

# Highlands Newspaper

FREE Every Thursday

Volume 18, Number 42      Real-Time News, Weather & WebCams: HighlandsInfo.com      Thurs., Oct. 21, 2021

## Highlands Town Board candidates line up for fourth of 5-week Q&A

This is the fourth week in our five-week Candidate Q&A. Each candidate was asked the same question.

running for the mayoral seat – incumbent Mayor Pat Taylor and Commissioner Marc Hehn.

ning for the two open seats on the Town Board – Incumbent Amy Patterson, Pat Allen, Mary Bynum,

• See Q&A page 14

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## FBI called in about explosives in home

By Brittney Lofthouse

Four Macon County residents are under arrest after a probation check located copious amounts of methamphetamine, drugs, firearms, and live explosives at a residence in the Highlands/Scaly Mountain area of the county.

The Macon County Sheriff's Office and North Carolina Probation made contact with an individual on probation at the residence off the Dillard Road on October 13 which resulted in an investigation being launched. Upon initial contact at the residence, four individuals were detained while the scene was searched.

While following up on the narcotics investigation, detectives from the Macon County

• See EXPLOSIVES page 24



Pre-cast concrete walls for the 300-seat theater are going up. – Photo by Brian O'Shea

## An expanded PAC is taking shape

By Brian O'Shea  
Plateau Daily News

Construction at the Highlands Performing Arts Center is coming along as scheduled and crews are currently busy installing the structural-precast concrete slabs that will make up the walls to house the new 300-seat theater.

Work is being done by Cho-

ate Construction Company and project Superintendent Russell Hartness said the precast-concrete portion of the PAC project consists of 43 slabs of varying dimensions.

Hartness said on average the pieces are roughly 6-feet to 12-feet wide and vary from 30-feet

• See PAC page 22

## 'Save Highlands' seeks justice to protect personal property rights

A group of homeowners who say they are working to protect the people whose livelihoods depend on travel and tourism, the personal rights already vested in individual property owners, and inclusivity in the Town of Highlands have taken legal steps to protect their neighbors and their

rights.

Asheville, North Carolina, law firm Allen Stahl + Kilbourne has filed a legal complaint on behalf of Save Highlands against the Town for its decision on August 24, 2021, to ban all vacation rentals in R1, effective January 3,

• See JUSTICE page 25

## MC OKs new pay scale

Will address vacancies in public health and safety

By Brittney Lofthouse

County employees will see an increase in their paychecks after the MC Board of Commissioners voted to implement a new pay scale study that addressed employee classification compression issues.

For the last decade, county commissioners in Macon County have been faced with struggles surrounding competitive compensation for county employees. When compared to most Western

North Carolina counties, Macon County ranked near the bottom for county salaries, which often lead to retention and recruitment issues in various departments.

As of May 12, 2021, Macon County had 50 vacant positions spread across numerous departments within the organization. The majority of these vacancies lie within priority areas of the operating budget such as health and human services and public

• See PAY SCALE page 22

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# • THE PLATEAU'S POSITION •

## • MAYOR ON DUTY •

### HotWire contract is ready for signing

Tonight is the Town of Highlands Board of Commissioners meeting. It will start at 7 by way of ZOOM. The information for accessing the meeting is on the town website.

The agenda for tonight's meeting is rather full beginning with public comment at the start of the meeting. I suggest anyone wanting to make a comment to email me at [mayor@highlandscn.org](mailto:mayor@highlandscn.org), and let me know. We do not want to overlook someone on ZOOM who wants to speak.

Our Town Attorney will be on the agenda to update the board concerning the lawsuit that was filed against the town by the Save Highlands group. The Town received a civil summons last week, and earlier this week we received a full and official copy of the lawsuit. Included in his update will be a request to authorize a stay of proceedings related to short-term rentals. A stay would require board approval before it goes before a judge for his or her consideration.



Highlands Mayor  
Patrick Taylor

The board will also review the fiber contract between the Town and Hotwire. Attorneys on both sides have been negotiating for several months over a contract that both parties can accept. Board members were given copies of the contract several weeks ago for their review. Board member questions have been sent to the attorneys for their response. I anticipate the board approving the contract at tonight's meeting. If approved I will sign it on be-

half of the Town. Hotwire will then proceed to commence operation of the network in the coming weeks.

The board has been working on building the fiber network for over seven years. It has been a long and at times a difficult task, but we are at a point of operationalizing the system. While many communities are still in discussions about how to develop such a network, Highlands is at the next level of it becoming a reality.

Toward the end of the construction of the network, there were several problems with the contractor finishing the work in a timely manner. The board will discuss filing for liquidated damages against that company.

The board will also hear a request for hiring a full-time lifeguard at the pool. Like so many employers, the Town is finding it hard to retain part-time lifeguard staff. A full-time position will help solve this personnel shortage.

I have been receiving calls about the mask requirement for the downtown area. Some folks want it rescinded. They point out many folks are not wearing them, and enforcement is problematic. Others contend the mask requirement is still needed. They point out that several Highlanders have recently passed away from COVID. When the mask mandate was passed, the understanding was that the board would review the issue when the positivity rate was at 10% or lower. At the time of this writing, we are approaching that 10%. Tom Neal with Highlands-Cashiers Hospital will be available to answer any medical related questions as the board reviews how to address this issue.

## • FORUM •

### Setting the record straight

There seems to be some confusion about the vote at the now infamous continued Town Board meeting of Aug. 24 where the fate of Short-term Rentals in the R1 district was determined.

Specifically, that Commissioner Donnie Calloway and Marc Hehn voted against banning STRs in R1.

To be clear, only Calloway voted NOT to ban STRs in R1.

Highlands Newspaper reported the outcome of the meeting and has correctly reported about subsequent meetings about the issue. To reiterate:

Town Attorney Jay Coward interpreted the town's UDO concerning allowed uses in R1 to mean no STRs in the R1 district because he considers them commercial activity.

Since commercial activity isn't allowed in R1, commissioners voted via consensus 4-1 to instruct town staff to enforce the R1 ordinance as written beginning Jan. 3, 2022.

Those who agreed with Atty Coward were: Commissioners Marc Hehn, John Dotson, Brian Stiehler, and Amy Patterson.

The ONLY commissioner who voted not to ban STRs in R1 was Commissioner Donnie Calloway who said he wasn't comfortable disallowing STRs in the residential districts because there were just too many questions surrounding the term "commercial."

It's true that Commissioner Hehn agreed with Calloway that more information was needed but he sided with the other commissioners to ban STRs effective Jan. 3, 2022.

During the Aug. 24 meeting Hehn alluded to information he had obtained Monday -- the day before the meeting -- about STRs not being considered a commercial use in residential zones, however, he never shared it publicly. During the meeting he only asked Atty Coward if he had read the information he sent him.

Highlands Newspaper contacted Hehn by email Wednesday -- the day after the meeting -- inquiring about the information he alluded to the night before.

Turns out, Hehn was in communication with Rebecca Badgett with the NC School of Government and it was her opinion he alluded to Tuesday night.

• See FORUM page 20

## • WEATHER •

Thu, 21-Oct	Fri, 22-Oct	Sat, 23-Oct	Sun, 24-Oct
62°F 50°F	63°F 45°F	62°F 47°F	63°F 46°F
Cooler; a stray p.m. t-storm	Breezy in the afternoon	Mostly sunny	Intervals of clouds and sun
RealFeel®	RealFeel®	RealFeel®	RealFeel®
High: 64° Low: 48°	High: 66° Low: 48°	High: 68° Low: 44°	High: 69° Low: 47°

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### Highlands Newspaper

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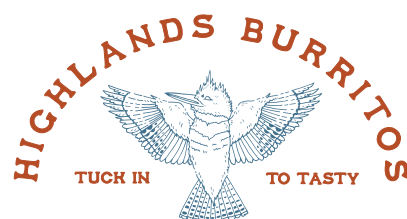
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## • OBITUARIES •

### Alan Douglass Mayer

Beloved father, son, brother, and friend, Alan Douglass Mayer passed away peacefully on the morning of August 14, 2021, at the age of 58. Alan was born August 17th, 1962, in Coral Gables, Florida. In 1984, he received a BA in Economics from Principia College and was a four-year letterman on the successful Principia College tennis team. After a career traveling the world with Osborne Travel Service in Atlanta, Alan moved to Highlands, N.C., and became the owner of "The Dry Sink," a landmark shop in Highlands specializing in gourmet kitchenware and many interesting and unusual gift items. Alan was a hard-working member of the Highlands community, who often saw him in his store, catching up with friends on Main Street or teeing off on a favorite golf course. He was always full of life and humor, energy and love. He was that rare guy who flew



under the radar and was humble to his core; definitely "one of the good guys."

Alan deeply loved his sons, Nicholas and Christopher Mayer, and supported them in their passions of powered flight and golf. Alan and his wonderful partner, Susan Brauner, shared their tender hearts for rescued dogs, beautiful long hikes, swimming, along with much love, laughter and great times together. He was a wonderful and loving son to his parents, George and Marion, and was so loved, looked up to and adored by his nieces and nephews Carter Potts, Kim, Scott and Ry Gardner; his sisters and their husbands, Julie and Jamie Bollinger, and Susie and Addison Gardner; his great-nephews, Wyatt and Porter Midgett and Luke Gardner; his cousin, Donna Norman and aunt, Peggy Norman; Carter's

• See OBITUARIES page 10



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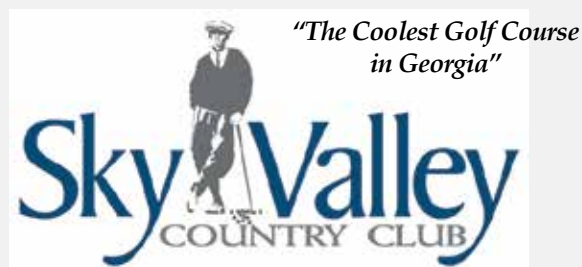




## The Highlands Emergency Council is here to help

Need Help! The Highlands Emergency Council is now accepting applications for Fuel Assistance and Christmas Angels. Please apply in person at the Highlands Emergency Council located at 71 Poplar Street (next to Wilson Gas)

Christmas sponsors are needed to help those in need. If you would like to sponsor a family for Christmas please call the Highlands Emergency Council at 828-526-2635.



