

REGULAR BOARD MEETING of November 15, 2000, with Mayor Buck Trott and Commissioners Zeke Sossomon, Amy Patterson, H. N. James, and Mike Cavender present. Mayor Trott reported that Comm. Ron Sanders was absent due to illness.

Also present were Richard Betz, Lamar Nix, Bill Coward, Alan Marsh, and Kim Lewicki.

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.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO APPROVE THE AGENDA AS DISTRIBUTED.

III. Approval of Minutes.

Copies of the minutes of the November 1 Regular Board Meeting had been distributed by mail.

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

IV. Reports.

1. The Mayor reported that he had attended the Transportation Improvement Program (TIP) hearings in Sylva earlier in the day. The Cullasaja Gorge safety improvements were still funded, and in addition, two new unfunded projects were included in the TIP: Buck Creek Road improvements and NC-106 improvements.

2. Comms. Cavender and James reported that the Hospital Planning Committee had meet at 8:00 a.m. to discuss a request that the Town consider a petition for annexation from Chestnut Hills and Highlands-Cashiers Hospital. Copies of the minutes of that meeting had been distributed with the agenda, together with an analysis of revenues and expenditures prepared by the Town Administrator. The Board discussed the issue at some length.

Comm. Cavender said he understood that the hospital was concerned about finding a reliable source of water, rather than relying on wells. He asked the Town Attorney what would happen if Chestnut Hills filed for bankruptcy; what would be the Town's liability? Bill Coward explained that there would be a tax lien on the property.

Other issues discussed included the obligations to Chestnut Hills and Highlands Falls Country Club, possible funding sources for the estimated \$1.2 million water line, and the appropriate zoning district.

Comm. Sossomon summarized his understanding of Chestnut Hill's organization and ownership; the hospital owned the land, the County held a type of bond, the limited partnership owned the building, and residents owned a life interest in their units.

Comm. Patterson said that she understood the desire of the hospital to have a reliable source of water, but she wondered what the Town's interest was in providing water to Chestnut Hill, a private residential community outside the Town. She said that the Town had a finite amount of water, and she was concerned that the Town not over-extend its resources.

Comm. James said that, if the annexation was approved, he would like

to see the Town acquire the high-producing well at the hospital and incorporate it into the Town's system. He also felt that the Town should not be responsible for funding the cost of the water line.

The Mayor reminded the Board that the Upper Cullasaja Watershed Association would be sending out requests for proposals for an engineering study that would provide useful data on groundwater in the watershed; he felt that the Town should not be in a big hurry until that study was available. He also felt that the Town should consider annexation of Highlands Falls Country Club.

3. The Town Administrator reported that Recreation Director Selwyn Chalker was recovering from knee surgery. The Recreation Committee had met and discussed replacement of the chiller at the Civic Center, and had asked for informal bids; Mr. Chalker had obtained the following bids:

- Integrated Buildings Services Inc.....\$51,360
- All Temp Mechanical Inc.....59,780

Comm. Patterson reported that the Committee had recommended replacing the chiller this winter once bids had been received. The Town Administrator noted that, although it was not budgeted, the new chiller could be funded out of the Recreation Capital Reserve Fund, which had been established for this purpose several years ago and now amounted to over \$100,000.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO ACCEPT THE LOW BID FOR THE CHILLER, TO FUND IT OUT OF THE RECREATION CAPITAL RESERVE FUND, AND TO PROVIDE FUNDING NEXT YEAR TO REPLACE THE FUNDS USED.

The Town Administrator also reported that he had written to District Engineer Bryan Burch and requested that the D. O. T. begin staking and acquiring right-of-way along Hickory Hill Road.

He also reported that a joint dinner meeting had been scheduled between the Town Board and the County Board of Commissioners for Wednesday evening, December 13.

#### V. Old Business.

1. The Board again discussed a recommendation from the Utilities Committee and action of the Board at the November 1 meeting concerning the "106 Sewer Project Developers." The Town had received a letter from Lawrence Guido, John Lupoli, Finley Merry, Pat Moore, and Larry Rogers, signed by Lawrence Guido, agreeing to accept the recommendations of the Utilities Committee. The Town Administrator reported that he had talked to Bronce Pesterfield earlier in the day, and Pesterfield Engineering would be forwarding a proposal for the balance of the project. It was agreed that the proposal should break out the costs for engineering the project, including construction observation. The Board also discussed details of a proposed escrow agreement with the Town Attorney.

COMMISSIONER SOSSOMON LEFT THE MEETING IN ORDER TO ATTEND A FUNERAL.

MOVED BY COMM. JAMES, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO ASK THE TOWN ATTORNEY TO PROCEED WITH PREPARING AN ESCROW AGREEMENT.

#### VI. New Business.

1. This was the time and place advertized for bids on the sale of a surplus chipper, on second advertizement; only one bid had been received:

- C. E. Russell Inc.....\$6353

MOVED BY COMM. CAVENDER, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO SELL THE SURPLUS EQUIPMENT TO THE BIDDER.

2. The Town Administrator distributed copies of a proposed Ordinance Regulating the Draining of Impoundments, Second Draft. He said that David Owens of the Institute of Government had reviewed the First Draft of the proposed Ordinance and made some changes, which had been incorporated into the Second Draft.

Mayor Trott recommended that accidental releases be addressed, and he also thought that the word "minimize" should be replaced with "preclude" in the first paragraph. Comm. Patterson felt that beaver dams should be included. Comm. Cavender asked if those violating the ordinance could be forced to correct the damage done, and Mr. Coward suggested that an abatement provision be added to the Ordinance in addition to fines for violations.

The Board agreed to place this matter on the agenda for the next meeting.

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 8:15 p.m.

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Richard Betz, Town Clerk