

REGULAR BOARD MEETING of June 6, 2001, with Mayor Buck Trott and Commissioners Zeke Sossomon, Amy Patterson, H. N. James, Ron Sanders, and Mike Cavender present.

Also present were Richard Betz, Bill Coward, Lamar Nix, Maureen Lackey, Jerry Cook, Selwyn Chalker, Kim Lewicki, Bob Wright, Bill Hogue, Moyna Monroe, Mildred Johnson, Philip Carson, Bill Enloe, Richard Rhodes, Eric Pierson, Steve Pierson, Kim Lewicki, Morris Williams, Alan Marsh, 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 had requested that one item of new business be added: receiving bids on the Fire Department Addition; the legal notice had been published correctly, but the item had been erroneously omitted from the agenda.

Comm. James also asked that Item No. 9 under New Business, Discuss nomination of Bowery Road Historic District, be switched with Item No. 1 of Old Business, Appointments to Zoning Board, Planning Board/Appearance Commission, ABC Board, Scholarship Committee, Advisory Committee for Scholarship Endowment Fund, and Cemetery Committee.

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

III. Approval of Minutes.

Copies of the minutes of the May 16 Regular Board Meeting and the May 30 Special Board Meeting had been distributed by mail.

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

IV. Reports.

1. The Mayor reported that he would be taking a personal trip to attend a Lake Management Society meeting in Winston Salem on June 7.

2. Comm James reported that he, Comm. Sossomon, the Town Engineer, and the Town Administrator had been invited to a meeting with County, D. O. T., and Highlands-Cashiers Hospital officials and with Steve Eller from the Southwestern Commission on May 31. The meeting had been called to discuss the possibility of obtaining grant funds for funding of a proposed water line to the hospital, as discussed at previous meetings. The hospital had inquired into submitting a petition for satellite annexation; he understood annexation would be required under Town policy before providing water service. He felt that the Board should discuss this matter at the next Board meeting. By consensus, the Board agreed to do so at the June 20 meeting.

3. 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 said that the West Shore Lake Sequoyah sewer line was perhaps three weeks from going on line. The Maple Street project was moving ahead following resolution of problems with the sub-contractor; he had requested that they submit a completion schedule since the contract period was less than 28 days. Water tank rehabilitation on Big Bearpen was also nearly complete. He also said that he had met with the Cemetery Committee more than once on the idea of a columbarium, which he would discuss at the budget work session.

4. 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. Chief Cook also reported that he had observed Police Auxiliary Officer David Head for 30 days, and he had felt his job performance was satisfactory; he recommended that he be employed as a full-time Police Officer.

MOVED BY COMM. SANDERS, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO EMPLOY DAVID HEAD AS A FULL-TIME POLICE OFFICER AT A BEGINNING ANNUAL SALARY OF 11-1 (\$20,187).

5. Each Board member had received a copy of the Recreation Director's report for the month. Selwyn Chalker was present and reviewed the report with the Board. He said that the new chiller was working fine, and he commented on the rapid response time of Integrated Building Systems to a recent problem. Both pools were also operating well. With the purchase of a new mower in the budget for the coming fiscal year, he also recommended selling the old John Deere.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO SELL THE JOHN DEERE TRACTOR.

6. 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 also reported that Milt Rhodes from the Division of Water Quality had been invited to speak on water quality issues at the Conference Center at 6:00 p.m. on June 28. She also requested permission to attend a Zoning conference in New Bern July 22-25. The Board agreed to consider the request later in the meeting.

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

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

8. Each Board member had received a copy of the Town Administrator's written report for the month. He reported that he had asked Victor Lofquist to proceed with bidding the Bowery Water Project Phase II; he expected that the bid opening would be scheduled before the end of the month.

Each Board member had also received a copy of a budget request to Jay Denton, Chairman of the Jackson County Board of Commissioners, as referred to in the previous meeting. The Town Administrator understood that David Cull, Manager of the Cullasaja Club, had also sent a letter to all of Club members urging them to support the funding; he had calculated that the impact of going from a protection class 5 to 10 could mean an increase in insurance premiums of \$1650 for the average home.

He also said that he had been contacted by SpectraSite Communications concerning the pending lease with Comair, which had apparently not been executed because Comair objected to the increase in annual rent to \$4000. The consensus of the Board was that the amount of rent had been set several months ago and would not be reconsidered.

