

PUBLIC HEARING and REGULAR BOARD MEETING of January 17, 2007, held at the Highlands Civic Center, with Mayor Don Mullen and Commissioners Alan Marsh, Amy Patterson, Hank Ross, H. N. James, and Dennis DeWolf present.

Also present were Richard Betz, Lamar Nix, Bill Harrell, Sonjia Stewart, Kim Lewicki, Jim Lewicki, Linsey Wisdom, Geoff Slade, Ginger Slaughter, John Henry, William & Mary Anne Creswell, Mike Bryson, Tony Chambers, Griffin Bell, Hillrie Quin, Eric NeSmith, Pat Taylor, Alice Nelson, Jeffrey Zahner, Eva Orazi, Jack Gillfillan, Dale Sticka, Larry Rogers, Christopher Potts, and many others.

A. PUBLIC HEARING.

The Mayor called the Public Hearing to order at 7:00 p.m. and stated that the purpose was to hear comments from the public on (1) a proposed map of several ETJ areas and (2) a petition for re-zoning from Philip Whitaker. He asked the Town Administrator and Interim Zoning Administrator to review the map, and he did so, identifying several parcels erroneously identified on the map at the previous meeting and clarified by the Planning Board in a Special Meeting on January 15:

- Two lots shown on NC-106, owned by Sherry Dorn Lynn and Ruth Dobbs Anthony, erroneously identified on the map as B-5; these lots had already been zoned R-4 on October 25.
- Several lots in the vicinity of Skyline Lodge, erroneously identified on the map as B-5, while the Lodge itself was identified as R-1; the intent of the Planning Board had been exactly the opposite.
- Three lots at the intersection of Hicks Road and Zachary Road, owned by Mountain Moorings Homeowners Association, identified as R-3; the intent of the Planning Board had been that the Mountain Moorings lot be zoned R-3, and the other two lots R-1.

He said that the Planning Board had recommended moving forward with the zoning tonight, but was still discussing uses in the R-1 portion of the ETJ which they were terming "home-based businesses;" this might lead to an eventual recommendation that a new R-5 zoning district be drafted in these areas.

The Planning Board had received correspondence from Robert Nass and Dale Sticka objecting to the zoning and had forwarded these to the Board for review.

The Interim Zoning Administrator also entered into the record of the meeting letters received from Robert Nass/Skyline Lodge, Dale Sticka, Rick Rawlins and Erin Bronk, William and Mary Ann Creswell, Patrick & Liz View, Robert & Glenda Zahner, and Bill Coffeen.

The Mayor then opened the public hearing to comments from the public.

Larry Rogers spoke in opposition to the zoning; he said he had bought his property 14 years ago for commercial use and wanted to be able to continue that use.

Dale Sticka spoke in opposition; he had bought 23 acres to be used for agricultural and livestock and wanted to build a small shed or barn, which he understood would not be permitted in a residential district without a house.

Jack Gillfillan asked about the purpose of the hearing and was told that it was to extend zoning, not annexation.

Eva Orazi spoke in opposition, saying she wanted her property on Billy Cabin Road to remain in its unaltered state.

Christopher Potts asked about property on US-64, and was told that it had already been zoned.

An unidentified woman asked about her two homes in the ETJ, and was told that the zoning would not interfere with her ability to continue to rent one of the houses.

The Mayor then asked for comments on a petition for re-zoning from Philip Whitaker. It was reported that the Planning Board had recommended approving the request. There were no comments on this petition for re-zoning.

There being no further comments, the Mayor closed the Public Hearing at 7:20 p.m.

B. REGULAR BOARD MEETING.

I. Call to Order.

The Mayor called the Regular Board Meeting to order at 7:20 p.m.

II. Approval of Agenda.

Copies of the agenda had been distributed by mail. The Town Administrator asked that the Fire Department Annual Report be added to the agenda.

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

III. Approval of Minutes.

Copies of the minutes of the January 3 Regular Board Meeting had been distributed by mail.

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

Copies of the minutes of the January 9 Emergency Board Meeting had been distributed by mail.

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

IV. Reports.

1. The Mayor reported that the task force he had appointed to look into affordable housing had met and was off to a good start; they would begin by assessing the needs of the community. He also reported again that he would be attending a one-day Institute of Government workshop in Asheville, Working for Results as a Board, on March 1.

2. The Town Administrator reported that the Public Works Committee had met earlier in the day to discuss several items. The Committee recommended asking the DOT to proceed with plans to fund a sidewalk and curb & gutter along the south side of Chestnut Street from Fourth to Sixth; they would be looking at two different concepts for the parking, diagonal with a sidewalk at the right-of-way line, and parallel adjacent to the street. The Town Engineer and Comm. Ross also discussed with the Committee installing granite rip-rap, a culvert, and grass along Joel Crook's property; Mr. Crook had been contacted later in the day. The Draft Stormwater Master Plan had been reviewed and comments forwarded to McGill; the item was on the February 7 agenda. Later in the morning, the same Committee had met with Chris Stahl, Macon County Solid Waste Coordinator, to discuss the transfer station situation; a recommendation was deferred until the Board could meet with the County Commissioners in a joint meeting. Comms. Ross and DeWolf had also identified another architect with whom the Board could discuss a Town Hall Architectural Study at the next meeting. A recommendation had been made to re-scheduled the February 21 Regular Board Meeting

to February 28 since the Mayor and several Commissioners would be out of Town, and the architect could attend that meeting. The Board agreed by consensus to re-schedule the February 21 meeting.