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## • LETTERS •

### Join us against STRs in R1

Dear Editor,

My husband and I have owned our home on Satulah Mountain since 2004. One of the reasons we bought here is because we both grew up in small towns, and Highlands has provided us the opportunity to experience the joys of small town living as adults who during the week live in a large metropolitan area (Atlanta). We are here most weekends and holidays. We attend the Christmas parade, the tree lighting, and the Fourth of July celebration to name a few. We pay property taxes and support numerous nonprofit organizations in town, including the Bascom, the Highlands Playhouse, the Highlands-Cashiers Land Trust, and the Highlands Botanical Station. This past pandemic year, we supported the Food Pantry and the Vaccination Clinic. We love this town.

Over the past few years, we have become concerned about the proliferation of short term rentals (STRs) in our residential neighborhood. We bought our home relying on the Town of Highlands zoning designation of our neighborhood as R-1, which prohibits all commercial activities. It specifically categorizes "Overnight Accommodations" as a Commercial Use, and as such, under the Town's Code, we have always believed this includes the short term rental of private residences.

The Town of Highlands has recently given notice that it will begin enforcing this long standing prohibition of STRs in R-1 neighborhoods on January 3, 2022. We wholeheartedly support this decision. No one really seems to know how many STRs are currently operating in R-1 residential neighborhoods. Estimates range from 400-1,000. We also know that the number of properties being operated as STRs is increasing at an alarming rate.

I believe I speak on behalf of the thousands of second homeowners in Highlands – the silent majority – who have observed this phenomenon with concern and now outright fear that our beloved little town is being destroyed. The infrastructure of Highlands is being overrun – traffic, trash, Covid exposure, and no affordable housing for local workers, to name only a few issues. All mainly to serve the commercial purposes of an ever-expanding wedding event enterprise and related services. These events now far exceed the capacity of our town and thus are negatively impacting the long-standing and historic neighborhoods that, ironically, first attracted these events.

For awhile now, many of us have experienced new "neighbors" every weekend. But there is nothing neighborly about how they act. We generally cannot see them and they cannot see us. But we can hear them. We can hear their music. We can hear their dogs. We can hear their many guests. We can hear their fireworks. We can hear their vehicles speeding up and down our mountain roads. We do not have ANY of these issues with our permanent neighbors. We now approach every weekend with dread.

We have read with dismay the letters from those who are profiting from these prohibited activities in our neighborhoods. They assert that they can do whatever they want with their property. May we remind them of the Latin proverb that underpins all property law: "Sic utere tuo ut alienum non laedas" – use your own property in a way that does not harm other people's property or injure their lawful rights. These STRs in our formerly quiet and peaceful residential neighborhoods have significantly harmed our rights to the quiet use and enjoyment of our homes.

We are at a tipping point if the Town's decision is not wholeheartedly supported and STRs are allowed to exist and proliferate in residential neighborhoods. If you support the Town's decision, I invite you to join the Highlands Neighborhood Coalition, a group of individual property owners and homeowners' associations who have come together with the purpose of supporting the Town of Highlands in what may become a prolonged legal battle. As you might imagine, the proponents of STRs in R-1 neighborhoods are powerful – think wedding vendors, Airbnb, VRBO, and real estate rental companies. The threat is at both the local level (pressure on the Town to reverse its decision) and at the state level (pressure on the NC legislature to pass legislation to prohibit local municipalities from passing any local legislation that would prohibit STRs in residential neighborhoods).

I invite you to join me in this effort. We hope that if you agree with our position, you will be willing to make your position known to the Mayor and Town Council members, and will join the Highlands Neighborhood Coalition to protect our historic neighborhoods. And of course, if you are a registered voter in Highlands, please vote for candidates who will stand firm on the prohibition of STRs in R-1 residential neighborhoods.

In closing, I simply ask: "If the prohibition on STRs in residential neighborhoods is not enforced, what will become of Highlands?"

**Cathy Henson, President**

**Highlands Neighborhood Coalition, [highlandsneighborhoodcoalition.com](http://highlandsneighborhoodcoalition.com)**

**• See LETTERS page 8**

**VOTE**

***Mary A. Bynum***

**for**

**Town Board of  
Commissioners**


- Native to our beloved mountains and a Highlands business owner (McCulley's Cashmere Store) for more than 40 years.
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  - Not afraid to face complicated challenges!
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A handwritten signature in black ink that reads "Mary A. Bynum". The signature is written in a cursive, flowing style.



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...LETTERS continued from page 6

## Group takes steps to protect personal property rights

Dear Editor,

Fellow Lovers of Highlands, as you are all well aware, Highlands is an inclusive family of year-round residents, seasonal homeowners, visitors, restaurateurs, artists, landscapers, retailers, housekeepers, entrepreneurs, builders, realtors, plumbers, electricians, and many others. All these groups are inter-woven into the fabric that makes this town so special, and while some may not realize it, all of these groups benefit from vacation rentals.

For four decades the Town of Highlands communicated to countless property owners and visitors that there were no restrictions on vacation rentals. The Town has happily accepted rental tax revenue and welcomed renters for decades. That changed this summer when a small but vocal HOA voted to bring legal action against the Town of Highlands. On August 19th, the Town meeting opened with the statement "this is the beginning of a long discussion on vacation rentals," and less than a week later the Board voted to ban them. The people and the businesses of Highlands were blindsided.

In response, Save Highlands was created. Sadly, we are being positioned as faceless investors. The truth is that we have been part of the community for decades and many of us are full-time residents. One member has had property and family rooted in the town since the 1920s, another since the 1880s. We are not a group of faceless investors. We are your neighbors and, just like you, we want what's best for this Town.

On October 13, the Save Highlands group of homeowners took the first legal step to retain personal property rights in the Town of Highlands. To be clear, this is not an action we wanted to take. The Town Commission simply has no legal authority to ban all vacation rentals in R1. Unfortunately, neither Mayor Taylor nor anyone from the Town of Highlands have come to the table with negotiations or made any attempt to find common ground. In effect, all remaining options for cordially protecting the rights of property owners and saving Highlands have been exhausted. We firmly believe the law is on our side regarding this issue.

Banning rentals will not only have a crippling financial effect on Highlands, but also fracture its people unnecessarily. In fact, it's already happening. This action has created an artificial divide between neighbors when together we could address the issue thoughtfully, taking the entire community's input into consideration.

A vacation rental ban will have a substantial negative effect on tax and business revenue and lead to a devastating loss of income for countless Highlands residents. Banning rentals could mean an annual loss of 19.3 million dollars in direct income on Main Street and a 115-million-dollar total economic loss for the Town. These financial implications are far reaching and affect us all.

While the Town is currently booming - fueled by the travel dynamics of the pandemic and a recovering economy - the financial effects of a vacation rental ban will be felt this winter and exponentially when the economic climate isn't so strong. We want balance. Vacation rentals are a complicated subject for any town, which is why they were specifically addressed in the Draft Community Plan.

And while loud voices have stated that vacation rentals are "simply against the law," that is simply false. The Town of Highlands Use Regulations do not even mention vacation rentals. Even the State of North Carolina defines vacation rentals as "residential use." But more than that, we feel that who we invite into our homes should be in our hands as the property owners - not the decision of the government.

We love this town and its people. And we believe if we come together as a community, we can create an inclusive, well-planned future to save Highlands for generations to come.

To read the legal filing in its entirety, visit [www.savehighlands.net](http://www.savehighlands.net)

The Save Highlands Committee

## Impersonators

Dear Editor,

I see things in simple terms, and what I see in the current contest for seats on the Town Board of Commissioners are 3 Marie Antoinettes, 1 Dr. Seuss and maybe 2 Middle Roaders. But before I elaborate, don't let yourself fall into the Gender Identification trap. Please don't try to match my comments to any particular candidate, okay?

The 3 Marie Antoinette candidates are the ones who take the stance that you can have your cake and eat it, too. These are the ones who are all for recruiting and cramming as many people into Highlands as is delusionally possible and who advertise across the country the alluring charms of our town. Their philosophy is the bigger the better, the more the better, come one, come all, disregarding the basic reality that some spaces and resources are finite and that limitless expansion not only doesn't work but is an ultimate death knell. All the while, they are proclaiming their undying love for and dedication to our quaint little mountain town and pledging that their only goal is to maintain its quaint little mountain town-ness. Spoiler Alert: you can't have it both ways. You can't advertise Highlands in multiple national media outlets, you can't be



**EARLY VOTE NOW!**

# WE SUPPORT PAT!



Amy Patterson



John Dotson



Donnie Calloway



Brian Stiehler



*I am humbled and grateful to have the endorsement of all of the sitting town board members except my opponent. I would appreciate your vote and support as well."*

*Pat*

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## ...OBITUARIES continued from page 5

dad, Phil Potts, as well as his many, MANY dear friends.

Alan was a passionate rock'n'roller and a talented amateur musician; Paul Rodgers and Van Halen were among his favorites. Although Alan wasn't loud or flashy like his guitar gods, he was a hero for the way he strummed,

tapped, plucked and hummed his own way through life. We miss Alan more than can be imagined and will honor him at the celebration of his life in the Spring, 2022. The day and time will be announced at a later date in both Highlands newspapers and we hope to see everyone there. Alan's family can be

reached by writing Julie Potts, P.O. Box 1712, Highlands, NC, 28741. In lieu of flowers, donations to the Cashiers Highlands Humane Society are greatly appreciated: 200 Gable Drive, Sapphire, NC. 28774, 828-743-5752, chhumane-society.org.

