

REGULAR BOARD MEETING of April 9, 1997, with Mayor John Cleaveland and Commissioners H. N. James, Mike McCall, Ron Sanders, and Zeke Sossomon present.

Also present were Richard Betz, Lamar Nix, Selwyn Chalker, E. H. Madden, Jerry Cook, Buck Trott, Bronce Pesterfield, David Hourdequin, Georgia Allen, Pat Griffin, Lance Hollars, and Alan Marsh.

I. Mayor Cleaveland called the meeting to order at 7:00 p.m. He reported that Comm. Calloway had been unable to attend the meeting due to a funeral

II. The minutes of the March 19 Regular Board Meeting and the March 26 Special Board Meeting had been distributed by mail.

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

III. Reports.

1. The Mayor reported that E. H. Madden Jr. had accepted the offer of employment made pursuant to the March 26 meeting for the position of Town Planner/Zoning Administrator. Mr. Madden was present, and the Mayor welcomed him on behalf of the Board.

2. The Mayor reported that the Town Board had received a letter dated April 7 from Fred H. Jones, President of Macon County Habitat for Humanity, thanking the Town for its support of the program in Highlands.

3. The Mayor reported that he had spoken with Rep. James Carpenter concerning the Town's Room Occupancy Tax bill, and had learned that it had been approved by the Local Government II Committee today; he understood it would be considered by the Finance Committee next week. He said that he would be out of Town next week, and suggested that another Board member should be prepared to go to Raleigh to support the bill if necessary.

4. The Mayor and Comm. Sanders had had the opportunity to inspect the 20' X 50' area staked out by the Public Works Director for Fibber Magee's Closet next to the Highlands Emergency Council building on Poplar Street, as discussed at the previous meeting. The Mayor said that he had no objections to providing this site for a building under a ten-year lease arrangement similar to that with the Emergency Council. He understood that the Episcopal Church would continue to permit the organization to use its building on Main Street this season, but a new building would be constructed next year. The building would be a two-story structure adjoining the Emergency Council building to the west.

MOVED BY COMM. SANDERS, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO PROCEED WITH ENTERING INTO A TEN-YEAR LEASE AGREEMENT BETWEEN THE TOWN AND FIBBER MAGEE'S CLOSET FOR LAND ON POPLAR STREET ADJACENT TO THE HIGHLANDS EMERGENCY COUNCIL BUILDING IN ORDER FOR A NEW BUILDING TO BE CONSTRUCTED

5. Public Works Director Lamar Nix reported on routine maintenance in the Electric, Street, and Water departments. He reported that both the water line and the electric line had nearly been completed to serve the Macon County Habitat for Humanity lots on Big Bearpen Mountain off Upper Lake Road. He also reported that the bucket truck had been received from Utility Supply and Equipment Company, and the company had done an excellent job. The old truck had been purchased by the company for \$1279.

Mr. Nix reviewed street paving needs, including two projects—Satulah Road and Worley Road from NC-28 to the Worley property, and Oak Street from US-64 to Third Street—which had been deducted from the bids last year due to insufficient funds in the budget, and also Lucerne Drive on Holt Knob, the subject of several requests from

residents this past year. He thought that the bids might exceed the \$75,000 budgeted for FY 96-97, but pointed out that the Satulah Road portion could be reduced if necessary. He also reviewed sidewalk replacement needs, including concrete sidewalks along US-64 from Pine Street to Spruce Street, and brick sidewalks along US-64 from Oak Street to Pine Street and in front of the Methodist Church and Masonic Lodge. He hoped to be able to receive bids on street paving, and obtain estimates on the sidewalks, by the next regular Board meeting. The Board authorized him to proceed in obtaining bids.

He also distributed copies of a preliminary cost update of the Bowery Road Water System dated April 4, prepared by W. K. Dickson Company.

The Board agreed to place this matter on the agenda next month after the Finance Committee had begun to meet on the budget.

6. Police Chief Jerry Cook gave an oral report on Police Department activities for the month of March. The Mayor said that he was concerned about the amount of litter along streets in Town, and he had asked the Police Department to start ticketing those responsible. He felt the Town could no longer allow this problem to continue, and he hoped that the newspaper would give some publicity to the crackdown on litter.

5. Recreation Director Selwyn Chalker distributed copies of the proposed list of Summer Staff for the Recreation Department for 1997, as follows:

- Sara Lindsay—Director of Swimming Pool.
- Tish Lindsay—Head Lifeguard.
- Matthew Sullivan, Steven Selenty, Holly Routh, Jimmy Baty, and Francie Montgomery—Lifeguards.
- Tammy McCall and Marla Getford—Rec Camp Leaders.
- Kim Ammons, Marc Fatigati, Matthew Franklin, Kim Ramey, Amanda Neighbarger, & Rebecca Houston—Rec Camp staff.

