

REGULAR BOARD MEETING of May 17, 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, Kim Lewicki, Rosemary Fleming, Sabrina Hawkins, Richard Rhodes, Terry Stenzel, Sharon Archer, and several others.

I. Call to Order.

Mayor Trott called the meeting to order at 7:00 p.m.

II. Approval of Agenda.

Copies of the agenda had been distributed by mail.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO APPROVE THE AGENDA AS DISTRIBUTED.

III. Approval of Minutes.

The minutes of the May 3 Board meeting had been distributed by mail.

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

IV. Reports.

1. The Mayor commended the Public Works Department on their repair of a leak in North Fourth Street earlier in the week.

He also reported that he had received numerous complaints about bears inside the Town limits; he said he had contacted wildlife officials, but had been told that they would not relocate them.

2. The Town Administrator reported that during the past week the Town had received \$12,000 in additional donations to the Bowery Road Escrow fund, bringing the total to date to \$16,000.

He also distributed copies of the proposed bill designating a 7.5-mile section of the Cullasaja River a scenic river, including the language added by the Environmental Review Commission reported at the previous meeting, and a copy of a letter from the Macon County Board of Commissioners opposing the designation.

He also distributed the long-awaited letter stating that Lake Sequoyah had been designated a Class I Reservoir, and said that boat permits would be prepared and rules would be posted at the access points as soon as possible.

Also distributed were: a letter from Forrest Westall, Water Quality Regional Supervisor, certifying compliance of the S. B. Association sewer collection system and authorizing issuance of Certificates of Occupancy; a letter from Dennis DeWolf; and a letter from Thomas Bayless.

The Town Administrator also reported that he had been subpoenaed in a lawsuit between Margaret O'Donnell and Carbone Construction regarding the sidewalk to the Post Office.

V. Old Business.

1. The Town Administrator reported that he understood all of the paving had been done in Bob Morris's Satulah Vista subdivision, but the plat had not yet been prepared; he had placed approval on the agenda of the June 7 Board meeting.

2. Each Board member had received a table showing the lease amounts recommended by MetroSite Management for both existing sites and new antennas, as discussed for many months. The Town Administrator reported that the moratorium on wireless communication facilities was scheduled to expire this day. Upon approval of the lease amounts, the wireless communication amendments to the Zoning Ordinance could be adopted and leases reviewed earlier by the Town Attorney could be negotiated with the existing lessees.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. PATTERSON, TO APPROVE THE RECOMMENDATIONS.

The Board discussed the amounts recommended for some time. Comm. Sanders thought they seemed a little high. Comm. James agreed; he asked Richard Rhodes, who was present, what he thought, and Mr. Rhodes agreed that \$2400 per year seemed a little high for his single antenna.

Comm. Patterson said that she had no way of knowing whether the amounts were comparable or not. The Town Administrator said that he understood the amounts were based on comparable amounts for leases on similar sites around the State. Comm. Sossomon asked if MetroSite could provide documentation showing how they had arrived at the recommended amounts. Terry Stenzel provided some information about the WHLC antenna on Upper Brushy Face.

Comm. Cavender then withdrew his motion. MOVED BY COMM. SANDERS, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO REQUEST DOCUMENTATION FROM METROSITE ON THE RECOMMENDED AMOUNTS.

MOVED BY COMM. SANDERS, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO EXTEND THE MORATORIUM ON WIRELESS COMMUNICATION ANOTHER THIRTY (30) DAYS.

## VI. New Business.

1. Each Board member had forwarded nominations to the Clerk for appointments to the Zoning Board, Planning Board, Appearance Commission, ABC Board, Scholarship Committee, Advisory Committee for Scholarship Endowment Fund, and Cemetery Committee; the nominations had been tabulated by the Clerk.

Comm. Cavender asked why some members of the Planning Board lived outside of Town. The Clerk replied that the policy was a long-standing one reflecting the contribution of residents outside of Town but still in the "planning area," as well as an interest in ETJ in the past; at one time, the Board had considered appointing members only from within Town, but in 1998 it had opted instead to appoint a separate Appearance Commission from Town residents. The Mayor felt that people in the "fringe areas" ought to have input.

Comm. James felt that the Board should clarify whether the policy meant that citizens part-way through their terms would be entitled to two additional full terms or not.

MOVED BY COMM. JAMES, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO APPOINT MORRIS WILLIAMS TO THE ZONING BOARD.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO APPOINT TOM CLARK AS AN ALTERNATE MEMBER OF THE ZONING BOARD TO FILL MR. WILLIAMS'S UNEXPIRED TERM.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO RE-APPOINT MIKE MCCALL TO THE PLANNING BOARD.

MOVED BY COMM. JAMES, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO RE-APPOINT DAVE CLARY TO THE PLANNING BOARD.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO APPOINT LEWIS DOGGETT TO THE PLANNING BOARD.

MOVED BY COMM. JAMES, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY

CARRIED TO RE-APPOINT MIKE MCCALL, JOHN DOTSON, AND HANK ROSS TO THE APPEARANCE COMMISSION.

MOVED BY COMM. JAMES, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO RE-APPOINT GEORGIA SANDERS TO THE ABC BOARD.

MOVED BY COMM. SANDERS, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO RE-APPOINT JACK CALLOWAY TO THE SCHOLARSHIP COMMITTEE.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO RE-APPOINT FRANK MONTGOMERY, DAVE CASHION, AND JIM GRAHAM TO THE ADVISORY COMMITTEE FOR THE SCHOLARSHIP ENDOWMENT FUND.

