

REGULAR BOARD MEETING of February 21, 1996, with Mayor John Cleaveland and Commissioners H. N. James, Mike McCall, Ron Sanders, and Donnie Calloway present. The Mayor reported that Zeke Sossomon was out of Town.

Also present were Richard Betz, Lamar Nix, Victor Lofquist, Selwyn Chalker, Ralph Morris, Dr. Louis Reynaud, and Alan Marsh.

I. Mayor Cleaveland called the meeting to order at 7:00 p.m.

II. The minutes of the February 7 Regular Board Meeting had been distributed by mail.

MOVED BY COMM. SANDERS, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO APPROVE THE FOREGOING MINUTES.

III. Reports.

1. The Mayor reported that he had contacted D.O.T. District Engineer Joel Setzer, and he now understood that the NC-106/US-64 Intersection Project would begin next week if weather permitted.

2. The Street Committee had not yet had the opportunity to review the request for installing lighting and/or paving the parking lot at the Highlands Conference Center, as discussed at the February 7 meeting.

3. Recreation Director Selwyn Chalker was present, and asked to discuss a personnel matter in closed session at the end of the meeting.

He reported that he had obtained an informal bid of \$8565 from Seven Oaks Doors & Hardware for new toilet stalls and a urinal screen in the rest rooms at the Civic Center, and an informal bid of \$1500 from Highlands Paint & Decorating Center to install carpet in the weight room; the Board asked him to obtain additional bids for both of these items. He hoped to have informal bids on renovating the tennis courts, in cooperation with the tennis players, by the next meeting. He also pointed out that the Civic Center was getting a lot of use this year; the calendar was booked solid even in February.

4. Public Works Director Lamar Nix reported that the Street and Water departments had been performing routine maintenance. The Electric Department had been working on reclosers at the east end of Town and on Bearpen Mountain. He was still awaiting a bid on the electric system work discussed at the February 7 meeting. He reported that the lab was up and running at the Wastewater Treatment Plant, and was contributing to better quality control. He reported that he had requested bids on gravel, and would receive them at the next Board meeting. Finally, he reported that the monthly samples at the Water Treatment Plant had been erroneously mishandled, and that the Town would consequently receive a notice of violation; he assured the Board that measures were being taken to ensure that this did not happen again.

The Mayor asked about several damaged or missing street signs that he had observed, and offered to have the Police Department conduct an inventory so that they could be replaced.

Mr. Nix also reported that there was a problem with theft at the Town Warehouse property on Poplar Street. The Board authorized him to obtain informal bids on replacing the fence. Comm. James suggested that there may be a need for a full-time employee to stay on-site at the Warehouse each day and be responsible for inventory, minor mechanical repairs, and vehicle maintenance. The Board agreed to consider such a position at budget time.

5. The Clerk reported that an update of an inventory of fixed assets as requested by the auditors—including all Town property, vehicles, and equipment—was nearly complete. He also reported that the Town's engineers had received a bid of \$13,749 for an extra pump at the new Water Treatment Plant, as discussed at the last meeting; a purchase order had been issued for the pump.

He reported that the preliminary COSAC had been received from Nantahala Power & Light. Although the energy charge would be approximately one percent lower this year, the demand charge would be increasing a significant 34%. Part of this increase had been expected, and was due to loss of "wheeling" charges paid to Nantahala by Duke for power purchased from TVA. He had forwarded the rates to Butch Solomon of GDS Associates, the rate analyst who reviewed the COSAC each year. He had also been discussing the possibility of peak shaving with Mr. Solomon, Cindy Bogorad of Spiegel & McDiarmid, Nantahala, and the Public Works Director.

The Clerk had been asked by Bobby Houston and Fire Chief Mike McCall if the Town would consider designating false fire alarm fees as Fire Department receipts, rather than General Fund revenues.

MOVED BY COMM. JAMES, SECONDED BY COMM. CALLOWAY, AND UNANIMOUSLY CARRIED TO DESIGNATE FALSE ALARM FEES AS FIRE DEPARTMENT RECEIPTS IN FUTURE.

Finally, the Clerk reported that he had been discussing the General Statute on street assessments with a League of Municipalities attorney to ensure that the Town could assess those lots in Satulah Ridge which did not directly abut the proposed street improvements; this matter had been discussed at the previous meeting. The consensus of the Board was that all of the lots in the subdivision should be assessed, since they would all benefit from the improvements.

IV. Old Business.

1. Each Board member received copies of a proposed amendment of the Zoning Ordinance re: enforcement authority, as discussed at the February 7 meeting, and as revised on February 16; the draft had been prepared by Town Planner Shannon Baldwin, and included changes recommended by Town Attorney William H. Coward. By unanimous consent, the Board agreed to refer the proposal to the Planning Board for review, together with the proposed amendment re: real estate signs already referred to that Board at the previous meeting.

