

REGULAR BOARD MEETING of November 3, 2004, with Mayor Buck Trott and Commissioners Amy Patterson, Hank Ross, H. N. James, Alan Marsh, and Dennis DeWolf present.

Also present were Richard Betz, Lamar Nix, Larry Gantenbein, Selwyn Chalker, Kim Lewicki, Jerry Cook, and others [portion deleted erroneously from electronic copy].

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 Town Administrator reported that the FY 03-04 audit had been completed and that Martin Starnes would be able to present it formally at the next meeting rather than this meeting. He also requested that the Board discuss a Police Department personnel matter in the closed session already scheduled.

MOVED BY COMM. MARSH, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO APPROVE THE AGENDA AS AMENDED.

III. Approval of Minutes.

Copies of the minutes of the October 20 Regular Board Meeting had been distributed by mail.

MOVED BY COMM. MARSH, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES AS DISTRIBUTED.

IV. Reports.

1. The Mayor thanked all of the officials who had worked on the election the previous day.

2. Comm. DeWolf said that the Committee working on the Town Hall architectural study had met with Town Hall employees, and had also received comments from the Town Administrator and Town Engineer; he distributed information gathered to date, and said that he planned to have a follow-up meeting. The Board also discussed whether or not to proceed with a topographical survey, at an estimated cost of \$2000 to \$4000, for the present Town Hall site, but agreed to have Comm. DeWolf examine information already on file before proceeding with the survey.

3. The Town Administrator said that he had discussed the Ordinance Closing 4½ Street with the Town Attorney.

4. Each Board member had received a copy of the Public Services Administrator's written report for the month; Lamar Nix was present to review the report.

5. Each Board member had received a copy of the Police Chief's written report for the month; Jerry Cook was present to review the report. Chief Cook said that he appreciated all of the volunteers who had assisted with the Trick or Treat event.

6. Each Board member had received a copy of the Recreation Director's report for the month; Selwyn Chalker was present to review the report. Mr. Chalker said that he had attended a meeting to begin developing a County Master Recreation and Park Plan; the Plan had originated in the Vision 2025 meetings, and would be required for future grant funds. The next meeting was scheduled for December.

7. Each Board member had received a copy of the Town Planner/ Zoning

Administrator's report for the month; Larry Gantenbein was present to review the report. He said that the Land Use Planning Committee had scheduled a meeting for 3:00 p.m. on November 8 at the Civic Center to review residential and commercial growth in Highlands on a decade-by-decade basis beginning with the 1960s. The Mayor, Board of Commissioners, and several other participants were invited to attend and participate in the meeting.

8. Each Board member had received a copy of the Treasurer's Report for the month. The Treasurer reported that the audit had been completed and would be presented at the next meeting; the new GASB-34 requirements had been incorporated into the audit. The ABC audit had also been completed and was available for any Board member who wanted a copy.

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

9. The Town Administrator requested that the Public Works Committee schedule a meeting to discuss several requests for sewer service, a 15-minute parking space on Main Street at the Old Edwards Inn, and street trash cans. The Committee agreed to meet at 8:30 a.m. on November 10 to discuss these matters.

He also reported that he had learned that additional funding would be available from FEMA for Hurricane Frances and Hurricane Ivan; the total to be reimbursed would be \$162,438.

The Board identified some possible times and dates during the week of November 15 to meet with the County Commissioners to further discuss the Water/Sewer Reserve Fund; the Town Administrator agreed to contact the County Manager and finalize a time and date and then inform Board members and the Press.

#### V. Old Business.

1. The Board discussed the permit issued at previous meetings for use of Town right-of-way for construction by Old Edwards Inn Inc. Comm. James pointed out that parking was not as much of a problem this time of year and he did not think the Board needed to review this item every meeting.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO APPROVE CONTINUATION OF THE PERMIT ISSUED AT THE PREVIOUS MEETING UNTIL DECEMBER 1.

The Board also discussed the permit issued at previous meetings for use of Fifth Street in front of the Highlander Newspaper building.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. ROSS, AND UNANIMOUSLY CARRIED TO APPROVE CONTINUATION OF THE PERMIT UNTIL DECEMBER 1.