V. Old Business.

1. Each Board member had received the draft of a proposed letter from the Mayor to Jeffrey J. Crow, State Historic Preservation Officer, objecting to the nomination of the Playmore/Bowery Road Historic District. The Board reviewed the letter. Comm. James asked if the Town needed to be represented at the National Register Advisory Committee hearing in Raleigh scheduled for June 14. The Mayor said he was prepared to go to the hearing and asked Comm. James if he could accompany him; Comm. James suggested the Town Administrator accompany him.

Philip Carson was present and asked if the Board was taking the position that it opposed the nomination. Comm. James said that he was not opposed to the designation, just to the timing.

Mildred Johnson was present and asked about the reason for delaying the nomination. The Mayor explained that property owners along the road had been given a deadline by the Board of September 30 within which to raise funds for the condemnations. He felt that if the designation went through, it could tie the Town up in Court for years. He pointed out that the Town had been talking about improving the road for years.

MOVED BY COMM. JAMES, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO SEND THE LETTER AND THE MAYOR TO RALEIGH.

Comm. Cavender asked if the letter was requesting that the nomination be postponed indefinitely. The consensus of the Board was that it be postponed until the Advisory Committee's meeting of February 2002; it was agreed that the letter would be amended to reflect that date.

VI. New Business.

1. The Clerk advised that the filing period for the Town election scheduled for November 6 was scheduled for July 6 through August 3.

MOVED BY COMM. JAMES, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO SET FILING FEES AT \$10 FOR MAYOR AND \$5 FOR COMMISSIONER.

2. Only two bids--from APAC Carolina and Rhodes Brothers Paving--had been received for this year's paving. The Board agreed by consensus to re-advertize for bids for June 20.

3. Two informal bids had been received on preventive maintenance at the Highlands Civic Center:

- Building Maintenance & Controls.....\$3,980
- Integrated Building Services Inc.....1,980

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO AWARD THE CONTRACT ON PREVENTIVE MAINTENANCE TO THE LOW BIDDER.

4. Three informal bids had been received on the annual fuel contract--from D & J Express Mart, Farmer's Market, and Duncan Oil Company--and had been tabulated by the Town Administrator.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO AWARD THE CONTRACT ON FUEL TO THE LOW BIDDER, D & J EXPRESS MART.

5. MOVED BY COMM. CAVENDER, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO RENEW THE ANNUAL CONTRACT FOR CLEANING THE PUBLIC RESTROOMS WITH JOHNNY STANFIELD.

6. Two informal bids had been received on stone and sand--from Bryson's Grading & Trucking and LBM Industries--and each Board member had received a copy.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO AWARD THE CONTRACT ON STONE AND SAND TO THE LOW BIDDER, LBM INDUSTRIES.

7. The Town Administrator reported that the 5-year lease with the Highlands Chamber of Commerce for the Highlands Conference Center was due to expire on July 2. He noted that the Chamber had made many capital improvements to the building, and that they managed the facility well.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO RENEW THE LEASE FOR ANOTHER 5-YEAR TERM.

8. Each Board member had received a copy of a memorandum from the Town Administrator relating Public Water Supply Section Regional Engineer Harold Saylor's comments on the proposed amendment of the Lake Ordinance prohibiting new docks, together with a proposed draft. A letter dated May 27 from George Novak was also distributed, explaining that his boathouse needed to be repaired.

Comm. Patterson wanted to know if other materials would be allowed for reconstructing docks and boathouses, such as plastic, concrete, or PVC, that would not affect the quality of the water, and also whether pressure-treated wood and creosote would be prohibited. The Board agreed that these materials should be included. Town Attorney Bill Coward recommended that the words "or placed" should be inserted in the second sentence of paragraph (a), and Comm. James recommended replacing "along the shore of Lake Sequoyah" with "in or on Lake Sequoyah" in the same sentence.

Bill Hogue, President of the Lake Sequoyah Improvement Association (LSIA), was present. He said that he felt the action to prohibit new docks would cause distress to new property owners on the lake who would like to build them. The action seemed to be the result of a large dock constructed by Robbie Reid, which he felt was consistent in size with the size of Mr. Reid's 125-acre development. The LSIA had used that dock for meetings, and he felt that there was no reason for this decision.

