mentioned a lot of water is getting into the manholes which is causing algae in our wastewater system. It will cost quite a bit to repair, approximately eight grand for two manholes.

**Council Comments:**


Gerald mentioned he gave High Country and Stanley Carver until the 28<sup>th</sup> of December to pay. He received a letter from the lawyer of High Country Polaris stating that he was advised that there was an agreement that the town was abating the taxes for ten years. Gerald replied to the lawyer we did not, nor could we abate taxes, we don't have that authority. Gerald also received a call from Stanley Carver, and he said he could pay one thousand now and make payments on the rest of \$500 a month. Gerald asked for the board's approval on the matter. Kenny stated he was fine with it if the town can get it in writing. Gerald stated that he will ask Stanley if \$500 is a doable amount before we get in a contract with him that is to hard for him. Gerald stated he spoke with Tim Brinkley who offered owner financing on the Polaris property, and he said that they brought it up at closing, but Butch Hughes represented both sides of the closing and he kind of laughed about it and that was the last he heard of the matter. Gerald stated this is not the first time that the town has had to collect taxes from them.

**ADJOURNMENT:**

Kenny made a motion to adjourn the meeting. Lauren seconded the motion. All agreed by stating aye.

**MEETING ADJOURNED.**

  
MAYOR DEREK ROBERTS

  
TOWN CLERK, JENNIFER S. BEAM