

REGULAR BOARD MEETING of March 20, 1996, with Mayor John Cleaveland and Commissioners H. N. James, Mike McCall, Ron Sanders, Donnie Calloway, and Zeke Sossomon present.

Also present were Richard Betz, Lamar Nix, Selwyn Chalker, Eddie Redmon, Dale Lee, and Richard Melvin.

At 6:00 p.m., prior to the Regular Board Meeting, the Board met informally with Eddie Redmon and Dale Lee, from the architectural firm of Howell Rusk Dodson, to review plans for the proposed Performing Arts Center (PFA). Eddie Redmon reported that work on the swimming pool renovation would begin almost immediately, and site work for the PFA would begin next month. The new building was scheduled to be "dried-in" by October, completed over the winter months, and ready to open by June of 1997; total cost was estimated at between \$5 and \$7 million.

Dale Lee reviewed the plans for the facility. 160 new parking spaces would be added and the site would be accessed from a new driveway off North Fourth Street, as previously proposed. The two main levels of the building could be isolated, with zoned heat/ventilation/air conditioning (HVAC), so that two functions could occur simultaneously. The lower level contained a total of 14,000 SF heated space, and featured an 8000 SF exhibit hall large enough for an occupancy of 500. The upper level featured a 406-seat auditorium, an orchestra pit large enough for a 22-piece ensemble, a fully-working stage, and basic lighting and sound systems adequate enough for any local production. The architects were working with the North Carolina Department of Insurance to ensure that the plans met State Building Code requirements; the building would be equipped with lightning arresters and sprinklers, and meet handicapped requirements.

Mr. Redmon and Mr. Lee then left the meeting room before the Regular Board Meeting began.

I. Mayor Cleaveland called the Regular Board Meeting to order at 7:00 p.m.

II. The minutes of the March 6 Regular Board Meeting and the March 13 Adjourned Session Board Meeting had been distributed by mail.

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

### III. Reports.

1. The Mayor reported that he had received a copy of a letter from State Highway Administrator Larry R. Goode to Sen. Bob Carpenter concerning US-64, stating that "the millions of dollars needed to improve this road was not warranted due to the low volume of trucks." He had begun to gather information, including accident reports from the Highway Patrol involving trucks in 1995 and thus far in 1996, and he said he felt it was important to pursue improvements to this road vigorously.

Comm. James asked about the sidewalk and road width at the US-64/NC-106 intersection project, and asked if plans were available for the project. Lamar Nix understood that a sidewalk was currently planned along the east side of the road, but said he had not yet seen any plans for the project.

Comm. James also reminded the Clerk that the Finance Committee needed to meet to discuss funding for the Little Bearpen Tank project.

2. Public Works Director Lamar Nix reported on routine maintenance in the Public Works departments. He said that the compressor at the Wastewater Treatment Plant had been enclosed on three sides to address a noise problem which had come to the Board's attention last October. The 4-way stop signs for Spring Street and Third Street had not yet been received. He, Kevin Waller, and Wesley Royal had

had a very informative trip to Charlotte last week to participate in a demonstration of the control panels and instrumentation at the new Water Treatment Plant; he was confident that Town personnel would be able to operate the new Plant.

Mr. Nix had received informal prices, as requested at a previous meeting, on sewer cleaning and TV investigation. He recommended accepting the lowest unit prices, estimated at a total of \$3000 for TV investigation/cleaning of approximately 2000 LF along Main Street, from Greene Construction Company; and \$4500 for cleaning approximately 9000 LF of the system in the downtown area, from Gross Pumping.

MOVED BY COMM. SANDERS, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO ACCEPT THE RECOMMENDATION FOR TV INVESTIGATION/CLEANING FROM GREENE CONSTRUCTION COMPANY, AND FOR CLEANING THE SEWER LINES FROM GROSS PUMPING.

The Board discussed the continuing cost of cleaning the sewer lines due to grease from restaurants in the downtown area. Comm. Sossomon felt that the Board should consider a higher sewer use fee for restaurants to offset this cost, and the Clerk agreed to discuss this with the Finance Committee when discussing utility fees next month.

Mr. Nix had also received informal prices, as requested, on fencing the Town warehouse property on Poplar Street. The low bid was \$7878 from Asheville Fence & Landscaping, but requested 50% down-payment upon approval and the remainder when completed. Several Board members objected to this arrangement.

MOVED BY COMM. MCCALL, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO ACCEPT THE LOW BID FROM ASHEVILLE FENCE & LANDSCAPING, PROVIDED NO PAYMENT IS MADE UNTIL THE JOB HAS BEEN COMPLETED.

Mr. Nix had also obtained informal estimates on two electrical system improvements from electrical contractor M. B. Haynes. The more urgent of the improvements was addition of a third phase at Highlands Country Club along Moorewood Road, at an estimated cost of \$21,750.

The second project was replacement of existing wire and addition of a second phase along US-64 East near the Sherwood Forest Pump Station, eliminating a potentially dangerous section of line, at an estimated cost of \$30,966. Mr. Nix explained that the Town did not have the line-pulling equipment for the first project, nor the manpower for the second project, which would require traffic control along US-64. He felt that a third project in the Bowery Road area could be addressed incrementally by the Town's electric crew.

MOVED BY COMM. JAMES, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED FOR MR. NIX TO SOLICIT INFORMAL BIDS AND PROCEED ON THE MOOREWOOD ROAD PROJECT. It was agreed that the US-64 project would be considered as part of the FY 96-97 budget.