## Gale Gladys Dendy Alford



Gale Gladys Dendy Alford, 69 of Highlands passed away Tuesday October 12, 2021. Gale was born September 12, 1952, in Macon County to the late Earl Dendy and Gladys McCall Dendy. Gale was a Dental Assistant for many years. She liked watching football and baseball, loved her animals and Olaf from Frozen. Gale was known for being a great alto singer and sang with the Dendy Family. Gale was a member of Goldmine Baptist Church where she served as church secretary. She was of the Christian faith and was a devoted servant for the Lord.

Gale is survived by her husband, Steven Alford; a daughter,

Rachel Alford Cotton (Ben); two brothers, Jack Dendy (Carolyn) and Mack Dendy (Robbie) all of Hayesville; a sister, Carolyn Carpenter (Tommy) of Highlands; a twin sister, Dale Roper of Franklin. Special nieces, Janet and Laura Dendy, Jacqueline Rhew and Abi-

gail Crabtree.

A funeral service was held Saturday, October 16, 2021, at Goldmine Baptist Church with the Rev. Gary McDaniel officiating. Burial followed at Mount Moriah Cemetery. Pallbearers were Timothy Crabtree, John McCall, Larry Dendy, Tommy Carpenter, Benjamin Cotton and Allen Rhew.

The family requests in lieu of flowers that memorial donations be made to the Mount Moriah Cemetery or Appalachian Animal Rescue Center of Franklin.

*Bryant Grant Funeral Home and Crematory served the Dendy family. Online condolences can be made at [www.bryantgrantfuneralhome.com](http://www.bryantgrantfuneralhome.com)*

## Barbara Hill Kelly



With deep sadness the Kelly family announces that their cherished matriarch, Barbara Hill Kelly, 87, of Highlands, NC, formerly of Yardley, PA, loving wife to the late Richard J. Kelly, passed away October 15, 2021, at Rainey Hospice House in Anderson, SC after a brief illness.

Barbara was born in Anderson, SC, to Lois Pressly Hill and Rufus Sadler Hill. Barbara graduated from St. Mary's School in Raleigh, NC, and from Hollins College in Roanoke, VA. She taught English, French and Spanish at Saint Timothy's School in Stevenson, MD for three years, until her marriage to Mr. Kelly. Barbara was a member of the Episcopal Church of the Incarnation in Morrisville, PA for 49 years. She sang alto in the choir and served on the Altar Guild.

In childhood, Barbara and Rick's families each had summer homes in Highlands. They first met as teenagers at Helen's Barn. They married at the Church of the Incarnation in Highlands, and for

their entire 61 years together, they routinely spent a week in the summer at a family cabin. Barbara was devoted to her family, and created a warm and loving lifestyle in their home. She and Rick enjoyed a long retirement together traveling extensively both domestically and abroad, enjoying the Philadelphia Orchestra as season ticket holders, and cheering for the Philadelphia Phillies. Spending time with their four grandchildren was a special delight.

Barbara is survived by her son, Richard J. Kelly, Jr., of Highlands, NC, and her daughter, Lois Babatz and son-in-law David Babatz,

of Anderson, SC; granddaughter, Jessica M. Kelly of Kirkland, WA; three grandsons, Timothy D. Babatz of Boston, MA, Gary A. Babatz of Austin, TX, and Jonathan W. Babatz of Chicago, IL; nieces, Barbara Hill of Silver Spring, MD, and Carrill Kelly of Washington, DC; nephew, Justin Hill of New York City, NY; sister-in-law, Carolyn Wood Hill of Washington, DC; and brother-in-law, William Davis Kelly of Anderson, SC.

In addition to her parents, and devoted husband, Richard, she was predeceased by her brother, Rufus S. Hill, Jr., of Washington, DC; and brother-in-law, Dr. Sherrill B. Kelly of Naples, FL.

A graveside service will be held Saturday, November 20, 2021, at 12 p.m. at New Silver Brook Cemetery in Anderson, SC with Rev. Susan Hardaway of St. George's Episcopal Church officiating.

*Messages of condolence may be left for the family by visiting The McDougald Funeral Home website, [www.mcdougaldfuneralhome.com](http://www.mcdougaldfuneralhome.com).*





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## Can you sell your house without a Real Estate Agent?

Recently, Landmark sponsored one of the Saturdays on Pine concerts in Founders Park. We offer snacks, soft drinks, beer and wine to anyone who wants to stop by our tent. At the last concert, some acquaintances came up to me and I offered them a glass of wine. They had purchased a house several years ago that they rent and occasionally use. They wanted to discuss the market and the current STR situation. They then went on to say that they wanted me to know that they had decided to sell and were going to put their house on the market as a For Sale By Owner (FSBO). They asked if I would pass the word along to other brokers and keep it in mind, as they would protect a buyer's broker by paying a commission.



**Carl Romberg, BIC**  
 Landmark Realty Group

I asked why they would want to do a FSBO and the response was that it was such a seller's market they thought it was worth a try so that they could maximize their profit. If it didn't work out in a couple of months, they would certainly give me an opportunity to list the house. I couldn't resist the opportunity to ask some questions about issues that they probably hadn't considered.

The first was what would their list price be? The answer was that they followed recent sales on Zillow and told me a price which I thought was somewhat outrageous considering the property and their purchase price. I asked if they were aware of items that may have gone into the actual sales prices of the homes they were using as a comparable sale? They may be 3 bedrooms and baths, but which houses have central heat and air; are there extra rooms; what is the car storage situation; how many fireplaces? Are any located on a river, have a view; or maybe have major road noise? How about the landscaping, outdoor living space, if it has been updated? Were the furnishings included? All these factors go into a final negotiated price and are taken into account when doing a Comparative Market Analysis. What if they priced it too low and left money on the table; or priced it too high and it doesn't sell?

My second question was how showings would occur? The sellers were located two hours from here and the house was a vacation rental so had a lockbox. The response was that they would give the lockbox code

to anyone who called and only allow showings between rentals. Did they really want someone to have access to the house unattended? What if the potential buyer showed up during a rental, or decided to stay for the night? Within our MLS, appointments are required and lockboxes have records of each agent that accesses the house. Buyers are never unaccompanied, and if there are ever any issues, we have a clear record to go back on. In addition, we have an easy way to provide feedback to

the listing agent regarding the condition, price, etc. Would they be able to get any feedback?

I followed up and asked how would they market the house? They were going to put an ad in the paper, look into getting it on Zillow and hold an open house. When a listing is active in the MLS, there is an IDX feed which automatically goes into all the data bases like Zillow and Realtor.com. From there it is picked up by numerous firm and broker websites. Firms or brokers have different digital marketing methods that will target potential buyers in specific markets. Most firms are affiliated with a national or global marketing and referral network. I also let them know that most agents don't have time to scour the newspapers looking for properties that are FSBO, so a lack of showing requests by brokers would be due to a lack of exposure, not a refusal to show a FSBO.

I then discussed the of details negotiating the price and terms of the contract. Who would write up the contract? Who would hold the earnest money? Did they know what a reasonable due diligence period was or how long it may take to get an appraisal if financing was involved? When does an attorney get involved? Would inspections need to be scheduled around rentals?

Finally, as to the rentals, I asked if they were aware that any rentals scheduled within 180 days of closing had to be honored? They had heard this but didn't think that it applied to them and they planned to cancel any rentals if the buyer didn't want to allow rentals. Per the NC Vacation Rental Act of 1999, any short-term rentals must



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This adorable mountain cottage was built in 1950 but is completely updated. 3/bed 2/ba dining/living area has large stone fireplace with gas logs. Updated kitchen. Screened-in porch has stone wood burning fireplace and big screen TV. Large corner lot landscaped for privacy. Furnishings negotiable offered at \$675,000. mls #97705.



Turn of the Century 480 Winfield Farm has 4.7 acres and borders USFS land. View, frog pond, perennials, fenced garden plot, fire-pit, porches. Main house has 3+BR/2.5BA with 1 car attached garage, Stone wood burning fireplace, wood floors and Large master suite on Main. Guest house has 1 BR/1BA with 2-car garage, a canning basement with keeping room. Renovated, updated, and neat as a pin. Offered at \$679,000. mls #97582



The views will knock you over. 4 view building sites. Includes nice 2 bedroom modular home on one lot and a rustic cabin. Property adjoins National Forest with views of GA, SC and NC. Roads are cut to each lot and gates are in place. A deep well and spring and underground power and phone lines are in place. Offered at \$795,000. mls #81838.



