

PUBLIC HEARING and REGULAR BOARD MEETING of October 16, 1996, with Mayor Pro Tem H. N. James and Commissioners Donnie Calloway, Ron Sanders, and Zeke Sossomon present. The Mayor had reported at the last meeting that he would be out of Town for this meeting, and Comm. McCall was not present due to the death of his father earlier in the day.

Also present were Richard Betz, Lamar Nix, Tinker Poteet, Jim Sparks, Derek Taylor, Georgia Sanders, Georgia Allen, Dean Cosper, and Alan Marsh.

A. Public Hearing.

Mayor Pro Tem James called the Public Hearing to order at 6:45 p.m., and stated that the purpose of the hearing was to hear objections to the Preliminary Assessment Roll, Pinecrest Subdivision Sewage Collection System, in accordance with the General Statutes.

The Clerk certified that the Preliminary Assessment Roll had been prepared, and that notice of same and of this public hearing had been mailed by first-class mail to all owners of real property in the subdivision. He said that he had discovered from the Register of Deeds office that the lot owned by Jeanne Rose had been sold to Douglas R. Tank since the Preliminary Assessment Resolution had been adopted, and that he had corrected the Assessment Roll accordingly.

Another lot owned by Bryan Hill had also been sold, but payment of the assessment had been received at the time of the closing. The Clerk explained that within twenty days of adoption of the Resolution Confirming the Assessment Roll and Levying the Assessment Roll, another public notice would be published; owners of assessed property would then have the option of paying the assessment in full within 30 days, or in two annual installments, with the first installment with interest of 8% per annum becoming due and payable on the date when property taxes are due and payable (September 1, 1997), and one subsequent installment and interest of 8% per annum due and payable on the same date in the following year.

Georgia Sanders was present and stated that the final cost of the assessments, connection fees, and installation were double what had been expected; she asked if it would be possible at this point to extend the term to four years.

Georgia Allen was also present, and reiterated Ms. Sanders's comments; she also felt it would be less of a burden on the property owners involved to extend the term.

The Clerk said that he did not know if the term could be changed at this point, as it had been established at the beginning of the process when the Preliminary Assessment Resolution had been adopted.

He offered to call a consultant at the League of Municipalities and see if it could be amended by the Board.

The Board agreed by consensus to defer adoption of the Resolution Confirming the Assessment Roll and Levying the Assessment Roll until the November 6 meeting, pending research of this matter by the Clerk.

There were no further comments from the public.

B. Regular Board Meeting.

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

II. The minutes of the October 2 Regular Board Meeting had been distributed by mail.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES AS DISTRIBUTED.

III. Reports.

1. The Board had been informed prior to the meeting of the death of V. W. "Bill" McCall, former Mayor, Commissioner, and Town Clerk for the Town, and father of Comm. Mike McCall. Comm. Calloway asked that the Town write a letter to the McCall family expressing its condolences. Mayor Pro Tem James commented that the Town of Highlands had lost a friend today, and said that Mr. McCall had done as much as any public servant could do.

2. Comm. Sanders reported that Recreation Director Selwyn Chalker had informed him Saturday of some problems with the furnace at the Civic Center. The Clerk said that Mr. Chalker had discussed the problem with him, and that it apparently involved a control panel for the furnace; he understood that Building Management & Controls, the company which contracted for preventive maintenance on the building, was working on the problem.

3. Tinker Poteet was present, representing W. K. Dickson Company, the Town's consulting engineers. He said that final work was continuing at the Water Treatment Plant, and he expected to begin start-up toward the latter part of the following week. He thought that, realistically, it would take another 30 days before the plant was finally placed into operation. As reported at the previous meeting, notification had also been received from the State Soil Erosion office that the job site's soil erosion controls were now in compliance.

4. Public Works Director Lamar Nix reported on routine maintenance in the Electric, Street, and Water departments. The Water Department had been winterizing pump stations and the Street Department had been working on a drainage problem on Maple Street. The Electric Department had been continuing to install reclosers, and had performed some corrective work at the Town Warehouse as recommended during the League of Municipalities Risk Management Service's OSHA compliance inspection two weeks ago. He also reported that a containment area had been constructed around the diesel generator at the Wastewater Treatment Plant, as recommended by the Division of Environment, Health, and Natural Resources. The WWTP had pumped an average of 198,000 GPD based on records for the previous 12 months. He also reported that, after review of the bids received at the previous meeting on the Street Department dump truck, Ken Wilson Ford Inc. had been awarded the bid; the quote had been \$26,975.