2. Comms. Calloway and Sanders indicated they had not received copies of the Third Draft of the Sewer Connection Policy and a memo from the Clerk dated January 30 which was distributed at the last meeting. The Clerk offered to provide copies, and the Board agreed to place this on the agenda for the March 6 meeting.

3. Each Board member had received on December 6, 1995, a copy of a Sewer System Evaluation (I/I Study) prepared by Byrd/Forbes Associates, and the Board had agreed at that time to set a work session for this date to discuss the study. The study identified and prioritized manhole and sewer line repairs, with Priority One problems defined as those requiring immediate attention. The Clerk reported that \$83,227 in funds remained in the budget for maintenance and repair of sewer lines, including a \$35,000 matching contribution from Macon County for the school line and manholes. Public Works Director Lamar Nix explained that the study had identified seven manholes, most of them in the area of the Highlands School, which needed to be replaced; replacing or slip-lining that sewer line, which had been discussed last year, had not been identified as a priority. Mr. Nix felt that the Town Water Department could perform the rest of the repairs identified. The Board agreed to authorize Mr. Nix to obtain informal bids on replacing the seven manholes.

Mr. Nix had also obtain a quotation of 50 cents/foot for cleaning approximately 9000 feet of sewer lines. The lines had been cleaned in 1993, but Mr. Nix reported that there was already a significant build-up in grease. TV inspection had also been recommended in the I/I study for a section of sewer line on Main Street, and Town Engineer Victor Lofquist recommended proceeding with TV inspection of the school line at the same time. Mr. Nix was authorized to obtain

informal bids on the TV inspection, and to combine and/or coordinate it with the cleaning of the lines if possible.

The Clerk reported that the Water Department's gas monitor, which was used to detect oxygen levels, carbon monoxide, and other gases, had been sent off for repairs several times recently and was not functioning reliably; the monitor was used whenever Town employees worked in a manhole, and was required by OSHA. He said that the Fire Department also had need of a reliable carbon monoxide monitor to test levels of this gas in homes. Mr. Nix had obtained a price of \$1700 for a new gas monitor.

MOVED BY COMM. SANDERS, SECONDED COMM. CALLOWAY, AND UNANIMOUSLY CARRIED TO AUTHORIZE PURCHASE OF THE GAS MONITOR.

V. New Business.

1. Bids had been received on February 15 for three Water/Sewer projects, and had been analyzed by W. K. Dickson engineer Victor Lofquist: Project No. 1 consisted of the US-64 water line and Hickory Hill Road pressure sewer line; Project No. 2 was the Little Bearpen water line and storage tank; and Project No. 3 was the Pinecrest pressure sewer. The bids were as follows:

Bidder	Project 1	Project 2	Project 3	TOTAL
Stillwell Enterprises	\$442,490.00	453,875.00	56,325.00	952,690.00
Cooper Construction	439,732.50	483,688.75	72,511.25	995,932.50
Engineer's Estimate	375,500.00	565,370.00	54,925.00	995,795.00

Victor Lofquist explained that the town could award any single bid or combination thereof within 60 days. The Clerk reminded the Board that funds had been budgeted only for Projects No. 1 and No. 3 in FY 95-96. He felt that there would be adequate funds on hand to begin Project No. 2 after the beginning of the new fiscal year. Victor Lofquist reported that the low bidder on that project, Stillwell, had agreed verbally and would confirm in writing that it would extend its bid until July 31. He also reported that he had received verbal approval for the projects by the Public Water Supply Section, and that written approval would be forthcoming.

MOVED BY COMM. JAMES, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO AWARD THE BIDS ON THE BUDGETED PROJECTS NO. 1 AND 3 TO THE LOW BIDDER, STILLWELL ENTERPRISES, CONTINGENT ON RECEIPT OF WRITTEN APPROVAL FROM THE PUBLIC WATER SUPPLY SECTION.

The Board agreed for the Finance Committee to meet with the Clerk before the bid award period had expired and discuss funding for Project No. 2.

The Clerk had prepared a resolution, required by the General Statutes as part of the assessment procedure, directing that the Pinecrest Subdivision pressure sewer project be undertaken.