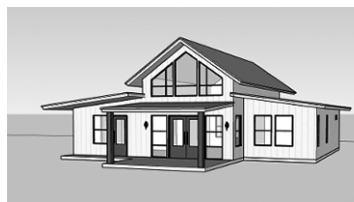
Wonderful lakefront setting with this spacious 4 bedroom 3 and 1/2 bath. Enter on the main level and enjoy a cozy couples room with a fireplace. Next you flow into a great room, kitchen with huge island that opens into a dining living room, which opens onto an inviting screened porch, overlooking the lake. Large master bedroom suite and 2 additional bedrooms and baths on the main level in the split floor plan. Terrace level has a nice family room with a spacious bedroom and bath. plus storage. Offered at \$987,900 mls #96947



Apple Mountain Shoppes is investment property that doesn't fade away in these volatile times. Great high traffic location on Highway 64 near all of the Country Clubs and the Briar Patch Shop is this great complex for you to own and operate or just rent out for a steady income. Offered at \$1,199,000. mls #92678



Great House at Highlands Falls Country Club. Recently renovated and in move in condition, 3 bedrooms, 2 baths, 2 car garage, great decks that take advantage of the wooded and ridgeline views. Inside features an open plan with vaulted ceilings and a custom kitchen. A wonderful getaway home. Offered at \$699,000. mls #97104



New home construction. Located truly walk to town, this 2 bedroom 2 bath home on a 1/2 acre lot is almost dead flat. Allowances will be given for finishes. Offered at \$895,000. mls #96476



23.06+/- acres with a 1 BR 1 BA home that was started in 1972 and completed around 1995, additional 3 BR 1 BA farmhouse on the property built in early 1900's. Property has been in the Cash family since 1930. Great views. Property adjoins USFS lands. Offered at \$850,000. mls #92560



Located in the desirable Sagee Mountain Subdivision this wonderful setting features a spectacular mountain vista and the relaxing sound of a babbling creek below. The dwelling features 3 bedrooms and 2 1/2 baths, lofted ceilings, galley kitchen, additional family room and one car carport. This is a winner and shown by appointment only! Offered at \$1,800,000. mls #97612



A blank canvas, ready to make your own. Gutted and ready for renovation. Was a 2 bedroom 2 bath. Fantastic flat lot, great location. Walk to Mirror Lake. Offered at \$710,000. mls #97333



What a great opportunity to own a subdivison 1.5 miles from downtown highlands called RIDGEWOOD ACRES. This 33-acre tract already has several nice homes in it and the roads are paved. This listing includes 2 beautiful homes; one with a view to the west, This large tract could be a private mountain getaway or ability to develop. Don't miss this one. Offered at \$2,750,000. mls #96975



Close to Cashiers Crossroads and Sapphire Valley amenities. 4 BR/3 1/2 BA. Great room with cathedral ceiling and floor-to-ceiling stone fireplace, pine paneling, heart of pine floors and a staircase with Laurelwood railings. Partially covered "wrap around" deck with an outdoor stone fireplace. The master suite on the main has a stone fireplace with gas logs. Deluxe master bath, with jetted tub, tiled shower and walk-in closet. Also, on the main is a second bedroom and bath. The upper level bonus room has 2 queen beds and a 1/2 bath. On the lower level are 2 bedrooms with separate porches. Rental history is available. Offered at \$975,000. mls #97624



Located in a small enclave of Second homes, on a private, flat lot near the noisy waters of the Cullasaja River. The house is spacious, with a 3-car garage. 3 bedrooms, 3 bathrooms on the main level. There is also a loft, one of the bedrooms/baths and additional storage in the upstairs. Move in ready. Offered at \$1,199,000. mls #96943



This beautiful 3 bedroom 2 bath log cabin on the Atlanta side of Highlands on buck knob road in scaly mountain is the perfect hideaway with almost 10 acres of land and a great view to the west. The covered porch across the entire back of the log cabin is a great place to enjoy the long range mountain views. The log cabin is furnished with a few exceptions. Offered at \$530,000. mls #95272



Horse Cove. First time on the market. Long time family vacation home. Open deck and screened porch to enjoy the stream below and view of the neighboring pond. 4 bedrooms, 2 full baths and 2 half baths. Basement with laundry room and 1/2 bath. Lots of storage. Offered at \$799,000. mls #95668



## ...Q&A continued from page 1

Thomas Craig, Nick McCall, and Eric Pierson.

This week, the candidates' answers will be displayed in reverse alphabetical order.

### Question #4:

*Should town resources be used to develop workforce housing? Please explain your answer.*

#### Pat Taylor

My answer is No. The Town of Highlands doesn't have the resources to build workforce housing. Limited land and the \$500 per square foot construction prices make building workforce housing very challenging, if not impossible, within the town limits and the surrounding areas.

I am concerned about balancing the preservation of this unique plateau environment with the pressure to expand housing units. The 2020 Census just revealed that in the Town of Highlands there are 165 people per square mile. I believe this is a good balance between population density and protection of green space and natural areas. I am not in favor of significantly increas-

ing this density level, except in and around our business areas. I am against density increases in residential areas.

Some employers with large staff have built housing for their workers outside the town limits. A collective effort of private businesses may be one solution to the employee housing challenge. There are state, federal and private grants for building workforce housing. With the high cost of construction on the plateau, such grants may not go very far in providing workforce housing.

The Dogwood Health Trust is investing in workforce housing over their 18-county service area. While some Dogwood funds might be available for employee housing at the hospital, the number of units that could be constructed would probably be low. A current proposal calls for the town providing water and sewer for HCA employee and general workforce housing on the hospital campus. If the town granted that request, I am concerned other property owners beyond the town would want the

same access to town water and sewer contending that they too could provide workforce housing to some degree.

I know that some might respond that I am against progress and business in taking this position concerning housing. I am not against measured progress, but I do not embrace a more and even more growth as a formula for continued business development. I take a conservative and cautious approach on the issue of growth.

There are other issues related to affordable housing such as affordable living. Everything on the Highlands Plateau cost much more than in other communities. Even with affordable housing, the cost of living for lower salary scale workers would be problematic. Also, the current proliferation of short-term rentals exacerbates securing affordable, long-term employee housing.

#### Eric Pierson

I am not quite sure what is meant by "town resources." The Town does not have the resources to build workforce housing. If asking whether the Town should pro-

vide funding to build workforce housing, I would say no. Larger employers (i.e. Highlands Country Club, Cullasaja Club, Wildcat Country Club, OEI and others in town) have already taken it upon themselves to provide housing for some of their employees. Employee housing should not be funded by tax dollars.

#### Amy Patterson

Housing is a concern in Highlands whether it is called workforce housing, affordable housing or available housing. It has been a concern for years as Highlands has high property values that makes it difficult for many workers to live in or near Highlands. Historically, workers have commuted to Highlands from other areas of Macon and Jackson counties to fill workforce needs and fuel our economy. Improvements in other area economies, the recent influx of more people living in the area, existing tax laws, and changes in the use and economics of residential property in Highlands has led to increased demand for more lower middle income (LMI) workers and fewer housing options. These are market driven changes that are difficult for local government to effectively influence.

Whether town resources should be used to develop workforce housing may seem like a simple question in principle, but it has complex legal and logistical considerations. The state constitution requires local governments to expend funds "for public purposes only." Helping some businesses provide housing for some workers is not a "public purpose." Even allowing access to public utilities for a private workforce housing development that would not otherwise have access may not serve a "public purpose" since such a development may only be required to use 20% of the units for workforce housing and for as little as 15 years before the units can be transitioned to market value housing.

I would love to do something about the lack of workforce housing in Highlands. Inclusionary zoning is one possibility to be explored. Just saying Highlands should throw resources at the problem is not an effective, long-term solution.

Nick McCall

No. I do not believe the town has any business facilitating the role of a landlord in any capacity.

Providing financial resources for employee housing, would be a misuse of tax dollars. And town resources like water and sewage services should not be provided to properties outside town limits.

The only exception being, providing resources to the hospital campus. Including employee housing if built on the property.

The town must have a vested interest, in ensuring access to reliable, quality healthcare services. Nothing is more important than people's health.

#### Marc Hehn

No. Town resources are not needed to build worker housing with one very minor exception. We must honor our 1987 commitment to provide sewer service and our 2001 commitment to provide potable water service to the Highlands Cashiers Hospital Campus. The sewer and water lines are in place and the Hospital is using less than 20% of what the Town has approved. Worker Housing was part of the original plan for the hospital campus and some funding is now available from the Dogwood Health Trust. Housing is one of their four initiatives and they are working to establish housing across the region. Hospital Corporation of America has generously offered to lease a site for a nonprofit worker housing complex provided a priority is given to health care workers. Our small businesses are also in desperate need of worker housing, funds are available if we will just execute. We must be willing to partner with others to make this a Healthier Highlands.

In addition, the Draft Comprehensive suggests allowing accessory dwelling units in garages and basements that do not change the character of a single family home. There is a process for vetting this idea through the Planning Board and possibly amending the Zoning Regulations to allow these.

#### Thomas Craig

Yes, and town resources are not limited to capital investments. Workforce housing is a real is-

• See Q&A page 24









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## ...LETTERS continued from page 8

a colossal wedding destination etcetera ad nauseam and still be a quaint little mountain town. You can't have your cake and eat it, too, Marie. Besides being hypocritical, their remarks are disingenuous.

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The Dr. Seuss candidate gets his/her name from the charming and nonsensical way in which he/she answers the questions that the papers have posed to all of the candidates. I'll be darned if I can make heads or tails of those answers, but they do have a sort of lyrical, sing-song appeal, a charm of their own, whatever they mean. Delightfully inscrutable. Good luck there.

I'm not sure whose persona the 2 Middle Roaders represent. They seem to be the most down to earth and practical of the bunch (maybe). Unlike the 3 Maries with their hard sell agendas and unlike Dr. Seuss' inscrutability, the Middle Roaders don't seem to be as desperate as the others and don't appear to be in it for personal gain.

But what do I know? It's all speculation. You have to do the research, go with your gut and not be swayed by pretty phrases and fatuous promises. Voting is a privilege. We are voting for candidates to fill positions of responsibility in our town government who will first and foremost represent the everyday people who live here everyday, as well as our long-time seasonal homeowners. Not just the people who pass through our town on occasion, not just the transient shoppers, renters, visitors, tourists and the wedding guests who are here for a lark and late nights, and especially not for the special interest groups who saturate the conversation with loud barking noises.

**Alice Nelson  
Highlands**

## ...INVESTING continued from page 12

be honored within 180 days of closing. This applies to all STRs, through a management company or individual.

By this time their eyes were rather large. They said that they had a lot to think about, asked for a refill of the wine and scurried away. The truth is that there are many factors involved in selling or buying a house to navigate around. It is still a "seller's market" and we are very short on inventory. If you

are considering selling your home in the next year or two, it may be worth moving that time frame up if you wish to maximize your sales price. Hopefully you will see that a licensed real estate agent is a worthwhile investment.