MOVED TO COMM. CAVENDER, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO ADOPT THE AMENDMENT OF THE LAKE ORDINANCE, AS FOLLOWS:

AMENDMENT OF
TOWN OF HIGHLANDS
ORDINANCE REGULATING RECREATIONAL ACTIVITIES
ON LAKE SEQUOYAH
[Originally adopted on October 6, 1999]

Adopted June 6, 2001

Add the following Section 6.5-40; change numeration of existing Section 6.5-40 to 6.5-41:

Section 6.5-40. Boat docks and boat houses.

(a) The construction of boat docks and boat houses is considered to be inconsistent with allowable practices on Class I or Class II Public Water Supply Reservoirs. Structures of any kind, including new boat docks or boat houses, shall not be permitted to be constructed or placed in or on Lake Sequoyah.

(b) Boat docks and boat houses which existed at the time of the enactment of this Ordinance shall be deemed in compliance herewith, provided that no activities inconsistent with allowable practices on Class I or II Public Water Supply Reservoirs are conducted thereon. Existing boat docks and boat houses may be repaired or reconstructed to the same size provided there is no substantial disturbance of the grounds, but shall in no instance be expanded in size. No materials shall be used for repair or reconstruction that are likely to affect the purity of the water. Materials in contact with the water shall consist of untreated wood--such as cypress, cedar, redwood, or locust--and similar materials, such as plastic, concrete or PVC. Materials in contact with the water shall not consist of creosote, pressure-treated wood, and similar materials.

9. Nominations for appointments to the Zoning Board, Planning Board/Appeal Commission, ABC Board, Scholarship Committee, Advisory Committee for Scholarship Endowment Fund, and Cemetery

Committee had been tabulated by the Clerk.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO RE-APPOINT JAMES TATE AND LARRY ROGERS, AND TO APPOINT JOHN DOTSON TO THE ZONING BOARD AS REGULAR MEMBERS.

It was pointed out that John Dotson currently served on the Appearance Commission, which made recommendations to the Zoning Board; some Board members perceived this as a conflict.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO MAKE THE FOREGOING APPOINTMENT OF JOHN DOTSON TO THE ZONING BOARD CONTINGENT ON HIS RESIGNING FROM THE APPEARANCE COMMISSION.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. PATTERSON, AND CARRIED TO RE-APPOINT ERIC PIERSON AND LINDA CLARK, AND TO APPOINT HANK ROSS TO THE PLANNING BOARD. Comms. Cavender, Patterson, Sossomon, and Sanders voted "aye;" Comm. James voted "nay."

MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO RE-APPOINT ERIC PIERSON AND LINDA CLARK, AND TO APPOINT JIM GRAHAM AND ANN BAIRD TO THE APPEARANCE COMMISSION.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO RE-APPOINT GEORGE SCHMITT TO THE ABC BOARD.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO RE-APPOINT GEORGE SCHMITT TO THE SCHOLARSHIP COMMITTEE, AND TO ASK TOWN ATTORNEY BILL COWARD TO SERVE AS STANDING MEMBER RATHER THAN ORVILLE COWARD JR.

MOVED BY COMM. SANDERS, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO RE-APPOINT WISTAR GARY AND CHARLIE MCDOWELL, AND TO APPOINT GARY WARREN TO THE ADVISORY COMMITTEE FOR THE SCHOLARSHIP ENDOWMENT FUND.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO RE-APPOINT SUE POTTS TO THE CEMETERY COMMITTEE.

Morris Williams was present and asked the Board to consider asking the Chairman of each Board to play some kind of role in nominations in the future, perhaps by locating some people willing to serve. The Town Administrator explained that he maintained a list of citizens in his office who have expressed an interest in serving on Board and Committees, and this list was provided to each Board member when making nominations. Any citizen could ask that his or her name be placed on the list.

Comm. James said that he had read in the paper that the Zoning Board was considering a number of amendments to the Ordinance and would be sending them to the Planning Board; he felt that they should be referred first to the Town Board. Comm. Patterson agreed. Comm. James said he did not think it looked right for the Board enforcing the Ordinance to make recommendations, nor to make them through the Press.