3. The Town Administrator reported that the Town's request for permission to locate a historic "Bug Hill" cottage on the Recreation Park property had been denied. He said that the Recreation Director would meet with the Grants Manager to discuss the denial, and Comm. DeWolf said he would re-visit the possibility of locating the cottage on the Historic Village property, although it had been understood that that property already had its maximum built-upon.

He also reported that he had learned that a permit had been issued for a \$250,000 addition to the Town's Performing Arts Center property; the plans were scheduled to be reviewed by the Appearance Commission on January 22 and construction had been stopped in the meantime. Approval by the Board was required by the lease agreement. Comm. Patterson explained that the addition of 16 X 24 to the rear of the building was for dressing rooms and bathrooms, the contractor was David Warth, and the Performing Arts Center Board was funding the construction.

MOVED BY COMM. ROSS, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO APPROVE THE ADDITION. Comm. James said that he was not sure the Town was doing the project correctly.

V. New Business.

1. A public hearing had been held at the beginning of the meeting to hear comments from the public on a proposed map of several ETJ areas, and the Board discussed it at some length. Comm. Marsh made a motion to pull out the properties which had been erroneously shown on the map, as well as those identified in written letters and public comments at the meeting. The motion was not seconded and did not carry. Comm. Patterson said she felt the Board needed to review the map further, taking the comments received into consideration. Comm. Ross agreed; he did not think the Board should approve it in a piecemeal fashion. After some discussion, the Board agreed by consensus to hold a Special Meeting to consider this matter at 7:00 p.m. the following Wednesday, January 24, in the Conference Room of the Town Hall.

2. A public hearing had been held at the beginning of the meeting to hear comments on a petition for re-zoning from Philip Whitaker, from R-4 to B-5. Comm. Marsh expressed a desire that the two lots be re-combined and the small building on the commercial portion torn down.

MOVED BY COMM. JAMES, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO APPROVE THE PETITION FOR RE-ZONING, FROM R-4 TO B-5 FOR THE ENTIRE PROPERTY.

3. Informal sealed bids had been opened and tabulated earlier in the day for a dump truck and a garbage truck, as follows:

Dump Truck:

- Carolina International Trucks \$60,520.23
- Carolina International Trucks [Did not meet specs] 39,500.00

Garbage Truck:

- Nu-Life \$92,635.00
- McNeilus 98,343.00
- Amick 101,716.23
- Carolina Environmental 104,134.00
- Carolina Environmental 107,607.00

The Public Services Administrator had reviewed the bids and recommended the low bid that met specifications.

MOVED BY COMM. JAMES, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO ACCEPT THE RECOMMENDATION.

4. Hillrie Quin gave a power-point presentation on financing options for the Greenways Trail project, including bonds, budget, impact fees, or special tax. The funds would be used to acquire property or easements, match state and general grants, construct trail sections, and maintain trails. The Committee recommended delaying consideration of bonds until a section of the Greenway was complete, to consider a special tax related to growth in the future, and to delay consideration of an impact fee. For now, they recommended that the Town consider budgeting \$300,000 from Recreation Department funds in FY 07-08, with funds expended by the Board and replaced in subsequent years. The Board agreed by consensus to consider the request at Budget time.

5. Each Board member received a copy of the Fire Department's Annual Report.

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

6. MOVED BY COMM. MARSH, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION PURSUANT TO G. S. §143-318.11(A)(6) TO DISCUSS PERSONNEL MATTERS. All present left the room except the Town Administrator, the Police Chief, and the Town Engineer.

A. The Board reviewed with the Police Chief an application for employment in the Police Department from Tim Fish.

B. The Town Engineer reported that David Webb was retiring with disability and that Mike Houston had submitted his resignation as Wastewater Treatment Plant ORC.

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

7. MOVED BY COMM. PATTERSON, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO ADVERTIZE FOR A GRADE III WASTEWATER TREATMENT PLANT OPERATOR AND A MEMBER OF THE TRIMMING CREW.

8. MOVED BY COMM. PATTERSON, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO EMPLOY TIM FISH AS PATROL OFFICER AT A BEGINNING SALARY OF 12-4 (\$28,069).

VI. The Board agreed by consensus to adjourn.

There being no further business to come before the Board, the meeting was declared by the Mayor to be adjourned at 8:30 p.m.

Richard Betz, Town Clerk