• *Carl Romberg is the Broker-in-Charge of Landmark Realty Group's Highlands Office. Stop by his office on Main Street to say hello or reach him at 678-936-9309 or [carl@landmarkerg.com](mailto:carl@landmarkerg.com).*

Marc & Betsy Hehn

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*"As mayor of Marion, I am very grateful to Dogwood Health Trust for its generous support in partnership that will bring a new complex of 168 units of workforce housing to Marion and McDowell County," said Mayor Steve Little.*

*I humbly ask for your vote and  
allow me to work for you.*

*- Marc Hehn*

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Authorized by Marc Hehn, candidate for Mayor and Paid for by the Candidate





Fellow Lovers of Highlands,

**A**s you are all well aware, Highlands is an inclusive family of year-round residents, seasonal homeowners, visitors, restaurateurs, artists, landscapers, retailers, housekeepers, entrepreneurs, builders, realtors, plumbers, electricians, and many others. All these groups are inter-woven into the fabric that makes this town so special, and while some may not realize it, all of these groups benefit from vacation rentals.

For four decades the Town of Highlands communicated to countless property owners and visitors that there were no restrictions on vacation rentals. The Town has happily accepted rental tax revenue and welcomed renters for decades. That changed this summer when a small but vocal HOA voted to bring legal action against the Town of Highlands. On August 19th, the Town meeting opened with the statement “this is the beginning of a long discussion on vacation rentals.” By the end of that meeting, the Board had voted to ban them. The people and the businesses of Highlands were blindsided.

In response, Save Highlands was created. Sadly, we are being positioned as faceless investors. The truth is that we have been part of the community for decades and many of us are full-time residents. One member has had property and family rooted in the town since the 1920s, another since the 1880s. We are not a group of faceless investors. We are your neighbors and, just like you, we want what’s best for this Town.

On October 13, the Save Highlands group of homeowners took the first legal step to retain personal property rights in the Town of Highlands. To be clear, this is not an action we wanted to take. Unfortunately, neither Mayor Taylor nor anyone from the Town of Highlands have come to the table with negotiations or made any attempt to find common ground. In effect, all remaining options for cordially protecting the rights of property owners and saving Highlands have been exhausted. We firmly believe the law is on our side regarding this issue.

Banning rentals will not only have a crippling financial effect on Highlands, but also fracture its people unnecessarily. In fact, it’s already happening. This action has created an artificial divide between neighbors when together we could address the issue thoughtfully, taking the entire community’s input into consideration.

A vacation rental ban will have a substantial negative effect on tax and business revenue and lead to a devastating loss of income for countless Highlands residents. Banning rentals could mean a loss of \$13,500,000 direct income and a \$115,000,000 total economic loss. These financial implications are far reaching and affect us all.

While the Town is currently booming - fueled by the travel dynamics of the pandemic and a recovering economy - the financial effects of a vacation rental ban will be felt this winter and exponentially when the economic climate isn’t so strong. We want balance. Vacation rentals are a complicated subject for any town, which is why they were specifically addressed in the Draft Community Plan.

And while loud voices have stated that vacation rentals are “simply against the law,” that is simply false. The Town of Highlands Use Regulations do not even mention vacation rentals. Even the State of North Carolina defines vacation rentals as “residential use.” But more than that, we feel that who we invite into our homes should be in our hands as the property owners – not the decision of the government.

We love this town and its people. And we believe if we come together as a community, we can create an inclusive, well-planned future to save Highlands for generations to come.

Sincerely,  
The Save Highlands Committee

**BRING BACK**

**Eric** — ★ —  
**PIERSON**

**TOWN BOARD**

✓ 8 years on the Town Board

- ✓ 23 years Highlands Fire & Rescue, current Rescue Captain
- ✓ 12 years on Planning, Zoning, Appearance, and ABC Boards

***Experience When We Need It***

Paid for by the committee to elect Eric Pierson

**...FORUM continued from page 2**

"I received and read Rebecca's opinion on Monday and shared it with Jay," he said via email when asked about the information.

The following is Rebecca Badgett's opinion which she shared with Hehn. Hehn didn't make the information public during the meeting but shared it with Highlands Newspaper via email the next day.

"It is not uncommon for STRs to be treated the same as other residential dwelling units. In the town's case, dwelling units are allowed in the R1 district, and therefore STRs would be allowed, too," began Badgett.

"A dwelling unit is: A single residential unit consisting of one (1) or more rooms designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping, and bathroom facilities provided within the dwelling unit for the exclusive use of a single-family maintaining a household.

"This definition may apply to STRs. In short, just because a dwelling unit is rented on a short-term basis does not mean that its use has changed to a commercial use or that the use fits under the tourist home definition," she said.

She offered one appellate court case in NC that ruled STRs are a residential use, despite the fact that a property is advertised as a STR and a financial benefit is received. *Russell v. Donaldson* (read page 9) <https://law.justia.com/cases/north-carolina/court-of-appeals/2012/12-183.html>

"The courts held that a covenant prohibiting commercial usage of property did not prohibit the rental of the property on a short-term basis for residential purposes. 'Neither [the] financial benefit nor the advertisement of the property or the remittance of a lodging tax transforms the nature of the use of the property from residential to commercial,'" stated the courts.

"You can always amend the code to regulate STRs in a distinct land use. If you do nothing, I think you have a fair argument that STRs are allowed anywhere other residential dwelling units are allowed, including R1," said Badgett.

Perhaps if this information had been made public and/or disseminated to the entire board, the vote could have been different, but it wasn't.

**The vote was 4-1 to ban STRs in R1 with only Commissioner Donnie Calloway voting against the majority. The mayor did not vote. The mayor can only vote to break a tie.**

— Kim Lewicki

**MEET PAT ALLEN**

Full time resident for 27 years • Strong and dependable leadership • Understands the art of negotiation • Uses a common sense approach • Successful due to a hard work ethic • Supporter of local non-profits • Negotiated with seller to make the mandatory new fire department a reality • Forfeited commission to make the new PAC a reality • Wants to maintain the charm of Highlands to keep it the special place it is • Recognizes and appreciates the hard work and challenges of our local business owners and workers • Understands that with growth comes challenges that need to be sorted out and discussed creating a "win-win" for all



**VOTE** *Pat Allen* **FOR COMMISSIONER**

*Paid for by the candidate*

***YOUR CHOICE FOR YOUR VOICE***



# Highlanders For Good Government

*“We believe in honest and open government for Highlands”*



**Highlanders for Good Government endorses Pat Taylor.**

**Pat is the candidate for mayor who exemplifies  
adherence to our mission.**

**His track record in Highlands is proven and he has worked to  
maintain honest and open government.**

**Please join us in supporting Pat  
so we can continue to have leadership with integrity.**

**Learn more at [www.highlandersforgoodgovernment.com](http://www.highlandersforgoodgovernment.com)**



The Town of Highlands Zoning Board of Adjustment currently has three vacancies. The Zoning Board of Adjustment membership consists of five members and two alternates. A minimum of five members must reside within the corporate limits and two members may reside outside the corporate limits in Highlands Township and must own property or a business within the corporate limits.

Applications can be submitted in person at Town Hall at 210 N. 4<sup>th</sup> Street or by email to the Town Clerk - gibby.shaheen@highlandsn.org. The application can be found online at [www.highlandsn.org](http://www.highlandsn.org) under Boards and Committees Vacancies.

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## ...PAY SCALE continued from page 1

safety.

Specifically, 7 Public Health, 11 DSS, 7 EMS, 1 Telecommunications, 12 Sheriff -- those who provide critical services to Macon County residents.

Macon County Manager Derek Roland told commissioners that as of Tuesday, Macon County reported 47 vacancies across county departments with 21 for those vacancies being in public safety and 18 being in health and human services.

"We are at a point that without something being done, we are looking at having to reduce the services we are able to provide to the citizens of Macon County," Roland said. "We are one of the few counties in the state that never stopped any services during COVID19, with some counties still providing a reduction in services. But with the vacancies, we have within our emergency services department and the vacancies within the Sheriff's Office, we very well may need to reduce the services and responses possible due to staffing shortage."

On February 24, 2021, Macon County began working with Gallagher Consulting to perform a compensation and classification study. The purpose of the project was to design and implement a market-aligned pay structure that would be effective in the recruitment process and maintain internal equity within the organization to aid in retention. The results of the study showed that Macon County's salary ranges for 77 benchmark positions representing all functions in the organization to be an average of 7-9 percent below market levels when compared to a peer group of 22 similar counties and municipalities.

The county set aside \$1,232,183 in the fiscal year budget to implement the

recommendations from the finalized study — which was presented to commissioners Tuesday night.

The new county pay scale and classification system presented to commissioners updated position classifications across the board for county positions to make Macon County externally competitive with a market-aligned pay scale.

While the county has completed other pay studies in the past — such as the Springstead Study complete in 2016 -- the implementation failed to address internal

## ...PAC continued from page 1

to 73-feet in length. The lightest piece is 37,150 pounds and the heaviest is 54,000 pounds. A 300-ton mobile-hydraulic crane is being used to lift the slabs into place.

Hartness said each piece was engineered and designed specifically for the PAC. The slabs were precast off site and then transported to the Highlands via flat-bed truck, which proved to be difficult.

"The biggest challenge is trucking the wide loads up the mountain to Highlands," said Hartness. "The Highlands Police Department and NC State Patrol have been the key in making this successful."

He added that once the slabs are lifted into place, each panel is welded together using steel components embedded into the concrete slabs.

Hartness said work over the next couple of weeks will include finishing the installation of the slabs for the new theater and beginning work on underground utilities.