MOVED BY COMM. CALLOWAY, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO ADOPT THE FOLLOWING RESOLUTION:

**ASSESSMENT RESOLUTION
DIRECTING THAT THE
CONSTRUCTION OF A SEWAGE COLLECTION SYSTEM
IN PINECREST SUBDIVISION BE UNDERTAKEN**

WHEREAS, on the 27th day of September, 1995, the Board of Commissioners of the Town of Highlands adopted a

Preliminary Assessment Resolution providing for the construction of a sewage disposal extension in Pinecrest Subdivision, said assessment to be financed by assessment of an equal share of seventy-five (75%) percent of the total cost against the benefitted real property; and

WHEREAS, the required public hearing was held on October 18, 1995, after due notice to the public and to the owners of the affected real property;

NOW, THEREFORE, the Board of Commissioners of the Town of Highlands, North Carolina, meeting in regular session on the 21st day of February, 1996, doth resolve as follows:

1. That the sewer system of the Town of Highlands shall be extended by constructing a sewage collection system under and by virtue of G. S. § 160A-216 through -238 and the procedure therein established, and said project is hereby directed to be undertaken.
2. That an equal share of seventy-five (75%) percent of the total cost of the project shall be assessed upon the benefitted properties.
3. That the terms of payment of the assessment shall be either the entire amount within thirty (30) days of publication of the assessment roll, or in two equal annual installments at a simple interest rate of 8% per annum.

This the 21st day of February, 1996.

John W. Cleaveland, Mayor

ATTEST:

Richard Betz, Town Clerk

2. Each Board member received copies of a memo from Town Planner Shannon Baldwin informing the Board that he had discussed updating the Land Use Plan with Geoffrey Willett. Because of the current workload at the Division of Community Assistance, Mr. Willett had informed him that he would not be able to begin the projected six-month to one-year project until June or September. The Board agreed that either date would be acceptable. The Board also agreed to ask Mr. Willett if he would meet with the Planning Board before the process begins in order to discuss the update process. Comm. James pointed out that the Planning Board could suggest additional representation, as had been done to create the original Land Use Planning Committee in 1989-90, if it felt it was needed. The Board also agreed that the survey for the Land Use Plan Update should be limited to residents of the Town.

3. Tony Potts had requested permission to access the Town sewer system from the Shell Station property at US-64 and First Street.

MOVED BY COMM. SANDERS, SECONDED BY COMM. CALLOWAY, AND UNANIMOUSLY CARRIED TO PERMIT THIS PROPERTY TO ACCESS THE SEWER COLLECTION SYSTEM, PROVIDED IT IS INSTALLED AT THE OWNER'S EXPENSE TO TOWN SPECIFICATIONS AND AT THE PREVAILING SEWER CONNECTION FEE.

4. The Clerk reported that the UNC Center for Public TV had indicated it would determine if the Big Bearpen site would be feasible for their equipment. If it was, he understood that they would be appearing before the Board and requesting permission to use the site

on a temporary basis.

5. The Clerk requested permission to purchase five mobile phones from Bell Atlantic Mobile at a cost of \$99/phone; the monthly access rate for each phone would be \$14.99/month, at \$0.29 per minutes peak and \$0.20 off-peak. The actuation fee and the first month's access rate would be waived if purchased this month. He proposed also placing the cellular phone donated several months ago to the Recreation Park under the new rate, which would be less than the \$38.00/month access charge which the Town has been paying. The five phones would be used by the Police Department, Water Department, Public Works Director, Electric Department Service Truck, and Electric Department pickup truck. He and Lamar Nix explained that the phones would provide additional communications capabilities for employees on call in the service departments. After some discussion, the Board agreed that the Police Department did not have a great need for a mobile phone because they had more versatile, high-band radio equipment. Mr. Nix said that the phone for him was also not essential, and Mr. Chalker offered to let him use the Recreation Department phone when needed.

MOVED BY COMM. JAMES, SECONDED BY COMM. CALLOWAY, AND UNANIMOUSLY CARRIED TO PURCHASE THREE CELLULAR PHONES, TO BE USED BY THE ELECTRIC DEPARTMENT AND THE WATER DEPARTMENT.

5. MOVED BY COMM. SANDERS, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION TO DISCUSS PERSONNEL MATTERS, REAL PROPERTY ACQUISITION, AND LEGAL MATTERS.

- A. Selwyn Chalker discussed employing Lester Norris in the Recreation Department to replace Aaron "Buddy" Miller, who had transferred to the Street Department last month; Mr. Norris had a 4-year Recreation Degree.
- B. The Mayor discussed with the Board the possible acquisition of a parcel of real property.
- C. The Mayor discussed the upcoming Allison Outdoor Advertising motions and a letter received from former Town Attorney Keith Clark.

VI. MOVED BY COMM. SANDERS, SECONDED BY COMM. CALLOWAY, AND UNANIMOUSLY CARRIED TO GO INTO OPEN SESSION AND ADJOURN.

Meeting was adjourned at approximately 9:00 p.m.

Richard Betz, Town Clerk