

REGULAR BOARD MEETING of May 17, 2006, with Mayor Pro Tem Amy Patterson and Commissioners H. N. James, Dennis DeWolf, Alan Marsh, and Hank Ross present. Mayor Mullen was out of Town.

Also present were Richard Betz, Lamar Nix, Kim & Jim Lewicki, Adam Thompson, Bill Nellis, Jack Bournemann, Charles Simmerson, Larry Rogers, John Underwood, R. L. Forrester, and Lewis Doggett.

I. Call to Order.

The Mayor Pro Tem called the meeting to order at 7:00 p.m.

II. Approval of Agenda.

Copies of the agenda had been distributed by mail. The Town Administrator requested that consideration of an application for employment in the Sanitation Department be added to the Closed Session already scheduled.

MOVED BY COMM. MARSH, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO APPROVE THE AGENDA AS AMENDED.

III. Approval of Minutes.

Copies of the minutes of the May 3 Regular Board Meeting had been distributed by mail.

MOVED BY COMM. MARSH, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES AS DISTRIBUTED.

IV. Reports.

1. Comm. DeWolf reported that the first phase of the Civic Center roof had essentially been completed.

Comm. Ross reported that the ETJ Liaison Committee had met on May 11 and had had a good turnout; the next meeting was scheduled for May 25.

Comm. Marsh reported that the County Planning Board would be meeting the next day.

The Finance Committee agreed to meet on Tuesday, May 23, at 5:00 p.m. in the Treasurer's Office to work on the budget.

2. The Town Administrator reported that a letter had been received from Elliott & Cheryl Miller addressed to the Mayor, requesting that the Board consider providing a 50-foot easement on the 6-acre Town tract on Hickory Hill Road in order for them to provide an improved parking area and turn-around for a garage. Comm. James commented that the Board had denied requests for use of this property in the past and he felt the request should be denied in order to be consistent with that policy.

MOVED BY COMM. JAMES, SECONDED BY COMM. MARSH, AND CARRIED TO DENY THE REQUEST. Comms. James, Marsh, Patterson, and DeWolf voted "aye." Comm. Ross said the Miller's were a client and he requested permission to abstain.

The Town Administrator also reported that Old Edwards Inn had submitted a request for a right-of-way variance for the Satulah Village South and Satulah Village West projects, and he understood they intended to submit revised

subdivision plats accordingly. The variance request was scheduled to be heard by the Planning Board next Monday, May 22, and they had requested that the Town Board schedule hearing of the request and consideration of the revised plat at the June 7 meeting. There was no objection to adding this matter to the agenda for June 7.

V. Old Business. None.

VI. New Business.

1. The Town Administrator explained that the Town's sidewalk standards adopted on February 4, 2004, required that concrete sidewalks be six feet in width and "whenever possible be located at the right-of-way line and at street level." It had come to the attention of Staff that the plan submitted by Charles Simmerson for the Werder property, approved for conditional re-zoning on February 15, showed a sidewalk along US-64, Chestnut, and Hickory Street that was not located at the right-of-way line. Mr. Simmerson was present and displayed the drawing approved for the project, which showed a six-foot sidewalk located at the edge of the pavement. He said that installing a sidewalk at the right-of-way line would necessitate the removal of a great deal of vegetation, excavation of the bank, and a retaining wall. Comm. DeWolf asked if it would be possible to install a two-foot grass strip between the sidewalk and the road; Mr. Simmerson said this would be difficult because of the drainage ditches required. Comm. James felt that a two-foot grass strip was important for the safety of children going to the Ball Park, and pointed out that this was a dangerous curve. Comm. Ross asked if he would consider a five-foot sidewalk and the two-foot grass strip; he felt that five feet would be adequate for handicap access and six feet was not needed in residential areas far from downtown. Town Engineer Lamar Nix verified that ADA required a minimum five-foot sidewalk and that the Town standard was six feet; he thought that the two-foot grass strip was a good safety feature. He pointed out that Mr. Simmerson would also have to obtain an encroachment permit from the D.O.T. Comm. James felt that the sidewalk standards should be amended to reflect the consensus of the Board, requiring a two-foot grass strip where sidewalks adjoined pavement and reducing the width to five feet in residential areas far from downtown.

MOVED BY COMM. JAMES, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO ASK THE TOWN ADMINISTRATOR AND THE TOWN ENGINEER TO PREPARE REVISED SIDEWALK SPECIFICATIONS FOR THE BOARD TO CONSIDER AT THE JUNE 7 MEETING.