Mr. Chalker also said that the Recreation Department had adopted a policy not to accept children in the Rec Camp program unless all their fees were paid from the previous year. The Board agreed that Rec Camp fees should be collected on a weekly basis. Comm. McCall asked if the program was breaking even, and Mr. Chalker said that it basically was paying for itself. He also reported that the area representative for the P.A.R.T.F. grant application had visited the site. In other matters, twenty young people were participating in Ed Sullivan's weight-training program, the light pole had been replaced in the rear parking lot, and the swimming pool had been inspected.

MOVED BY COMM. SANDERS, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO APPROVE THE PROPOSED SUMMER STAFF.

8. Each Board member had received a copy of the Zoning Administrator's report for the month of March, prepared by Acting Zoning Administrator Richard Betz.

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

MOVED BY COMM. JAMES, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO APPROVE THE TREASURER'S REPORT AND ACCOUNTS PAYABLE FOR THE MONTH.

10. The Clerk reported that he had received a letter dated March 25 from Frieda Bennett, resigning from the Planning Board.

He also reported that new tax bills needed to be ordered, and if the Board had no objection he proposed sending Town tax bills on postcards this year, as the County had for a number of years. The savings would be more than \$1000 on the bills themselves, and almost \$400 on postage. The Board had no objection.

#### IV. Old Business.

1. Each Board member had received a copy of a letter from Martha Reese objecting to the proposed Mutual Aid Agreement between the Highlands Police Department and the Macon County Sheriff's Department, as discussed at the past several Board meetings. The Mayor pointed out that an editorial had also recently appeared in The Highlander opposing the policy. He felt that, although the hospital should provide its own security, the Town should still proceed with the agreement which had been drafted. The best solution, however, would be a Sheriff's Deputy permanently stationed in the Highlands area; Comm. James agreed, and felt this should be pursued with the County Commissioners.

The Police Chief said that the Town had always had an open door policy whereby help would be provided in the County in an emergency if an officer was available; this policy would spell that out in writing, protecting the Town by clarifying each party's responsibilities and liabilities. Not many requests for aid had been received from the hospital, and he said that the Town would only respond if two officers were on duty. If the policy was abused, it could be terminated.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO APPROVE THE MUTUAL AID AGREEMENT BETWEEN THE TOWN OF HIGHLANDS POLICE DEPARTMENT AND THE MACON COUNTY SHERIFF'S DEPARTMENT, INCLUDING THE CHANGES RECOMMENDED BY TOWN ATTORNEY BILL COWARD AT THE PREVIOUS MEETING. It was also agreed that the County Commissioners would be asked to consider providing a permanent Deputy in the Highlands area.

2. Buck Trott was again present on behalf of the Little Tennessee River Basin Committee to discuss the request made at the March 19 Board meeting for a \$1000 commitment for three years to fund an education coordinator.

The Mayor pointed out that the Town had had little success with the EPA responding to local units of government; the Town had in been attempting to meet with that organization since September without success, although they seemed willing to meet with organizations like Save Our Rivers Inc. He said that it bothered him letting someone in the door who might not be responsive to local governments.

Mr. Trott replied that the EPA had met with the Mirror Lake Improvement Association, and he pointed out that the position would be limited to education, not enforcement.

Comm. James asked how the request fit Town policy. The Clerk reviewed Town policy adopted in May of 1994 which limited donations to certain charitable organizations. He said that the rule of thumb was whether an expenditure was used for a "public purpose," and he felt that the Town could probably fund an educational position like this if it so desired. Comm. Sossomon offered to review the policy, and the Board postponed action on the request.

#### V. New Business.

1. Bids had been received on a 1997 Ford F-150 4 X 4 truck for this date, and had been opened by the Clerk and the Public Works Director at 4:00 p.m. They were as follows:

• Jim Brown Chrysler Plymouth Dodge Inc.	\$17,100.00
• Ken Wilson Ford Inc.	16,952.30
• Matthews Ford Inc.	16,856.00
• Edwards Auto Sales Co.	17,400.00
• Duvall Ford Company Inc.	19,069.00

MOVED BY COMM. SANDERS, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO AWARD THE BID TO MATTHEWS FORD INC., THE LOW BIDDER.

2. Bronze Pesterfield from W. K. Dickson Company and David

Hourdequin were present on behalf of Bob Morris to present a request for two variances for a proposed subdivision on Satulah Mountain.