Mr. Williams said that the book the Zoning Board used as a guide said that the Zoning Board has the responsibility and duty to recommend amendments to the Town Board if there are some things not working, since they are closer to the problem. Comm. Patterson agreed, and pointed out that that was what Comm. James had just said, that recommendations should go to the Town Board. Mr. Williams said the Ordinance called for amendments to go to the Planning Board. The Town Administrator said that this was not correct; the Ordinance said amendments had to be submitted to the Planning Board for a recommendation, but it was the Town Board that amended the Ordinance, and the procedure was to send petitions for amendments of both the Map and the Ordinance to the Town Board first.

10. The Town Administrator reported that the Finance Committee had met on May 23 and reviewed quotations on insurance from Municipal Insurance Trust and Blue Cross/Blue Shield; the annual increase from

Municipal Insurance Trust was 29%. He said that he had learned late that afternoon that Blue Cross/Blue Shield would not honor the quotation which had been provided after June 1, 2001, and that a 16% increase would go into effect on July 1. That meant that the Blue Cross quote was considerably higher than the M.I.T. quote; monthly family rates, for example, scheduled to increase from \$509 to \$657 with M.I.T., would be \$749 with Blue Cross. Another drawback was that Blue Cross, despite a better network of providers in the area, could not provide coverage for volunteer firemen.

MOVED BY COMM. JAMES, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO RENEW TOWN HEALTH INSURANCE WITH THE MUNICIPAL INSURANCE TRUST.

11. The Clerk reported that the street closing referred to in an earlier meeting had been requested by the Highlands Hoedown Committee, consisting of Jack Brooks, Scott Baker, and Mary Helen Duke. The Committee had taken over the responsibility for the event, formerly organized by the Episcopal Church and the Bascom-Louise Gallery; funds raised at the Civic Center were used to keep the program going from event to event, and only one dance was scheduled for Pine Street, on July 28 from 6:30 p.m. until 10:30 p.m.

MOVED BY COMM. SANDERS, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO CLOSE PINE STREET FOR THE HOEDOWN.

12. The Board agreed by consensus to schedule a budget work session following the June 20 Regular Board Meeting.

13. During the meeting, Town Attorney Bill Coward had been given a copy of a letter dated June 5 from County Manager Sam Greenwood to Jeffrey Crowe, reporting that the Macon County Board of Commissioners had voted unanimously on June 4 to oppose the designation of the Playmore/Bowery Road Historic District. The Board agreed by consensus to include reference to the County Board's action in the Town's letter to Mr. Crow.

14. Only two formal bids--from Larry Rogers Construction Co. and R.G.E. Associates--had been received on the addition to the Fire Department. The Board agreed by consensus to re-advertise for bids on June 20.

15. MOVED BY COMM. PATTERSON, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION PURSUANT TO G. S. §143-318(A)(6) TO REVIEW APPLICATIONS FOR EMPLOYMENT AND TO DISCUSS PERSONNEL MATTERS WITH THE TOWN ADMINISTRATOR AND THE ZONING ADMINISTRATOR. All present left the room except the Clerk, the Public Services Administrator, and the Zoning Administrator.

- A. The Board reviewed an application from Jason Wilbanks for the Sanitation Department with Public Services Administrator Lamar Nix; Mr. Nix recommended employing Mr. Wilbanks at the beginning salary, contingent on completion of the driving portion of his CDL license within three months.
- B. The Board reviewed two applications for the Meter Reader position with Public Services Administrator Lamar Nix.
- C. The Public Services Administrator left the room, and the Board then discussed a personnel matter at length with the Town Administrator and the Zoning Administrator; during part of the discussion, both were asked to leave the meeting room.

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

16. MOVED BY COMM. PATTERSON, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO EMPLOY JAMES JENKINS AS METER READER AT THE BEGINNING ANNUAL SALARY OF 8-1 (\$17,408).

17. MOVED BY COMM. PATTERSON, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO EMPLOY JASON WILBANKS IN THE SANITATION DEPARTMENT, CONTINGENT ON COMPLETION OF THE DRIVING PORTION OF HIS CDL LICENSE WITHIN THREE MONTHS, AT A BEGINNING ANNUAL SALARY OF 9-1 (\$18,288).

18. The Board agreed by consensus to permit Maureen Lackey to attend a Zoning conference in New Bern July 22-25.

VII. MOVED BY COMM. SOSSOMON, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO ADJOURN.

There being no further business to come before the Board, the meeting was declared adjourned by the Mayor at 10:30 p.m.

Richard Betz, Town Clerk