#### VI. New Business.

1. Pursuant to advertisement, the following informal bids had been received for two surplus Town vehicles:

<u>1984 International Line Truck - Electric - Minimum Bid \$2,000</u>	
• Topline Grading & Trucking.....	\$6,150
• J & J Welding.....	2,854
• Cana Motors.....	2,741
<u>1988 Ford F-250 Service Truck - Street - Minimum Bid \$500</u>	
• Topline Grading & Trucking.....	\$1,250
• Milton Green.....	565
• Fred Munger.....	650
• Cana Motors.....	560

MOVED BY COMM. PATTERSON, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO SELL BOTH SURPLUS VEHICLES TO THE HIGHEST BIDDER, TOPLINE GRADING & TRUCKING.

2. Each Board member had received a copy of an Ordinance Closing 4½ Street, as discussed at the previous meeting, drafted by the Town Administrator and reviewed by the Town Attorney.

Larry Rogers was present and said that he could not understand why the street could not be opened, considering how much money had been spent on it; it was like purchasing a new car and not putting gas in the engine. He asked how it could legally be closed since it belonged to the public. He also thought that in the future this same thing could happen again.

Comm. Ross said that he felt the money that had been spent had been to defend every right-of-way the Town owns, not just this area.

Rick Siegel said that the only purpose served at this time in not closing the street was to open up this residential neighborhood to commercial traffic; he felt the issue was about maintaining the neighborhood.

Comm. James pointed out that Mr. Siegel had made the same statement at previous meetings, yet he himself operated a commercial hotel right in the middle of a residential neighborhood.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. DEWOLF, AND CARRIED TO ADOPT THE FOLLOWING ORDINANCE. Comms. Patterson, DeWolf, Ross, and Marsh voted "aye." Comm. James voted "nay," adding that he agreed with the comments made by John Cleaveland at the previous meeting and Larry Rogers at this meeting:

"Section 7-70. Streets temporarily closed to through traffic.

Those streets and parts of streets listed in the traffic schedule maintained in the office of the clerk are declared to be streets which are temporarily closed to through traffic, except for use by emergency vehicles. Such streets are closed to through traffic on a temporary basis only and have not been abandoned, and the Town reserves the right to open them to the general public when it deems it to be in the public interest."

Add to the Traffic Schedule:

"Streets temporarily closed to through traffic:

The following streets are temporarily closed to through traffic, except for use by emergency vehicles:

The southern portion of Four-and-a-Half Street south of Poplar Street and north of Hickory Street.

3. Comm. DeWolf asked the Board to be thinking about the possibility of recognizing those who served on Town Boards and Committees with an annual dinner.

4. Comm. Patterson asked about the recent correspondence received by each Board member concerning silt in Big Creek; it was agreed by consensus that this item would be discussed at the next meeting.

5. MOVED BY COMM. PATTERSON, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION PURSUANT TO G. S. §143-318.11(A)(6) TO DISCUSS A POLICE PERSONNEL MATTER AND TO REVIEW APPLICATIONS FOR EMPLOYMENT FOR A GIS/FIELD TECHNICIAN. All present left the room except the Clerk, the Police Chief, and the Public Services Administrator.

A. Jerry Cook informed the Board that he would be placing

Police Lieutenant James McCall on administrative leave for 28 days pending his application for disability retirement. He then left the room.

- B. The Board reviewed an application from Matt Shuler for the position of GIS/Field Technician with the Town Administrator and Public Services Administrator.

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

6. MOVED BY COMM. PATTERSON, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO TRANSFER MATT SHULER FROM THE TRIMMING CREW TO THE GIS/FIELD TECHNICIAN POSITION ON A 6-MONTH PROBATIONARY BASIS AT A SALARY OF 15-7 (\$33,042).

MOVED BY COMM. PATTERSON, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO ADVERTISE FOR EMPLOYEES IN THE TRIMMING CREW.

VII. MOVED BY COMM. PATTERSON 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