The Clerk reported that the request had been reviewed by the Planning Board at their March 24 meeting, and according to the Chairman that Board had not objected. A letter had been distributed to all Planning Board members by Lamar Nix last week, but the preliminary plat had not yet been submitted for approval.

Mr. Pesterfield explained that the first request was a variance from the road width requirement of 18 feet. He said that the existing gravel road was only 12 feet in width, and the roadway width of the road varied from 8½ feet to 16 feet on Satulah Road and Worley road below the subdivision. He felt that the situation was a unique one, because there was a rock face on the upper side of the road and several trees acting as a natural buffer on the lower side of the road. The road would be private, and would have a low traffic count, with the six-lot Hobson Subdivision being the only property at the end of the road; those property owners had not been contacted.

The second request was a variance from the bulb-type cul-de-sac requirement, substituting a T-type cul-de-sac, an alternative permitted by D.O.T. specifications according to Mr. Pesterfield. He said that the cul-de-sac dimensions had been laid out in the Recreation Park parking lot, and the turning radius was adequate for a Town garbage truck. David Hourdequin pointed out that the steepness of the terrain would require huge cuts and fills, as well as the removal of trees, for the bulb-type cul-de-sac.

Public Works Director Lamar Nix said he had no problem with the cul-de-sac; it provided an adequate turning radius, and was probably a better solution. The road width issue was a decision the Board would have to make. Comm. Sossomon asked why this subdivision was different from Ravenel Ridge. Mr. Hourdequin said that he thought there were unique circumstances, including the existing road, the issue of environmental sensitivity and the desire to preserve natural beauty, the density of the lots, and the short roadway on the secondary road.

Comm. James said he had no problem with a road width variance on the secondary road, but he was concerned about less than an 18-foot roadway for the main road. The Board also agreed, by consensus, that it did not object to the cul-de-sac alternative. The Board agreed for the Street Committee to review the site and see how feasible it would be to widen the road, and report back at the next Board meeting.

3. The Mayor reported that he would be out of Town next week.

MOVED BY COMM. JAMES, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO RE-SCHEDULED THE APRIL 16 REGULAR BOARD MEETING TO APRIL 23.

4. Comm. James and Comm. McCall agreed for the Finance Committee to meet with the Clerk on April 30 to begin discussing the FY 97-98 budget, at a time to be announced later.

5. The Clerk reported that the Town's permit for the Cullasaja River Wastewater Treatment Plant was scheduled to expire in October, and the renewal application was required to be submitted six months in advance. The Public Works Director had prepared the application and would be submitting it before the deadline at the end of the month.

MOVED BY COMM. JAMES, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO PROCEED WITH RENEWAL OF THE PERMIT.

6. MOVED BY COMM. SOSSOMON, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO ADOPT THE FOLLOWING RESOLUTION:

#### TOWN OF HIGHLANDS RESOLUTION

**APPALACHIAN REGIONAL COMMISSION/RURAL DEVELOPMENT  
GRANT APPLICATIONS FOR THE  
MAIN STREET SEWER IMPROVEMENTS**

**WHEREAS,** The Board of Commissioners of Highlands has determined that the Main Street sewer system (between Fourth and Third Street) is in need of replacement and the construction of a storm drain is necessary to reduce inflow and infiltration of excess water into the sewer system during periods of heavy rain, and

**WHEREAS,** The Board of Commissioners has determined that the excess of inflow and infiltration to the sewer system is having an adverse impact on growth within the Town limits and reducing the inflow and infiltration will enhance economic development and aid in the creation of jobs, and

**WHEREAS,** The Board of Commissioners has determined that the Town does not have adequate resources available to defray the entire costs associated with the required sewer line replacement and construction of a storm drain system, and

**WHEREAS,** The Board has determined to seek \$200,000 in supplemental grant funding from the Appalachian Regional Commission (ARC) to be administered by the United States Department of Agriculture - Rural Development for the above stated purpose.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Town of Highlands that:

Grant applications shall be prepared for the above stated purpose. These applications shall be submitted to the Appalachian Regional Commission and Rural Development. The Mayor, John W. Cleaveland and any successor thereto, is authorized by the Board to sign the applications and to accept or affirm any grant award that may result from these applications.

Further, the Town of Highlands will provide non-federal funds in the amount of \$336,895 that will be used to match the \$200,000 ARC grant for a total estimated project cost of \$536,895.

