

SPECIAL BOARD MEETING of May 28, 1997, with Mayor John Cleaveland and Commissioners H. N. James, Zeke Sossomon, Ron Sanders, Mike McCall, and Donnie Calloway present.

Also present were Richard Betz, Lamar Nix, Eddie Madden, Steve and Brenda Pierson, Buck Trott, Rosemary Fleming, Alan MacRae, and Curtis Hayes.

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

II. The minutes of the May 14 Regular Board Meeting and the May 21 Adjourned Session Board Meeting had been distributed by mail.

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

III. Business.

1. The Budget Officer presented copies of the proposed FY 97-98 Budget in accordance with G. S. §159-11(b) to each Board member. He then briefly reviewed the major highlights of the budget.

2. The Board agreed by consensus to hold a Budget Hearing at 7:00 p.m. on June 25.

3. Three sealed bids had been received on a Tennant Model 800-D or equivalent street sweeper, pursuant to invitation for bids. The bids were opened by the Mayor as follows:

- Tennant at Pennsauken, NJ.....\$44,166.60
- Tennant at Anaheim, CA.....44,166.60
- Tennant at Bensenville, IL.....44,166.60

MOVED BY COMM. SANDERS, SECONDED BY COMM. CALLOWAY, AND UNANIMOUSLY AGREED TO ACCEPT THE LOW BID CONTINGENT ON REVIEW BY THE PUBLIC WORKS DIRECTOR.

4. Alan MacRae was present with a conceptual drawing showing a stone wall and columns on Laurelwood Lane at the entrance to Ravenel Ridge Subdivision. The Clerk explained that Section 702.3(B) of the Zoning Ordinance permitted permanent structures within public or private rights-of-way only upon resolution of the Board of Commissioners. Mr. MacRae explained that he proposed erecting a four-foot granite wall on the cut side of the road at the entrance to the property, and two entrance columns, within the 40-foot right-of-way; the distance between the structures would be 26 feet: an 18-foot roadway, plus two 4-foot ditches. Public Works Director Lamar Nix stated that the structures would not present a problem for utilities, and it was pointed out that the road was a private one.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO APPROVE THE REQUEST FOR THE ENCROACHMENT ON THE RIGHT-OF-WAY OF LAURELWOOD LANE ON RAVENEL RIDGE PROPERTY, PROVIDED THE STRUCTURE IS INDICATED AND RECORDED ON THE FINAL SUBDIVISION PLAT, AND PROVIDED A WRITTEN AGREEMENT BETWEEN THE TOWN AND THE PROPERTY OWNER IS EXECUTED AGREEING THAT THE STRUCTURE MAY BE REMOVED UPON REQUEST, SAID AGREEMENT TO BE APPROVED BY THE TOWN ATTORNEY.

5. The Clerk reported that the Town had been informed that it was on the list to receive \$16,993 in grant money from the Parks and Recreation Trust Fund when fourth-quarter revenues have been received after July 1.

6. The Clerk reported that Mary Jellison, President of Fibber Magee's Closet, had contacted him and indicated that it did not plan to pursue the offer of constructing a building on Town property on Poplar Street, as discussed at previous meetings, due to restrictions at the site and cost of the building. She asked him to convey her appreciation to the Board for its help.

7. Zoning Administrator Eddie Madden was present, and informed the Board that he had received two requests to erect tents on commercial property in the downtown area over the Memorial Day weekend, one at the Picket Fence property and one at Wright Memorial Square. He pointed out that there was nothing specific in the Zoning Ordinance prohibiting such tents, but said that he had received several complaints; he wanted to know how the Board felt about this matter. Comm. James said that in his opinion if they were not permitted, they were prohibited. The Mayor was concerned that, if permitted, they might become a standard way to market merchandize. The consensus of the Board was that such tents were not permitted, and the Board directed the Zoning Administrator to deny future requests for such tents.

8. The Mayor reported that the power outage this morning had been caused by failure of a major transmission line from Nantahala. Comm. James felt that the Town needed a second feed from Nantahala, considering the size of the community and the amount of load. The Mayor was concerned that Nantahala was spending much of its money on transmission lines to new areas, rather than on improving service to existing areas.

9. Buck Trott was present, and reminded the Board that the Wastewater Bonds approved by the voters in 1990 had never been used. He said he would like to see those funds used to clean up leaking septic tanks around Mirror Lake. He felt that the Town should install pressure lift stations in several areas so that residents could connect to them at reasonable cost. He also said that he felt the Town had made a poor decision in not approving funds for an Environmental Education position. He cited two examples of violations of environmental laws: siltation from a building site owned by B & Z Properties on Mill Creek, at which silt fences had still not been erected; and a deck constructed without a permit at Mirror Lake Suites in violation of the Watershed Regulations. He said both incidents had been reported to the Clerk and Zoning Administrator three weeks ago.

Eddie Madden said that he had issued a notice of violation in the case of the illegal deck, with a time limit of 30 days for removal. He also said that he had informed Bob Zoellner that a silt fence would be required at his building site; he said he would follow up on the complaint first thing in the morning.

Mr. Trott then reported that both the Mirror Lake Improvement Association and the Lake Sequoyah Improvement Association had agreed to give \$100 over three years toward the Environmental Education position; the Garden Clubs were also being approached. He pointed out that the Town was part of the Little Tennessee River Basin, and he felt it was a poor decision to spend more than \$40,000 for a street sweeper, but nothing for environmental education. The Mayor replied that he was welcome to his opinion, but asked why the \$100,000 grant from TVA had not been used to fund the entire cost of the position, instead of being spent on a small stream in Franklin.

10. Comm. Sossomon asked about the effective date of the utility rate increases at the previous meeting. The Clerk reported that the Board had approved the electric rates going into effect on June 1, and water and garbage rates on July 1. Comm. Sossomon said he had received some complaints from commercial customers, including restaurants and grocery stores, concerned about the Town placing the load of the increases on a small segment of the public. Comm. James pointed out that, in previous years, the burden had been placed on residents.

IV. MOVED BY COMM. SANDERS, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO ADJOURN. Meeting was adjourned at approximately 8:00 p.m.

Richard Betz, Town Clerk