

REGULAR BOARD MEETING of November 1, 2000, with Mayor Buck Trott and Commissioners Zeke Sossomon, Amy Patterson, H. N. James, Ron Sanders, and Mike Cavender present.

Also present were Richard Betz, Lamar Nix, Maureen Lackey, Selwyn Chalker, Jerry Cook, Kim Lewicki, Bob Wright, Larry Guido, John Lupoli, Jodie Cook, David Rohrer, LaDonna Keener, Peter Reitt, Clem Patton, Rosemary Fleming, and others.

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 Clerk requested that two items be added to the agenda:

- Approval of final subdivision plat for INAGE LLC.
- Uncollectible utility accounts.

Comm. Patterson asked if there had been any objection to the subdivision plat at the Planning Board meeting, because if so she felt it should not be added to the agenda; it was reported that there had not.

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

III. Approval of Minutes.

Copies of the minutes of the October 18 Regular Board Meeting had been distributed by mail. Comm. James noted that the minutes had erroneously referred to the Utilities Committee as the Street Committee in one place, and he asked that it be corrected.

MOVED BY COMM. JAMES, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES AS CORRECTED.

IV. Reports.

1. The Mayor reported that the annual Halloween celebration on Main Street had been successful, with over 3000 people attending and no problems; he commended the Police Department, the Recreation Department, the Chamber of Commerce, and the Rotary.

2. Comm. Cavender reported that the Hospital Planning Committee had met at 8:00 a.m. to discuss transfer of ownership of the Peggy Crosby Center to the Town. Since the previous discussions, the Peggy Crosby Board of Directors had met and asked the Hospital to consider transferring ownership to that Board. He and Comm. James therefore felt that there was no longer any interest in the Town Board being involved in the discussions. He understood that the Hospital Board of Trustees and the Peggy Crosby Board of Directors would be meeting to work out the details.

There were no objections from the Board.

3. Comm. Sanders reported that the Recreation Committee had met last week.

4. The Town Administrator reported that he had received a written complaint and several verbal ones about the new stop sign at the top of the First Street hill where it intersects with Oak Street. The Board discussed this matter at some length. Police Chief Jerry Cook and Town Engineer Lamar Nix recommended installing a three-way stop sign.

MOVED BY COMM. SANDERS, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO REMOVE THE STOP SIGN AT THE TOP OF FIRST STREET, AND TO INSTALL IT ON OAK STREET GOING WEST AT THAT INTERSECTION.

Comm. James suggested that Oak Street be widened on the north side if possible.

5. Each Board member had received the Public Services Administrator's written report for the month. Lamar Nix was present and reviewed the report with the Board. He reported that water flow at the Water Treatment Plant intake was low, but it had not yet interfered with the pumping schedule.

6. Each Board member had received the Police Chief's written report for the month. Jerry Cook was present and reviewed the report with the Board.

7. Each Board member had received a copy of the Recreation Director's report for the month. Selwyn Chalker was present and reported that the Recreation Committee had met last week and discussed the playground and the chiller for the Civic Center; he would present the recommendations of the Committee at a later meeting. He also requested, on behalf of the Chamber of Commerce, that Pine Street be closed on Saturday, November 25, for the annual lighting of the Town Christmas Tree.

MOVED BY COMM. JAMES, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO APPROVE THE CLOSING OF PINE STREET.

8. Each Board member had received a copy of the Town Planner/ Zoning Administrator's report for the month. Maureen Lackey was present and reviewed the report with the Board. She explained that she had issued a Notice of Violation to Holt and Holt Excavating for sedimentation into Munger Creek at the Larry Guido project; the sediment had been cleaned out. She also reported that she had issued a Land Disturbing Permit to Dale Miller for land clearing on several lots in Sunset Hills Subdivision south of Harris Lake. She had discussed the land clearing with the Army Corps of Engineers, and was requiring the report of an environmental specialist to ascertain whether the land could be developed or whether it was wetland. She reported that she had attended an informative workshop in Fletcher by the Division of Water Quality. She also reported that the Planning Board wanted to revisit the Land Use Plan and address areas that it felt had not been updated.

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

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

10. Each Board member had received a copy of the Town Administrator's report for the month. Richard Betz distributed copies of a letter dated October 17 from D. O. T. District Engineer Brian Burch, pursuant to his earlier letter to the Division Engineer; the letter indicated that property owners on Hickory Hill Road had indicated that right-of-way would be difficult to obtain. The Board agreed to ask the D. O. T. to begin staking and attempting to acquire right-of-way. He also distributed copies of a letter from the Highlands Fire Department to the Jackson County Board of Commissioners, thanking them for a \$3000 donation, and asking that an amount equal to the fire tax from Macon County should be budgeted every year in the future. Finally, he distributed copies of an opinion filed on October 17, in which the N. C. Court of Appeals had affirmed the decision of the Macon County Superior Court, which had reversed the ruling of the Zoning Board; final legal costs from attorney J. Wiley Ellis had amounted to \$8,682.08.

Maureen Lackey reported that a Special Use Permit had been issued pursuant to the order.

V. Old Business.

1. The Board again discussed a recommendation from the Utilities Committee, recorded in the minutes of the previous meeting, concerning a proposal received on October 4 from the "106 Sewer Project Developers."