Wall signing ceremony

A wall-signing ceremony was held on Oct. 15 where people had the chance to sign the first slab put into place. The signed

discrepancies such as compensation for years of services. The pay scale Roland presented Tuesday night ensures county salaries will now be internally equitable by placing each position within pay grade dependent on an employee's years of service.

Nearly every county employee will see a salary increase ranging from \$1,000 to \$5,000 depending on position and years of service. The implementation of the new pay study will begin immediately and will be completed within existing funds in the county's budget.

slab will make up the interior wall backstage of the new theater and PAC Executive Director Mary Adair Trumbly said the signatures will be visible forever.

In attendance were donors to the PAC's Capital Campaign, members of the PAC Board of Directors, the Building Committee, the PAC's resident groups, Town of Highlands officials, and the lead crew from Choate and JLL.

Trumbly said the wall-signing event was a "topping off" of sorts, similar to when the last steel beam of a project is put into place, only in this case it was the first slab that was installed.

She added that the immediate goal is to install the roof of the theater as soon as possible so construction can continue indoors throughout winter, and given Choates' progress on the project so far, she said it's likely they'll achieve that goal.

"Choate Construction is an awesome company," said Trumbly. "They worked through the rain two weeks ago. They want to finish on time! To see so much progress this fast is truly amazing."

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# SHORT-TERM RENTALS

## MYTH:

**The Mayor and the Town Board suddenly decided to ban short-term rentals!**

### FACT:

Not True. The Town's Code has always been clear that the offering of Overnight Accommodations is a Commercial Use, and any Commercial Use is prohibited in R1, and only permitted in R2 with a special use permit. The Town Board reached a consensus to enforce the existing Code, not make new Code, and they gave four months' notice before enforcing it, beginning January 3, 2022.

## MYTH:

**If neighborhoods don't want STRs, Homeowner Associations can just ban them!**

### FACT:

Incorrect. Many of our neighborhoods do not have HOAs, and even in those that do, banning STRs would require that every homeowner in the HOA agree to that restriction. Those already owning STRs aren't going to agree to that. Most of the new, high-end developments restrict short-term rentals, including those offered by Old Edwards. Unfortunately, many of us don't have that luxury.

## MYTH:

**Highlands has always had short term rentals!**

### FACT:

False. Traditionally, rentals in Highlands were for the season or parts thereof, from May through October. Homes weren't offered by the night. The explosion of short-term rentals in Highlands is a very recent phenomenon, driven by the creation of the various internet based short-term rental platforms and the increased demand for rooms from tourism and a growing destination wedding industry. If more nightly rooms are needed, they should be supplied by motels and hotels in commercial and business districts, not in our residential neighborhoods.

## MYTH:

**It is unfair to force Owners/Investors to stop renting short term because they incorrectly believed or were told that STRS were legal!**

### FACT:

Wrong. Ignorance of the law is no excuse. It is up to the owner/investor to know what the Town's Code allows them to do with their property. If a purchaser failed to know the law that they could not put a mobile home on their property in R1, does that mean that they should be able to do so? There is nothing preventing the owners/investors of STRs in single family neighborhoods from using these homes themselves or renting them long term. There is a well-documented shortage of long-term rentals in Highlands.



HIGHLANDS  
NEIGHBORHOOD COALITION

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[www.highlandsneighborhoodcoalition.com](http://www.highlandsneighborhoodcoalition.com)

## ...Q&A continued from page 14

sue with real consequences for Highlands. How frequently do you see "Now Hiring" signs in business windows and in the "Help Wanted" section of the papers? A lot of this labor shortage is related to the housing shortage.

There are several businesses in town that have the resources to purchase rental housing for their employees, but this is not

an option for most local businesses. And the increase in short-term rentals has certainly not helped this issue.

The town has a few major resources at its disposal that could be used to help. The biggest one is the UDO and its current restrictions on incidental apartments and customary accessory buildings. The UDO does not promote the building of inciden-

tal apartments in commercial properties. It could be modified in a way that encourages incidental apartments without affecting the character of town. Residential districts should be reviewed to see if detached apartments/garage apartments/mother-in-law suites could be added. Conditional Zoning should be encouraged and approved when its goal is to provide workforce housing. The town has the right to require residents of a Conditional Zoning District be employed in Highlands.

The other major town resource is access to water and sewer. Many smart people, with access to capital and the desire to provide housing without profit being a motivation, have explored this issue and it always comes back to access to sewer and water. Again, the town can make this access contingent upon the recipients being employed in Highlands.

The town should be a leader and a partner in exploring ways to help the housing shortage.

### Mary Bynum

No! It's not the responsibility of the taxpayers of Highlands to provide affordable housing for the business community.

As a business owner for 40 years (McCulley's) I understand this problem. We have all witnessed part-time closures this past year due to a lack of staffing. Not only does this affect business owners but it also affects visitors to our town who want to eat in our restaurants and shop in our stores.

However, these are not problems that a typical taxpayer in Highlands needs to resolve.

Tax incentives to developers to provide affordable housing must be considered. I

will work with the mayor and other commissioners to provide solutions to this problem. "Will work for you?"

### Pat Allen

I have always been an advocate and in favor of employee housing. I've gotten to know so many workers here and I hear it over and over that there are no places to rent in town or close to town. There is such a shortage and anything that comes available is way too expensive. Many of these workers live in Franklin and that road is dangerous in the best circumstances at night and certainly more so on days and nights with rain or snow and the residual ice that doesn't melt quickly! It really is a risky unknown for everyone.

Other workers drive from Scaly Mountain, Clayton, and Sylva. Now with inflation, factor in the price of gas and it just doesn't make sense for out-of-town employees to work here. Therefore, I see an immediate need for affordable housing and have had three developers who were willing to build on 23 acres right outside of town if they could tap into the sewer line that runs to the hospital. The town is using only 24% of its capacity, so I'm told. The town keeps saying "no" and ends the discussion. If the developer pays a tap-in-fee and the renters pay a fee every month to the town it seems feasible to me and would solve the shortage of employees that continues to rise. Yes, there is a need.

### Final Question for Oct. 28

*Should the town increase the minimum wage paid to town employees to \$15 per hour? Please explain your answer*




**The Historic MET Premiere**  
**Fire Shut Up in My Bones**  
 by Terence Blanchard  
 Libretto by Kasi Lemmons

**Saturday, October 23, 2021**  
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**Pre-Opera Discussion 12:30pm**  
**RT: 3:10**

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## ...EXPLOSIVES continued from page 1

Sheriff's/Franklin Police Narcotics Unit and NC Probation Office located drugs, firearms and multiple pipe bombs inside a residence.

Detectives with the Criminal Investigations Unit and K9 Unit assisted with the search at the scene before the North Carolina State Bureau of Investigation as well as the Federal Bureau of Investigation were contacted due to the explosives found on scene.

An SBI Bomb unit determined the devices were active and worked safely to document for evidence and then remove the devices from the home.

During the search, detectives seized multiple items of evidence including six firearms, and 134 grams of methamphetamine.

The four individuals were arrested and detained at the Macon County Detention Center:

Steven Gary Nicholson, 35, Possession of weapon of mass destruction; trafficking in methamphetamine; Possession of LSD; Possession of firearm by felon x5; Possession of Sch I CS x2.

Samantha Nichelle Ramsey, 35, Possession of weapon of mass destruction; trafficking in methamphetamine; Possession of LSD; Possession of Sch I CS x2.

Gary B. Nicholson, 62, Possession of Firearm by felon; Child support purge.

Ricky Jordan McCall, 28, FTA-misdeemeanor x2; FTA-felony.

"These arrests are a direct result of good police work by the detectives working in our MCSO/FPD Narcotics Unit," said Macon County Sheriff Robert Holland. "They were following up on information they received during another ongoing drug investigation."

The investigation remains ongoing.



# ...JUSTICE continued from page 1

2022.

"It's unfortunate that we're in this position and that no conciliatory efforts have been made on behalf of the Town. Simply put, this is a matter of due process – we truly believe the law is on our side and that justice will prevail, said Kristy Jones Favalli, a member of the Save Highlands group."

The lawsuit contends that the Town of Highlands has allowed vacation rentals for decades and has permitted many property owners to make substantial investments based on that policy.

To protect property rights and the economic welfare of the community, Save Highlands is seeking declaratory relief from the Court to prevent the Town of Highlands from discriminating against property owners' ability to use their property as they see fit, while providing favorable treatment to other property owners. They do not seek monetary damages from the Town of Highlands, reads the filing.

The crux of the lawsuit is that "without public notice ... the Town Board of Commissioners on August 24, 2021, by a 'consensus vote' of 4-1, re-interpreted the Town's Unified Development Ordinance to prohibit 'short-term vacation

rentals" in the residentially zoned districts of the Town and ordered the Town to engage in punitive enforcement action against residential property owners starting January 3, 2022.

"This 'vote' was illegal. The Board of Commissioners lacked any authority to make such a decision and the Town violated the unambiguous state and federal constitutional and statutory rights of the Town's residents, not to mention its own UDO. The Board of Commissioners' interpretation of the UDO was legally incorrect and so vague that it left citizens wondering how the Town defines 'short-term rentals' and whether or not they are in the Town's crosshairs. This action primarily seeks to enjoin the Town from its illegal actions and restore the Town's firmly established position that vacation rentals are allowed in the residentially zoned districts of Highlands.

Specifically the Plaintiffs (members of Save Highlands) are entering an order awarding Plaintiffs the declaratory relief demanded herein; enter the injunctive relief demanded herein; enter an order rendering null and void the Town's vote on August 24, 2021, and letter posted on September 6, 2021, and to vacate the same; award dam-

•See JUSTICE page 27

## BRING BACK

# Eric — ★ — PIERSON

## TOWN BOARD

### Experience When We Need It

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## EARLY VOTE NOW!