**ADOPTED BY THE TOWN OF HIGHLANDS BOARD OF COMMISSIONERS** on this the 9th day of April, 1997.

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John W. Cleaveland, Mayor

Attest: \_\_\_\_\_

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7. Lance Hollars was present with a Landscape Proposal from Group One for re-planting and maintaining Town landscape areas for a total of \$4000. He said that the proposal this year included several flower beds which the Garden Club could no longer maintain along Oak Street between the Town Hall and the Highlands Playhouse, as discussed at the October 2, 1996 Board meeting. The proposal also reflected the need for additional mulch at the Recreation Park, and an increase in labor costs from \$10 to \$12/hour.

Mr. Hollars also discussed several ideas for improving the landscape areas in the future and encouraging more citizen participation, including the additional of birdhouses or other amenities. The Mayor said that several people had approached him asking if the Town would accept the donation of a tree. The Board agreed that such a program would be worthwhile, and felt that a policy needed to be developed.

MOVED BY COMM. JAMES, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO ACCEPT THE LANDSCAPING PROPOSAL.

8. The Mayor asked the Board to consider designating May 1, 1997, as a National Day of Prayer, as approved in past years.

MOVED BY COMM. SANDERS, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO ADOPT THE FOLLOWING RESOLUTION:

**RESOLUTION PROCLAIMING  
NATIONAL DAY OF PRAYER IN HIGHLANDS**

**WHEREAS**, the history of our Nation is indelibly marked with the role that prayer has played in the lives of individual Americans, and indeed the United States as a whole; and

**WHEREAS**, our greatest leaders have always turned to prayer in times of crisis; and

**WHEREAS**, we acknowledge that prayer is a deeply personal experience—the way in which it finds expression depends on our individual dispositions as well as on our religious convictions; and

**WHEREAS**, the virtues of prayer have a common bond—our hope and aspirations, our sorrows and fears, our deepest remorse and renewed resolve, our thanks and joyful praise, and most importantly our love—all turned toward God; and

**WHEREAS**, I join with our President and the Governors of our United States and invite all citizens of the Town of Highlands to join me in earnest prayer for our Nation, our State, and our Town.

**NOW, THEREFORE**, I, John W. Cleaveland, Mayor of the Town of Highlands, do hereby declare Thursday, May 1, 1997, as

**NATIONAL DAY OF PRAYER**

in the Town of Highlands, North Carolina, and encourage my fellow citizens to join in prayer, asking that God's light may illuminate the minds and hearts of our people and our leaders, so that we may meet the challenges that lie before us with courage and wisdom and justice.

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John W. Cleaveland, Mayor  
Town of Highlands

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9. The Clerk reported that, as in past years, it was time to designate two weeks as Spring Cleanup weeks, during which the Town would pick up "white" goods for residents and take them to the landfill.

MOVED BY COMM. JAMES, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO DESIGNATE THE WEEKS OF APRIL 28 AND MAY 26 AS SPRING CLEAN-UP WEEKS IN HIGHLANDS.

10. Pat Griffin was present, and asked the Board to consider provision of signage for some twenty merchants not located on Main Street. It was pointed out that off-premise signs were not permitted under the Zoning Ordinance, but that municipal directional signs could be erected with a general message, such as "More Shops." Comm. James suggested that a directory be installed at the Chamber of Commerce. The Board agreed to take the matter under advisement.

11. MOVED BY COMM. SANDERS, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION TO DISCUSS APPLICATIONS FOR EMPLOYMENT.

A. Public Works Director Lamar Nix reviewed an application for employment in the Street Department received from Waverly Lee Reddish; he planned to interview Mr. Reddish on Friday, and would also check his driving record and medical report. He also reported that Ben Zachary had inquired if the Town would re-employ him in the Street Department; he had told him that a Commercial Drivers License would be required before the matter could be considered.

B. The Board discussed Police Auxiliary Officers.

MOVED BY COMM. MCCALL, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO GO INTO OPEN SESSION.

12. MOVED BY COMM. SANDERS, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO EMPLOY WAVERLY LEE REDDISH IN THE STREET DEPARTMENT AT AN HOURLY WAGE OF \$6.85, CONTINGENT ON SATISFACTORY INTERVIEW AND REVIEW OF HIS APPLICATION BY THE PUBLIC WORKS DIRECTOR.

The Board also agreed to re-employ Ben Zachary if he obtains a Commercial Drivers License, contingent on Mr. Nix's approval.

13. The Board agreed to inform the Police Chief that the Board of Commissioners is to approve in advance the employment of any Police Auxiliary or part-time officers.

VI. Meeting was adjourned by common consent at approximately 9:00 p.m.

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Richard Betz, Town Clerk