Comm. Patterson asked if it would be legal to use funds budgeted in excess of the bid amount for the Maple Street project. The Town Administrator explained that the budget would have to be amended; Comm. Sossomon agreed. Comm. Sanders reiterated his comments at the previous meeting; he felt that Town policy called for the developer funding 75% of the cost, not 25%; he cited the sewer line to Tom James's property on Main Street and First Street. Comm. Cavender felt that this was a different situation because the project was in the Capital Improvement Plan for next year. Comm. Patterson agreed; she pointed out that the line was sized so that it was large enough for a main gravity sewer line serving the entire area. Mayor Trott agreed, and pointed out that the trunk line was a part of the continual expansion of the Town's sewer collection system.

Comm. Patterson remembered that this matter had been tabled at the previous matter. MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO REMOVE THE MATTER FROM THE TABLE.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. JAMES, AND CARRIED TO ACCEPT THE RECOMMENDATION OF THE UTILITIES COMMITTEE, AS RECORDED IN THE MINUTES OF THE OCTOBER 18 MEETING, AMEND THE BUDGET TO PROVIDE FOR A NEW CAPITAL PROJECT, CREATE AN ESCROW ACCOUNT, AND ASK THE TOWN ATTORNEY TO PREPARE AN ESCROW AGREEMENT AS OUTLINED IN THE RECOMMENDATION. The motion carried, with Comms. Sossomon, James, Cavender, and Patterson voting "aye," and Comm. Sanders voting "nay." Comm. Sanders commented that he was not against the sewer, but he felt that it did not conform to Town policy.

2. The Board again reviewed a proposed map of an extra-territorial jurisdiction and a report from Maureen Lackey entitled "ETJ Staff Increase." Comm. James said that he would like to see what the County does about the proposed Impoundment Draining Ordinance and a local Soil Erosion Ordinance. Richard Betz reported that he expected to hear from the Institute of Government on the Impoundment ordinance before the next meeting, and would distribute copies of the draft ordinance at that time. Comm. Sanders agreed to wait and see what the County would do. Comm. Patterson said that she believed, according to a recent interview of candidates for County Commissioner in the newspaper, that the County was not interested in doing anything. Comm. Sossomon suggested waiting until the new County Board was elected, and then discussing the matter with them; Comm. Cavender agreed. By consensus, the Board agreed to request a joint meeting with the County Commissioners to discuss watershed issues.

3. Each Board member had received a letter dated October 31 from Victor Lofquist, summarizing W. K. Dickson Company's evaluation of the bids received at the previous meeting on the West Shore Lake Sequoyah Sewer Project. The report said that the bid documents for the low bid had been filled in with the names of Morgan Williams, Scheveling Construction Co., and J & L Specialty Equipment & Construction Company, but only Morgan Williams was licensed, and only as an individual; moreover, the bid bond did not list Morgan Williams. After consulting with Frayda Bluestein at the Institute of Government and Town Attorney Bill Coward, it appeared that the bid was therefore invalid. He recommended that the Town award the bid to the next lowest bidder, Larry Rogers Construction Company, for \$225,579.32.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO AWARD THE BID TO LARRY ROGERS CONSTRUCTION COMPANY.

VI. New Business.

1. Each Board member had received a copy of the Town audit for

FY 99-00, prepared by Lucas & Keener, PA, together with the firm's accompanying letter dated October 9. LaDonna Keener was present and briefly reviewed the audit. She said that there were no major changes this year, but she briefed the Board on upcoming Governmental Accounting Standards Board standards which would go into effect in 2003 (GASB No. 34). She said that the audit had gone smoothly this year, especially with the implementation of the new Centralized Collections System, and she complimented Town staff and said she was impressed with the way things were working. She asked Board members to call her if they had any questions concerning the audit.

The Clerk thanked Ms. Keener again for doing an outstanding job, for "going the extra mile" in providing assistance with accounting problems, and for submitting the report on time.

2. Each Board member had received a report dated October 26 from the Upper Cullasaja Watershed Association on local watershed projects. Bob Wright was present and briefly reviewed the UCWA's plans for monitoring wells in the watershed. The report requested the Board's permission to access the three Town water wells, bring in equipment to redevelop the well on Third Street and take samples for testing, and allow the USGS to place instrumentation in that well, as well as relying on the continuing technical advice and oversight of the Town Engineer.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO APPROVE THE REQUEST.

3. Preliminary and final subdivision plats for INAGE LTD. were presented for approval, involving two lots on Hickory Hill Road. Maureen Lackey reported that the Planning Board had approved the plats at their meeting of October 23.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO APPROVE THE SUBDIVISION PLATS.

4. The Clerk presented a list of uncollectible utility accounts dating back to 1991, prepared by the Billing Clerk, as follows:

<u>ACCOUNT #:</u>	<u>NAME:</u>	<u>AMOUNT DUE:</u>
# 112	MOUNTAIN GOURMET	\$1,905.29
# 934	ELIZABETH HARDY	185.62
# 1176	THE COCKY CARDINAL	719.31
# 1835	ARA KULHANJIAN	43.05
# 1866	BLOSSOMS NURSERY	167.28
# 1879	COLEMAN BEALE, JR.	151.30
# 1985	ROMAINE OWENS	269.72
# 2154	THE HIGHLANDER RESTAURANT	2,606.18
# 2166	CHAPTER 2, TOO	256.37
# 2201	BRENDA STINNETT	251.67
# 2327	HELEN C. KELLY	51.46
# 798	HIGHLANDS DAY SPA	858.57
# 2241	EST. OF WILLIAM DWYER	34.10
		<u>\$7,499.92</u>

MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO WRITE OFF THE FOREGOING ACCOUNTS.

VII. MOVED BY COMM. PATTERSON, 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 8:30 p.m.

Richard Betz, Town Clerk