MOVED BY COMM. MARSH, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO APPROVE A CURB-AND-GUTTER, TWO-FOOT GRASS STRIP, AND FIVE-FOOT SIDEWALK ALONG US-64 FOR THIS PROJECT.

The Board also discussed the sidewalks along Hickory and Chestnut, and agreed to meet on-site at 6:00 p.m. on May 31, prior to the Special Budget Meeting, to review the request.

Mr. Simmerson also reported that when the final design had been prepared for his development on this property, it had become apparent that the driveway exiting onto Chestnut Street would have to have a 25% grade. He presented a drawing showing an alternate design where the driveway ended at a parking area rather than exiting onto Chestnut Street. The Town Engineer pointed out that the driveway would need to have a cul-de-sac.

MOVED BY COMM. ROSS, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO APPROVE AMENDMENT OF THE PLANS FOR THE CONDITIONAL USE RE-ZONING TO ELIMINATE THE DRIVEWAY, AS SHOWN ON THE REVISED PLAN SUBMITTED, PROVIDED A CUL-DE-SAC IS INSTALLED MEETING THE APPROVAL OF THE TOWN ENGINEER.

2. Informal sealed bids had been advertised for two (2) Ford F-550 or equivalent trucks, one with flatbed dump and one with contractor's dump with gate, and had been opened at 12:00 noon. The Town Administrator reported that \$40,000 had been budgeted for each vehicle.

Bidder Flatbed Dump Contractor's Dump

Matthews Motors 35,505 36,005
Franklin Ford 37,247 38,027
Edwards Auto Sales Co. 36,115 38,365

MOVED BY COMM. JAMES, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO AWARD THE BID TO THE LOW BIDDER, MATTHEWS MOTORS.

3. The Board discussed at some length appointments to the Planning Board and the Zoning Board. The consensus was that the Board should re-appoint only one member to the Planning Board (the terms of three members were expiring) in order to create a seven-member Planning Board including two representatives appointed by the County from the ETJ, and also not to re-appoint the member whose term was expiring on the Zoning Board in order to create a five-member Zoning Board including one representative appointed by the County from the ETJ. Board members agreed to complete the nomination forms and return them to the Town Administrator for tabulation prior to the June 7 meeting.

4. MOVED BY COMM. ROSS, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION PURSUANT TO G. S. §143-318.11(A)(6) TO CONSIDER APPLICATIONS FOR PART-TIME EMPLOYMENT IN THE POLICE AND SANITATION DEPARTMENTS, AND PURSUANT TO G. S. §143-318.11(A)(5) TO APPROVE SCHOLARSHIP AWARDS. All present left the room except the Clerk, Police Officer R. L. Forrester, and the Public Services Administrator.

A. R. L. Forrester explained that the Police Chief had requested permission to employ Teresa Ensley on a part-time basis to search female suspects; Ms. Ensley would be an unsworn officer used only when needed, but already had her BLET certification.

B. The Public Services Administrator requested that the Board consider employing a part-time employee in the Sanitation Department because of a shortage due to John Smith's hospitalization.

C. The Board reviewed the recommendations of the Scholarship Committee.

MOVED BY COMM. DEWOLF, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO GO INTO OPEN SESSION.

5. MOVED BY COMM. MARSH, SECONDED BY MAYOR PRO-TEM PATTERSON, AND UNANIMOUSLY CARRIED TO EMPLOY TERESA ENSLEY ON A PART-TIME BASIS FOR SEARCH OF FEMALE SUSPECTS ON AN AS-NEEDED BASIS, AT THE HOURLY RATE FOR POLICE AUXILIARY OFFICER (\$10.49).

6. MOVED BY COMM. MARSH, SECONDED BY COMM. ROSS, AND UNANIMOUSLY CARRIED TO AUTHORIZE THE PUBLIC SERVICES ADMINISTRATOR TO EMPLOY A PART-TIME EMPLOYEE IN THE SANITATION DEPARTMENT AT THE HOURLY RATE FOR SANITATION WORKERS.

7. MOVED BY COMM. MARSH, SECONDED BY MAYOR PRO-TEM PATTERSON, AND UNANIMOUSLY CARRIED TO APPROVE THE RECOMMENDATIONS OF THE SCHOLARSHIP COMMITTEE.

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

There being no further business to come before the Board, the meeting was declared adjourned by the Mayor Pro Tem at 8:00 p.m.

Richard Betz, Town Clerk