

REGULAR BOARD MEETING of July 5, 2000, with Mayor Buck Trott and Commissioners Amy Patterson, Zeke Sossomon, H. N. James, Mike Cavender, and Ron Sanders present.

Also present were Richard Betz, Lamar Nix, Maureen Lackey, Selwyn Chalker, Jerry Cook, Alan Marsh, Rick Siegel, Hank Ross, and Kim LeWicki.

I. Call to Order.

The Mayor called the Regular Board Meeting to order at 7:00 p.m.

II. Approval of Agenda.

Copies of the agenda had been distributed by mail. The Clerk asked that three items be added to the agenda: (1) address to the Board by Rick Siegel, (2) personnel matter relating to Deputy Clerk Connie Sparacino turning in her notice of resignation, and (3) annual certification of fireman. Comm. James asked that the matter of a wall on Third Street also be added to the agenda.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO APPROVE THE AGENDA AS AMENDED. The Mayor suggested that the Board hear Mr. Siegel as the first item of New Business.

III. Approval of Minutes.

Copies of the minutes of the June 14 Regular Board Meeting and the June 28 Budget Hearing and Special Board Meeting had been distributed.

Comm. James said that he would prefer that the salary increases, listed under item 7 of New Business in the June 28 Special Board Meeting, show the previous grade and step.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES AS DISTRIBUTED.

IV. Reports.

1. The Mayor thanked Selwyn Chalker and Jerry Cook for the smooth Fourth of July celebration the preceding day. He also reported that D. O. T. officials, Forest Service officials, and County Commissioners would be meeting at 10:00 a.m. on July 11 in the Conference Room to discuss the Gorge Road; any Commissioners were welcome to attend.

2. Comm. James reported that the Hospital Planning Committee had met on June 26. He had understood that the Clerk would be preparing minutes of the meeting and distributing them.

3. Each Board member had received the Public Services Administrator's written report for the month. Lamar Nix was present and reviewed the report with the Board; he said that the Spring Street paving/sidewalk project was now complete, as was the paving contract for the year. He also reported that he had contacted Duke/Nantahala and Robbie Reid concerning the right-of-way on Arnold Road for the project he had outlined at the June 7 meeting, and both parties had indicated that there would be no problem. He also said that he had looked into drainage problems downstream of where the D. O. T. had recently cleared a ditch behind the Episcopal Church; he asked to meet with the Street Committee, and Comms. Cavender and Sossomon agreed to meet at the Town Hall to discuss the problems at 8:30 a.m. on July 11.

Comm. Sanders asked if it was the Town's responsibility to mow the grass along West Main Street. Mr. Nix said he understood this was the responsibility of the property owner, although he occasionally used community service workers for that purpose.

4. Each Board member had received the Police Chief's written report for the month. Jerry Cook was present and reviewed the report with the Board.

5. Each Board member had received a copy of the Recreation Director's report for the month. Selwyn Chalker was present and reviewed the report with the Board. He also reported that the Recreation Committee had met, but had nothing to report.

6. Each Board member had received a copy of the Town Planner/ Zoning Administrator's report for the month. Maureen Lackey was present and reviewed the report with the Board. She also reported that she had issued a Watershed Protection Permit to Robbie Reid for the construction of a large covered dock, discussed at the June 7 meeting as part of the discussion on Boat Permits. The Town Administrator added that staff had been talking with Harold Saylor, Regional Engineer with the Public Water Supply Section, about the dock; Mr. Saylor did not feel that the activities proposed on the dock were permissible recreational activities under the Town's Reservoir Recreation Plan and Lake Ordinance. He said that staff would be bringing proposed amendments of the Lake Ordinance, limiting size and identifying activities on such docks, for the Board to review.

Hank Ross was present and said that many other docks, including covered docks, were already on Lake Sequoyah.

Comm. Cavender said that he felt the Town ought to declare a moratorium on the construction of docks until the Board had the opportunity to review the proposed amendments to the Lake Ordinance.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO DECLARE A MORATORIUM ON THE CONSTRUCTION OF NEW DOCKS ON LAKE SEQUOYAH PENDING REVIEW OF THE LAKE ORDINANCE.

7. Each Board member had received a copy of the Treasurer's Report for the month.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO ACCEPT THE TREASURER'S REPORT.

8. The Town Administrator reported that 16 applications had been filed for temporary exemption from the Parking Ordinance, pursuant to Board action of June 14. He asked the Board when this matter should be placed on the agenda, as the Parking Committee would be meeting on July 10; the Board agreed by consensus to place it on the agenda of the August 2 meeting.

He also asked about the matter of approval of the lease amounts for wireless communications antennas, as discussed at the June 28 Special Board Meeting; the moratorium on wireless communication facilities was scheduled to expire on July 17.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO EXTEND THE MORATORIUM UNTIL THE END OF JULY. The Board agreed to place this item on the agenda of the July 19 meeting.

The Town administrator also reported that the survey had been completed for the land exchange with the U. S. Forest Service, and the final 45-day appeal period had begun. He also reported that \$36,000 had been received in contributions to the Bowery Road Escrow Fund.