MOVED BY COMM. JAMES, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO RE-APPOINT MILDRED WILSON TO THE CEMETERY COMMITTEE.

2. This was the time and place for receiving paving bids pursuant to advertisement. The following bids were opened:

- HMC Paving & Construction Co. Inc.....\$179,768.60
- Rhodes Brothers Paving.....127,565.07
- APAC Carolina Inc., Asheville Division.....114,150.42

The Board agreed for the Town Engineer to analyze the bids while the meeting continued. Several minutes later, Mr. Nix reported that APAC Carolina had the lowest per-unit price. He also reported that, if Keener Road (\$13,844.18) was deleted from the list, the total amount to be funded would be as follows:

- Bowery Road: from Water Fund.....19,950.00
- Spring Street: from Tax Revenues.....18,041.70
- Balance: from Capital Outlay Streets.....\$62,674.54

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO AWARD THE BID TO APAC CAROLINA, BUT TO DELETE KEENER ROAD FROM THE LIST, AND TO FUND AS SHOWN ABOVE.

3. MOVED BY COMM. PATTERSON, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO SELL THE FOLLOWING SURPLUS VEHICLES:

<u>Vehicle</u>	<u>Minimum Bid</u>
• 1995 Ford Crown Victoria police car	\$ 500
• 1986 Ford F-700 garbage truck	1,000
• 1989 Dodge Dakota pickup truck	1,000

4. Each Board member had received a petition for re-zoning for a 0.49-acre tract owned by Brett & Katherine Lamb on NC-106 across from Old Creek Lodge. Mitch Gurganis was present and said that the property, containing a 3-bedroom house, was now for sale and the desire was to use it for retail. He felt that, with the construction of the new Highlands Paint & Decorating building and the Larry Guido shopping center on NC-106, commercial development was "going that way," and he thought the property better fit B-3 zoning than R-1 zoning.

Comm. James remembered that a request for re-zoning the Roth property, of which this was a part, had been denied in the past.

MOVED BY COMM. SANDERS TO SEND THE REQUEST TO THE PLANNING BOARD FOR A RECOMMENDATION.

There was no second to the motion, and the Mayor declared the petition denied.

5. The Board considered budget requests from the Macon County Humane Society (\$30,000), the Hudson Library Inc. (\$12,000), and the Highlands Historical Society Inc. (\$10,000).

Sharon Archer was present representing the Humane Society. She said that the shelter had handled 1800 animals last year, providing a service not provided by the County. Her statistics indicated that one-third of the pets came from Highlands, one-third from Franklin,

and one-third from Macon County; the Society was therefore requesting \$30,000 from each. The Board asked Ms. Archer several detailed questions about the budget she had submitted with the request. She was also asked to clarify what "Highlands" meant, and she said it included all of the Highlands Township; several Commissioners then pointed out that the Town of Highlands was only a part of Highlands Township. Comm. Patterson said that Highlands residents paid twice through Macon County and Town taxes. Comm. James said he felt this should be a County function. Ms. Archer offered to obtain a map of the Town and break down the number of pets to determine how many came from within the Town itself. Several other people were present from the Humane Society and spoke in favor of the request.

The Treasurer then briefly reviewed the major components of the proposed FY 00-01 budget which he had discussed with the Finance Committee on May 9, including capital projects. He also reported that, in analyzing the revenues of the various departments, he projected that Sanitation Department expenditures would exceed revenues due to the expected landfill fees for household garbage, a \$40,000 truck, and an extra employee; he anticipated needing to increase solid waste fees accordingly.

After additional discussion, the Board agreed to schedule a Special Meeting to present the budget at 7:30 p.m. on May 31.

9. MOVED BY COMM. SOSSOMON, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION TO REVIEW APPLICATIONS FOR EMPLOYMENT IN THE TOWN OFFICE, THE STREET DEPARTMENT, AND THE TRIMMING DEPARTMENT, PURSUANT TO G. S. §143-318.11(A)(6); TO DISCUSS PROPERTY ACQUISITION PURSUANT TO G. S. §143-319.11(A)(5); AND TO DISCUSS SCHOLARSHIP AWARDS PURSUANT TO G. S. §143-319.11(A)(2).

- A. The Clerk reported that no applications had been received for the Town Office summer employee.
- B. The Board reviewed applications for Street Department with Public Services Administrator Lamar Nix. Mr. Nix recommended employing Jonathan Shaheen in the position, provided he complete his CDL test.
- C. The Board discussed property acquisition.
- D. The Board reviewed the recommendations of the Scholarship Committee for 70 scholarships totaling \$33,150. The Board also discussed disbursement of the funds to students and colleges jointly.

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

10. MOVED BY COMM. SOSSOMON, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO EMPLOY JONATHAN SHAHEEN IN THE STREET DEPARTMENT AT A SALARY OF 9-1 (\$17,585).

11. MOVED BY COMM. SOSSOMON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO AWARD SCHOLARSHIPS AS RECOMMENDED BY THE SCHOLARSHIP COMMITTEE, AND ALSO TO DISBURSE FUNDS IN FUTURE TO STUDENTS AND COLLEGES JOINTLY.

VII. MOVED BY COMM. SOSSOMON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO ADJOURN.

There being no further business to come before the Board, the meeting was declared adjourned by the Mayor at 9:30 p.m.

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Richard Betz, Town Clerk