

SPECIAL MEETING of January 29, 1996, with Mayor John Cleaveland and Commissioners H. N. James, Mike McCall, Donnie Calloway, and Zeke Sossomon present. Comm. Sanders was unable to attend the meeting.

Also present were Richard Betz, Lamar Nix, and Shannon Baldwin.

I. Mayor Cleaveland called the Special Meeting to order at 7:00 p.m. As agreed at the January 17 meeting, the purpose of the special work session meeting was to discuss real estate signs and sewer connection policy.

II. Business.

1. The Board again discussed real estate signs and an amendment to the Zoning Ordinance that had been adopted in June of 1994 requiring a 10-foot setback from the wear surface of the road for such signs, as discussed at some length at the previous meeting.

The Mayor and Comm. Calloway both felt that the Zoning Administrator should be granted the authority to grant relatively minor variances for real estate signs, perhaps with a small application fee, rather than requiring these cases to go to the Zoning Board. However, signs that could meet the setback requirement but did not should be removed.

Comm. McCall was concerned that, if some variances were granted, other realtors would also want variances. Mr. Baldwin proposed applying a two- or three-part test, like the Zoning Board does when it grants a variance; that way, everybody would be held accountable to the same standard. Comm. Calloway felt that the guideline ought to be based on something other than the best exposure for a sign.

The question of "grandfathering" existing non-conforming signs was also discussed. At the previous meeting, several realtors had stated that they were under the impression that real estate signs already in place would not be affected for seven years after enactment of the amendment; then-Zoning Administrator Richard Betz had indicated in a letter at the time that they would be "grandfathered." The consensus of the Board was that temporary signs like these should not be "grandfathered."

Mr. Baldwin felt that the burden of proof should be on the applicant, and suggested a permit procedure for all real estate signs, but the consensus was that requiring a permit for all such signs would be too burdensome. Comm. Sossomon suggested that signs which met the setback requirement continue to be classified as "Regulated Signs Not Requiring a Permit;" those which could not meet the setback would be regulated as temporary signs under "Regulated Signs Requiring a Permit." The criteria for granting such a permit would be defined in absolute terms, would be limited to topographical factors, and would not include shrubbery or trees. The Board agreed with this proposal, and a permit fee of \$15.00 was suggested.

The Board also agreed to amend the Ordinance to clarify that the so-called "grandfather" clause for non-conforming signs not apply to temporary signs, and to provide the Zoning Administrator with the authority to confiscate illegal temporary signs.

Mr. Baldwin was asked to draft a proposed amendment of the Zoning Ordinance in accordance with the foregoing.

2. The Board discussed at some length a second draft of the Town of Highlands Sewer Connection Policy, as drafted by the Town Administrator and reviewed by an Ad Hoc Committee appointed by the Board and consisting of Mr. Betz, Public Works Director Lamar Nix, Comm. James, and former Comm. Amy Patterson. In a wide-ranging discussion, the Board discussed sewer connections, pre-treatment, detergents, maximum B.O.D. limit, the discharge from the Highlands-Cashiers Hospital, mandatory connections, plans for expansion of the sewer collection system, a capital fund for sewer connection fees, whether revenues from user fees covered operational costs, and the feasibility of reimbursing a portion of the

installation cost for new sewer lines serving one connection when additional users wish to connect.

The following specific changes in the second draft were agreed to by consensus:

- Section 15-158: Add the words "at their own expense" after "may be required to construct and maintain [inspection manholes]."
- Section 15-159: Add the word "Authorized" before "Representatives of the Town."
- Section 15-164(a): Add the words "where reasonably available" after "All sewage discharges lines . . . shall be connected to the Town system."
- Section 15-164(c): Retain the last phrase, providing that septic tanks may continue in use along sewer extensions on the Board's own motion if the Health Department certifies that they are properly operating.

The Board discussed at some length Section 15-251(e), which proposed that individual pressure service pumps be owned and maintained by the property owners, but public pumps be owned and maintained by the Town. This policy had been discussed in previous work sessions, and had been recommended by the Town's engineering firm, W. K. Dickson Company, but several Board members questioned the desirability of the Town maintaining these pumps. Comm. Sossomon suggested that they remain privately-owned but be licensed to the Town. Although it had been reported that "public" pumps—those serving more than a single residence—would have to be approved by the Division of Environmental Management (D.E.M.), it was not clear whether they legally would have to be owned and/or maintained by the municipality. The Board asked the Clerk to discuss this matter with D.E.M. officials and report back as soon as possible, and to meanwhile prepare a Third Draft of the Sewer Connection Policy and distribute copies to the Board for final review.

Comm. James also suggested that different sewer use fees be charged for pressure services to help cover the higher maintenance costs associated with pump stations; he asked that sewer fees be included in the discussion when this matter is brought back to the Board.

III. MOVED BY COMM. SOSSOMON AND UNANIMOUSLY CARRIED TO ADJOURN.

Meeting was adjourned at approximately 8:50 p.m.

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Richard Betz, Town Clerk