Comm. James felt that a time limit should be placed on the accumulation of funds in this account. Comm. Cavender agreed, and suggested one year. The Board agreed to ask the Town Attorney what would be involved in setting such a time limit under the Escrow Agreement.

V. Old Business. None.

VI. New Business.

1. Rick Siegel was present, and said that he had attended the recent Appearance Commission meeting concerning a proposed car wash. He felt that aesthetics should not be limited to what a project looked like, but should also include factors such as sound and smell. Comm. Sossomon pointed out that those were issues that the Zoning Board would be addressing. Maureen Lackey confirmed that the Zoning Board would look at the recommendations of the Appearance Commission as well as other issues such as impact on the environment.

2. Each Board member had received a copy of the Macon County Solid Waste Management Plan Three-Year Update and a resolution adopting the update.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO ADOPT THE FOLLOWING RESOLUTION:

A RESOLUTION APPROVING
THE MACON COUNTY SOLID WASTE MANAGEMENT PLAN UPDATE

WHEREAS, G. S. §130A-309.09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a ten-year Comprehensive Solid Waste Management Plan, and to update said plan every three years; and

WHEREAS, the Town of Highlands adopted a resolution on June 18, 1997, approving the ten-year Macon County Comprehensive Solid Waste Management Plan, and is now required to update said plan; and

WHEREAS, Macon County has prepared an update to said plan, based on information provided by the Town of Highlands, and the Board of Commissioners has had the opportunity to review it.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Town of Highlands hereby approves the three-year update to the Macon County Comprehensive Solid Waste Management Plan.

3. Each Board member had received a copy of a draft letter written by the Town Administrator to Edwin Schaeffer, President of the Highlands Mountain Club. Richard Betz reviewed the main points of the letter, which outlined the West Shore Lake Sequoyah Sewer Project and its timetable and encouraged the Mountain Club to connect to the sewer when the project was complete, since Lake Sequoyah had been classified as a reservoir, the State had indicated that it would be required to connect when the NPDES permit expired in 2002, and the project included a gravity line from the Mountain Club's package plant to the new pump station to be constructed on Arnold Road. He reminded the Board that it had discussed the issue of connecting this and the S. B. Association Plant at the October 6, 1999 Board meeting, but the issue of the Board's policy on connection fees had not been resolved. Mr. Schaeffer had indicated that the Mountain Club was willing to connect, but did not want to pay the connection fees until it was absolutely necessary.

After considerable discussion, the Board agreed by consensus that the full connection fees must be paid by all users of the sewer, including those served by the Mountain Club and S. B. Association systems. Comm. Cavender commented that connection fees might very well increase between now and 2002; he pointed out that nobody else got a break on connection fees. Comms. Patterson and James agreed.

Comm. James felt that, although the plans for the project included the gravity line to the Mountain Club's plant, this portion of the project should not be constructed unless they were willing to connect when the project was completed; only the pressure line from the

Wastewater Treatment Plant to the pump station on Arnold Road and the pump station itself should be constructed in such a case. The Board agreed by consensus.

4. Each Board member had received a letter of resignation from the Planning Board and Appearance Commission from Dennis DeWolf.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO ACCEPT THE RESIGNATION WITH REGRET. The Board agreed to place appointing a new member on the agenda of the July 19 meeting.

5. Each Board member received a copy of a statewide Mutual Aid Agreement drafted by the League of Municipalities. The Town Administrator reported that nearly all of the municipalities in the state had adopted it because it would facilitate receipt of FEMA funds in the event of a natural disaster. He asked the Board to review it before the next meeting.

6. MOVED BY COMM. SOSSOMON, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO APPROVE THE ANNUAL CERTIFICATION OF FIREMEN.

7. Comm. James reported that a stone wall being constructed by John Lupoli on Third Street and Spring Street was within the Town right-of-way; he felt that a revocable license agreement should be required for the wall.

MOVED BY COMM. JAMES, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO PROCEED WITH EXECUTING A REVOCABLE LICENSE AGREEMENT BETWEEN THE TOWN AND MR. LUPOLI FOR THE STONE WALL.

8. MOVED BY COMM. CAVENDER, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION TO DISCUSS A SCHOLARSHIP AWARD PURSUANT TO G. S. §143-318.11(A)(2) AND A PERSONNEL MATTER PURSUANT TO G. S. §143-318.11(A)(6). All present left the meeting room except the Town Administrator.

A. The Board discussed a letter Jack Calloway for the Scholarship Committee, asking the Board to consider increasing the amount of a scholarship award. The Board agreed to ask Mr. Calloway to come to the next Board meeting and discuss the matter.

B. The Board discussed the resignation of Connie Sparacino as Deputy Clerk.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO GO INTO OPEN SESSION.

9. MOVED BY COMM. SANDERS, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO ACCEPT THE RESIGNATION OF CONNIE SPARACINO AND ADVERTISE FOR THE POSITION OF DEPUTY CLERK AND BILLING CLERK.

VII. The Board agreed by consensus to adjourn.

There being no further business to come before the Board, the meeting was declared adjourned by the Mayor at 8:25 p.m.

Richard Betz, Town Clerk