Mr. Nix also reported that he had received informal bids from W. K. Dickson Company and Cranston, Robertson, Whitehurst for a construction survey of Spring Street, as agreed at the March 6 meeting; he had still not received a bid from Stephen Foster. The Board agreed to wait until the next meeting to receive these bids, and also to ask surveyor Charlie McDowell if he would like to bid on the survey.

3. Mayor Cleaveland reported that Tom James had asked if the Town would be willing to participate in the cost of extending the sewer to the Shell Station property on the northwest corner of First and Main Street, as approved at the February 21 meeting. The Board discussed at some length the Town's sewer extension policies. Comm. James pointed out that the Town was sharing in the cost of the Pinecrest Subdivision sewer extension. Comm. McCall also felt that perhaps the Town should participate in some way when the extension would serve other businesses. The Mayor was concerned that agreeing to finance part of this extension would be a departure from past

policy. It was agreed that the Clerk would contact other businesses in the area and see if they would be willing to share the cost of the extension.

4. Lamar Nix had prepared plans for a 32 X 64 and a 16 X 24 picnic shelter, offering alternative material costs using either utility poles or 8" X 8" pressure treated columns, and gravel or concrete floors; the Town Street Department would clear the lot, and the Electric Department would set the poles. Due to the construction at the Recreation Park this summer, however, there was some uncertainty over the relocation of the playground and adequate space for two shelters as proposed adjacent to the existing shelter off Foreman Road. The consensus was that a large shelter should be constructed next to the existing shelter. However, Comm. James suggested using 8" X 8" columns and a concrete floor (at an estimated cost of materials of \$8837.83), and asking a contractor for an informal bid on erecting it rather than using Town forces.

5. Selwyn Chalker had obtained informal bids on replacing the old tennis courts and refurbishing the new ones, as discussed at a previous meeting. The bids for replacing the old courts ranged from \$20,860 to \$42,960; the Board agreed to take no action on those courts at the present time. The low bid for refurbishing the new courts was \$5540 from Whalen Tennis Company. Mr. Chalker said that approximately \$2500 in contributions from tennis players had been received to date to assist in the cost.

MOVED BY COMM. CALLOWAY, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO APPROVE THE LOW BIDS FROM WHALEN TENNIS COMPANY FOR REFURBISHING THE NEW TENNIS COURTS.

6. The Clerk reported that Wesley Royal, ORC at the WWTP with Culligan Water Technologies, planned to hold an open house at the new WWTP between 2:00 and 4:00 p.m. on April 26.

The Clerk reported that he had written to the property owners along Carolina Way, informing them that the Board had agreed not to take any action on improving that road, as agreed at the previous meeting.

He had also prepared for the Board's review a draft of a letter to the 24 property owners along Satulah Ridge Road who had indicated that they would be willing to participate in that project on a 50/50 basis, asking them to remit their share of the cost (\$342 each) by May 1, 1996.

The Clerk also reported that he and the Mayor had talked with officials at the Highlands Country Club, and that he had talked with Edwin Schaeffer, the President of the Highlands Mountain Club Property Owners Association, concerning the possibility of connecting to the Town's Wastewater Treatment Plant.

#### IV. Old Business.

None.

#### V. New Business.

1. The Mayor reported that Allan James had asked if the Town would be willing to participate in the cost of HVAC repairs at the Highlands Playhouse building, estimated at \$15,000. The Board agreed that no funds had been allocated in the budget for assistance on this project.

2. Two informal sealed bids had been received, pursuant to advertisement, on a 1982 Ford F-700 Garbage Truck; the Board had agreed at the previous meeting that this vehicle was surplus property to be sold to the high bidder:

• Keener Brothers Construction Co. Inc.	\$656.00
• James Tire & Auto Service	200.00

MOVED BY COMM. SANDERS, SECONDED BY MIKE MCCALL, AND UNANIMOUSLY CARRIED TO SELL THE SURPLUS PROPERTY TO KEENER BROTHERS CONSTRUCTION CO.

3. MOVED BY COMM. CALLOWAY, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION TO DISCUSS LEGAL AND PERSONNEL MATTERS.

- A. The Mayor briefed the Board on a conversation he had had with Orville Coward Jr. on the Allison Outdoor Advertising case.
- B. Public Works Director Lamar Nix reported that Roy "Buck" Henry Jr. had resigned as "swing" man; an advertisement had been placed in the newspaper to receive applications for the position by April 3.
- C. The Board discussed with Mr. Nix the position discussed at the February 21 meeting for a full-time employee to stay at the Warehouse each day and be responsible for inventory, minor mechanical repairs, and vehicle maintenance. Mr. Nix was asked to gather information on the current cost of minor mechanical repairs and vehicle maintenance.
- D. The Board discussed at some length the position of Athletic/Program Director at the Recreation Park, which had been discussed in Closed Session at the February 21 and March 6 meetings with Recreation Director Selwyn Chalker.
- E. Ron Sanders discussed personnel matters in the Police Department. He also said that he understood there was a question about marking the new police car.

MOVED BY COMM. SANDERS, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO GO INTO OPEN SESSION.

4. The Board agreed to consider the positions of Warehouse Manager/Inventory Control/Mechanic and Athletic/Program Director at budget time.

5. The Board agreed to inform Police Chief Jerry Cook that the new police car should be marked.

Meeting was adjourned by consensus at approximately 9:30 p.m.

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Richard Betz, Town Clerk