## www.PatTaylorForMayor.com

# MAYOR TAYLOR HAS BEEN AN ACTIVE PART OF THE HIGHLANDS COMMUNITY FOR 22 YEARS.



From controlling trucks on the gorge road, to fishing, running, creating, and contributing, Pat loves working, living, and being an active part of the Highlands community.

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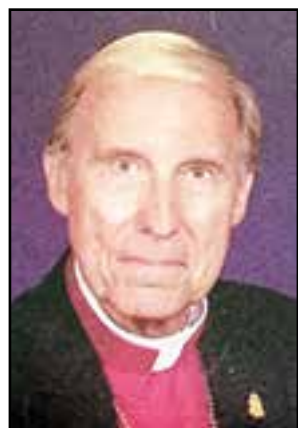
**"I would appreciate your vote in this important election."** *Pat*

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## Is it really worth it?

Archbishop John Erbeling

As we live through our modern times which bring us periods of endless challenge and at times discomfort, do we ever review the daily news and utter these words: "Is it really worth it?"

It seems that Daniel Webster wrestled with the same question when in an address titled "On the Flag and the Eagle" given in 1874, he expressed this thought: "How much is all this worth?" Maybe it's time we asked ourselves the same question.

How much is it worth to live where we wish? To work at what one wishes? To worship as one wishes? How much is it worth to have the right to live with loved ones? To listen to the laughter of children? To be unafraid of approaching footsteps?

How much is it worth to own personal property? To have personal privacy? How much is it worth to preserve human dignity? How much is it worth to choose leaders? To vote in an open and honest election? To have a voice in making and administering the laws of the land? How much is it worth to come and go, to think and speak, to read and question, to have an education offered to everyone? How much is it worth to freely express an opinion, fearlessly to move from place to place, with an openness of life, and enjoyment of the great and good earth that God has given, with peace of mind and quiet conviction?

Still blessed beyond belief, still precious beyond price, is the freedom our forebears paid for -- the freedom which is God-given, which yet, has to be everlastingly earned and deserved over and over again, and can never safely be permitted to become commonplace.

How much is all this worth? All this must be worth the willingness to work, to defend, to give allegiance, to be a loyal participating part, to live with honor, justice, and respect for law, and to keep the commandments.

Andrew Jackson, in his farewell address, left us with these great words: No free government can stand without virtue in the people and a lofty spirit of patriotism. Andrew Jackson was correct and even more correct today. Thank God for liberty and for the privilege of preserving it at any price.

Let us now hear, reflect, and act once more on Daniel Webster's address on the flag and the eagle. NEVER pull down the flag and cover the eagle.

## Proverbs 3:5

# • PLACES TO WORSHIP •

## John 3:16

### BLUE VALLEY BAPTIST CHURCH

Rev. Oliver Rice, Pastor (706) 782-3965

Sundays: School: 10 a.m., Worship: 11

Sunday night services every 2nd & 4th Sunday at 7

Wednesdays: Mid-week prayer meeting: 7 p.m.

### BUCK CREEK BAPTIST CHURCH

828-269-3546 • Rev. Jamie Passmore, Pastor

Sundays: School: 10 a.m.; Worship: 11

### CASHIERS UNITED METHODIST CHURCH

Rev. Aryn Williams-Reubel, Pastor 828-743-5298

Sundays: School at 9:30 Worship 10:30

Wednesday night Dinner and Service 5:30

### CHAPEL OF THE SKY

Sky Valley, GA • 706-746-2999

Sundays: 10 a.m.: Worship

Holy Communion 1st & 3rd Sundays

### CHRIST ANGLICAN CHURCH

828-743-1701 • 464 Hwy 64E, Cashiers, NC 28717

www.christanglicancashiers.com

Sun. - 8:30am Worship (no music); 9:30am Sunday

School; 10:30am Worship Service.

Mon. Night Bible Study & Dinner, 6pm, call for details.

### CHRIST CHURCH OF THE VALLEY, CASHIERS

Pastor Brent Metcalf • 743-5470

Sun. 10:45am, S.S 9:30am. Wed. 6pm supper and teaching.

Tues. Guys study 8am, Gals 10am.

### CHRISTIAN SCIENCE CHURCH

283 Spring Street

Sunday Service: 11 a.m.

Testimony Meeting: 5:30 p.m. on the 3rd Wed.

### CLEAR CREEK BAPTIST CHURCH

Pastor Jim Kinard

Sundays: School: 10 a.m.; Worship: 11 a.m.

1st & 3rd Sunday night Service: 7 p.m.

Wednesdays - Supper at 6 p.m.

### COMMUNITY BIBLE CHURCH

www.cbchighlands.com • 526-4685

3645 Cashiers Rd, Highlands, NC • Sr. Pastor Gary Hewins

Sun.: 9:30am - Adult Sunday School; Worship Service 10:45am;

10:45am Children's Program, Youth-12:15 - 2:30pm Tues:

Women's Bible Study 10am-noon

Thurs: Men's Bible Study 7:30-8:30 a.m.

### COMMUNITY BIBLE CHURCH OF SKY VALLEY

706.746.3144 • 696 Sky Valley Way #447

Pastor Steve Kerhoulas

Worship: Sun. 10:30 a.m. Holy Communion 2nd. Sunday

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Rev. W. Bentley Manning, Rector • 526-8152

5th and Main streets • www.incarnationwnc.org

Sunday Services in the Chapel:

Rite I, 8a; with choir; 9:30a; with choir, 11a.

### FIRST BAPTIST CHURCH HIGHLANDS

828-526-4153 • www.fbchighlands.org

Dr. Mark Ford, Pastor • 220 Main Street, Highlands

Sun.: Worship 10:45 am; Sun.: Bible Study 9:30 am

Wed.: Men's Bible Study 8:30 am; Choir 5p; Prayer Mtg 6:15p

### FIRST PRESBYTERIAN CHURCH

Curtis Fussell & Emily Wilmarth, pastors

828-526-3175 • fpchighlands.org

Sun.: Adult Ed.: 10 a.m.; Worship 11 a.m.

Tues: Men's Group 10 a.m. Wed: Bell Choir 4 p.m., Choir: 6p

### GOLDMINE BAPTIST CHURCH

(Off Franklin/Highlands Rd)

Sunday School: 10 am, Worship Service: 11 am

### GRACE COMMUNITY CHURCH OF CASHIERS

Non-Denominational-Contemporary Worship

242 Hwy 107N. 1/4 miles from Crossroads in Cashiers

www.gracecashiers.com • Pastor Steve Doerter 743-9814

Services: Sundays 10am - Wed. - 7pm; Dinner - Wed. 6pm

### HAMBURG BAPTIST CHURCH

Hwy 107N. • Glenville, NC • 743-2729 • Nathan Johnson

Sunday: School 9:45a, Worship 11a & 7p, Bible Study 6p

Wed. Kidsquest 6p.; Worship 7p.

### HIGHLANDS ASSEMBLY OF GOD

Randy Reed, Pastor 828-421-9172 • 165 S. Sixth Street

Wed. Bible Study: 6 p.m.; Sundays: Worship: 11

### HIGHLANDS CENTRAL BAPTIST CHURCH

Pastor Dan Robinson • 11339 Buck Creek Road

The Highlands Central Baptist Church is temporarily

sharing the facilities of the Shortoff Baptist Church.

Sunday Evening Worship 5PM 1st and 2nd Sundays

### HIGHLANDS UNITED METHODIST CHURCH

Rev. Dr. Randy Lucas, Pastor 526-3376

In-Person and live-streamed Worship Services

909 Bluegrass and 10:50 Traditional

www.highlandsmethodist.org

### HOLY FAMILY LUTHERAN CHURCH: ELCA

Rev. Angie Ballard • 2152 Dillard Road • 526-9741

Worship/Communion: 10:30 All are welcome.

We wear masks and social distance.

### MACEDONIA BAPTIST CHURCH

8 miles south of Highlands on N.C. 28 S in Satolah

Pastor Zane Talley

Sundays: School: 10 a.m.; Worship: 11, Choir: 6 p.m.

Wed: Bible Study and Youth Mtg.: 7 p.m.

### MOUNTAIN SYNAGOGUE

Franklin • 828-634-1312

Services 2x/month May-Sept.; 1x/month Cct. -April

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743-2583 • Independent Bible Church

Sun: 10:30 a.m. at Big Ridge Baptist Church,

4224 Big Ridge Road (4.5 miles from NC 107)

Weds: Bible Study 6:30 p.m.; Youth Group 6 p.m.

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CATHOLIC CHURCH

Rev. Fr. Jason K. Barone - 526-2418

Mass: Wed. noon (Latin), Thurs. noon, Fri. 9a; Sat. 4p; Sun., 11a

### SCALY MOUNTAIN BAPTIST CHURCH

Rev. Marty Kilby

Sundays: School - 10 a.m.; Worship - 11 a.m. & 7

Wednesdays: Prayer Mtg.: 7 p.m.

### SCALY MOUNTAIN CHURCH OF GOD

290 Buck Knob Road; Pastor Donald G. Bates • 526-3212

Sun.: School: 10 a.m.; Worship: 10:45 a.m.; Worship: 6 p.m.

### SHORTOFF BAPTIST CHURCH

Pastor Rev. Andy Cloer

Sundays: School: 10 a.m.; Worship: 11 a.m.

Wednesdays: Prayer & Bible Study: 6 p.m.

### ST. JUDE'S CATHOLIC CHURCH

Mass: Tues. noon (Latin), Thurs. 9a.; Fri., noon; Sat. 5:30p; Sun. 9a

### THE CHURCH OF THE GOOD SHEPHERD

1448 Highway 107 S., Office: • 743-2359 • Rev. Rob Wood

June-Sept: Sunday Services: Rite I, 8a, Rite II, 9:15 & 11a

Nursery available for Rite II services

Sept 6-Oct 25- Informal Evening Eucharist- 5:30 p.m.

Thursday: Noon Healing Service with Eucharist.

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Sunday Worship - 11 a.m.

### WHITESIDE PRESBYTERIAN CHURCH

Rev. Sam Forrester/Cashiers

Sunday School: 10 am, Worship Service: 11 am



# • POLICE & FIRE REPORTS •

Highlands Police entries from May 28. Only the names of persons arrested, issued a Class-3 misdemeanor or public officials have been used.

## May 28

• At 5:16 p.m., officers received a report of violation of local ordinances and failure to pay a ticket at a location on Oak Street.

## Oct. 4

• At noon, officers received a report of a violation of local ordinances and nonpayment of an ordinance ticket at a location on Main Street.

• At 3:20 p.m., officers received a report of violation of local ordinances and nonpayment of ticket at a location on Oak Street.

• At 8:10 p.m., officers responded to a one-car accident on Azalea Circle.

## Oct. 8

• At 5:16 p.m., officers responded to a two-vehicle accident on US 64 west.

• At 7 p.m., officers received a call about a burglary/breaking & entering at an apartment on Main Street. About \$9,500 worth of jewelry was taken.

## Oct. 9

• At 4 p.m. officers responded to a two-vehicle accident on NC 28 south.

## Oct. 10

• At 11:49 a.m., Christopher Scott Flowers, 36, of Highlands, was arrested for child abuse, driving left of center and aggressive driving. He was issued a \$1,500 secured bond. His trial date is Dec. 9.

• At 11:27 a.m., officers received a call about someone in possession of drug paraphernalia and child abuse at a location on Laurel Street.

• At noon, Hannah Logan Rose Krumholtz, 29, of Highlands, was arrested for possession of drug paraphernalia, possession of marijuana paraphernalia and resisting arrest.

## Oct. 12

• At 3:27 p.m., officers responded to a two-vehicle accident on Helen's Barn Ave.

• At 3:33 p.m., officers received a call of a

shoplifting incident at Potpourri on Main Street where several jewelry items were taken

## Oct. 13

• At 9:15 p.m., Jose Luis Damian Gonzalez, 39, of Highlands, was arrested for simple assault. He was issued a \$2,500 unsecured bond. His trial date is Nov. 18.

## Oct. 16

• At 8:25 p.m., officers received a call about a simple assault at a restaurant on Main Street.

**The Highlands Fire & Rescue log from Oct. 12.**

## Oct. 12

• At 11:26 a.m., the dept. responded to a fire alarm at a residence on Ravenel Ridge Road.

• At 2:44 p.m., the dept. responded to a fire alarm at a residence on Horse Cove Road.

• At 1:03 p.m., the dept. was called on a special assignment on NC. 106.

• At 5:07 p.m., the dept. responded to a motor vehicle accident on US 64 east.

## Oct. 14

• At 4:31 p.m., the dept. was first-responders to a location on Main Street.

• At 9:53 p.m., the dept. was first-responders to a residence on Poplar Street.

• At 10:18 p.m., the dept. was first-responders to a location on Carolina Way.

## Oct. 15

• At 10:47 a.m., the dept. was first-responders to a location on Spring Street.

• At 1:03 p.m., the dept. provided public assistance to at a residence on Hawks Nest Lane.

## Oct. 16

• At 9:17 a.m., the dept. responded to a fires alarm at a residence on Skyline Lodge Road.

• At 10:51 a.m., the dept. provided public assistance at a location on Valhalla Road.

• At 7:17 p.m., the dept. responded to a fire alarm at a residence on Holt Road.

• At 10:15 p.m., the dept. was first-responders to a residence on Ravenel Ridge Road.

## ...JUSTICE continued from page 25

ages to Plaintiffs in an amount in excess of \$25,000; award reasonable attorneys' fees and costs to Plaintiffs pursuant to 42 U.S.C. § 1988 and N.C. Gen. Stat. § 6-21.7; and for such other or further relief as this court shall deem just and appropriate.

Meanwhile, following the Town's August decision to ban vacation rentals in R1, both the H-C Board of Realtors (HCBOR) and the NC Board of Realtors (NCBOR) support the grassroots efforts of the Save Highlands Committee to protect homeowners' property rights.

"We have believed from the beginning that this issue is a matter of due process and through our pursuit of fair and equal justice," said Favalli. "We are pleased that discussions are currently underway and we are hopeful for a quick resolution that is amenable for all sides. We thank the

Highlands-Cashiers and the North Carolina Board of Realtors for their support."

According to Mayor Pat Taylor, the town was served with the lawsuit's civil summons that was filed in Macon County Wednesday, Oct. 13.

"The town received at the beginning of this week a complete and official copy of the lawsuit from the attorneys who filed the action," said Mayor said. "The town's legal team is in the preliminary stages of reviewing the lawsuit."

Taylor said the Town Attorney, Jay Coward, will brief and advise the Town Board at the board meeting on Thursday night, October 21.

To read the legal filing in its entirety, visit [www.savehighlands.net](http://www.savehighlands.net)

— Kim Lewicki

# Our Freedom is UNDER ATTACK!

YOU ARE INVITED

COME JOIN US AS WE

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for Our Nation  
and God's Will  
for America

*"If my people,  
which are called  
by my name, shall  
humble themselves,  
and pray, and seek  
my face, and turn  
from their wicked ways;  
then will I hear from  
heaven, and will  
forgive their sin,  
and will heal  
their land."*

— 2 Chronicles 7:14



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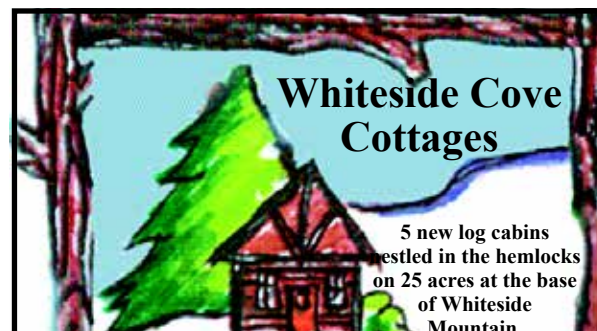
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**CLASSIC 1966 FORD MUSTANG GT CONVERTIBLE**, excellent condition. \$38,000, Serious inquiries **ONLY!!** Call: 941.920.6016 (st. 10/14)

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**HIGHLANDER MOUNTAIN HOUSE** hiring a **LEAD BARTENDER**. Looking for a bartender who is passionate about hospitality and all things beverage. Someone who loves to take ownership of their role, has a strong work ethic and wants to grow with a company that is doing great things in Highlands. Competitive pay, flexible schedule and great environment. Applicants please email [trg@highlandermountainhouse.com](mailto:trg@highlandermountainhouse.com) (st. 10/14)

**THE HIGHLANDS RECREATION DEPARTMENT** is looking for an Ice Skating Rink Attendant and life guards. The Ice Skating Rink Attendant is responsible for opening and closing the ice rink and providing good customer service. Life Guard training will be provided for anyone 15 or older. Flexible hours available, may include after school and weekends. Application packets will be available at the Highlands Rec Center, the Highlands Pool or online at <http://highlandsn.org>. The Town of Highlands is an Equal Opportunity Employer. Retirees welcomed! (9/16-10/7)

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• See CLASSIFIEDS page 30

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# • CLASSIFIEDS •

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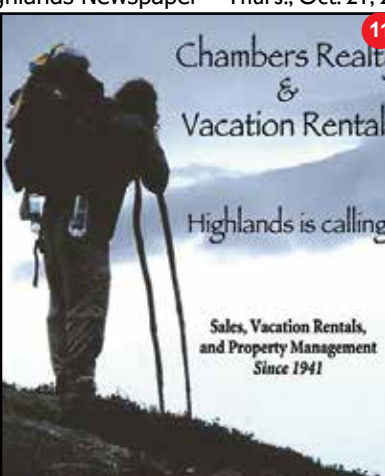
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**Julie Osborn**  
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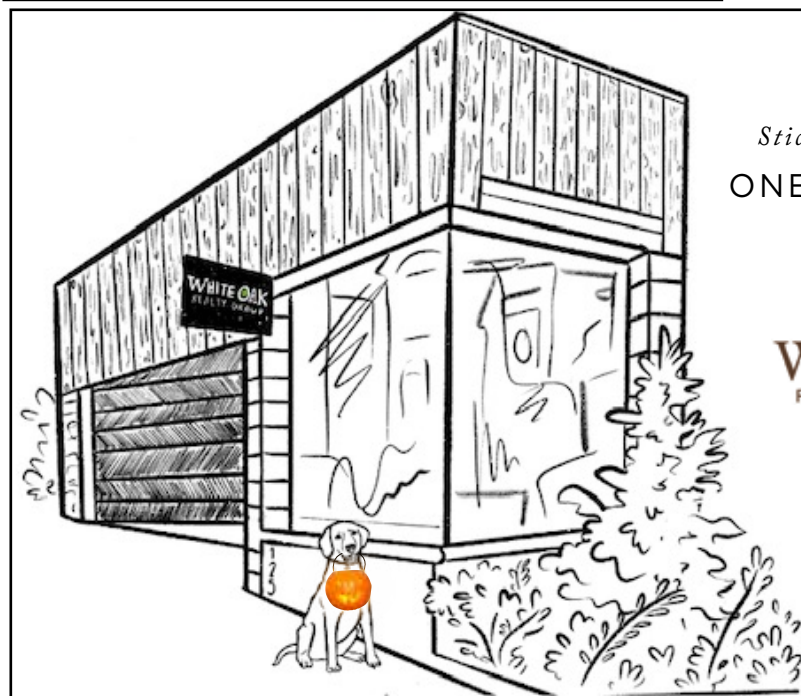


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