5. The Clerk reported that he had been informed by Bob Crowder of the League of Municipalities that the Pay and Classification Study would be delayed due to computer problems.

IV. Old Business.

1. The Clerk reported that he had received a letter dated October 14, 1996, from Ran and Margaret Shaffner, withdrawing their participation in the petition for connecting to the Town's sewer system. The letter indicated that the Macon County Health Department had revised the original septic system permit, and authorized instead a permanent repair. The letter urged the Board to continue to work, however, for a fair and comprehensive sewer policy for the Town.

Mayor Pro Tem James said he felt that the proposed revision of the Town's Sewer Connection Policy, second draft, dated October 2, which had been discussed at the October 2 meeting, should be adopted, with the exception of the new Section 15-251 providing for extension pursuant to one or more property owners where the public health is endangered, and funded by reimbursements from assessments. A work session scheduled for October 9 had been cancelled by the Mayor last week due to conflicts of schedule. Mayor Pro Tem James felt that the revised policy as submitted clarified a lot of things in the existing policy, and pointed out that these same questions would arise when Tom Clark, owner of 4½ Street Inn, submitted a petition.

Comm. Calloway made a motion to approve the revision, with the

exception of Section 15-251.

Georgia Allen was present, and asked whether the policy clarified which lots would be required to connect to the sewer. Mayor Pro Tem James said it would apply to abutting properties. He reiterated that the Tom Clark petition would raise this question again, since three lots on that street were already served by sewer; the Board had already agreed that properties already served by lots should not be counted for assessment purposes.

Charlie McDowell was present, and said that he felt the proposed revision did not address the entire problem. He asked if the Board was going to count lots which did not abut, but which had access to new sewer lines by deeded rights-of-way. He also asked about several lots owned by one property owner, such as the Whittle property.

Mayor Pro Tem James pointed out that there was no policy on those question now, and the revision did not address it either. He said that the Board would continue to work on this policy, but that this clarified what was already on the books.

Mr. McDowell pointed out that lots in the newly-annexed Wolf Ridge subdivision were entitled to the same privileges as the rest of Highlands under the Annexation Ordinance; he asked what would happen if the developers petitioned to access the sewer via Sunset Road and Horse Cove Road, where there were only a small number of lots.

Mayor Pro Tem James and Comm. Sossomon pointed out that existing policy required developers to pay 100% of the cost for new subdivisions, as stated in Section 15-249 of the revision.

MOVED BY COMM. CALLOWAY, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO ADOPT THE PROPOSED REVISION OF THE TOWN'S SEWER CONNECTION POLICY, SECOND DRAFT, DATED OCTOBER 2, WITH THE EXCEPTION OF THE PROPOSED SECTION 15-251.

V. New Business.

1. As authorized at the September 4 Board meeting, the Town had invited bids on a proposed 1996 Sewerline Replacement Project at the Highlands School for this time and place. Only one bid had been received, from Stillwell Enterprises Inc. The Board agreed to re-advertize for bids for the November 6 meeting.

2. A Resolution Confirming the Assessment Roll and Levying the Assessment Roll in Pinecrest Subdivision had been discussed during the public hearing preceding this meeting; it had been agreed that this matter would be deferred until the November 6 meeting, pending research by the Clerk.

3. In a letter dated October 11, 1996, George R. Freiberg had submitted a proposed contract renewal agreement from Culligan Operating Services for operation of the Wastewater Treatment Plant for \$121,718, a budget increase of less than one percent over the previous year. Mayor Pro Tem James commented that it seemed like a reasonable proposal. Public Works Director Lamar Nix said that in his opinion the firm was doing a fine job operating the facility.

MOVED BY COMM. SANDERS, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO APPROVE THE RENEWAL AGREEMENT FOR AN ADDITIONAL TWELVE MONTHS AS PROPOSED.

4. Three sealed bids had been received for this time and place, pursuant to second invitation for bids, for a 1996 International Model 4800 or equivalent 4 X 4 chassis, and transfer and rebuilding of all equipment mounted on the existing chassis of a truck in the Electric Department. The Mayor Pro Tem opened and read the following bids:

- Utility Supply & Equipment Corp.....\$ 64,451.11
- Altec Industries Inc.....81,366.28
- Simon-Telelect East.....79,211.02

MOVED BY COMM. SANDERS, SECONDED BY COMM. CALLOWAY, AND UNANIMOUSLY CARRIED TO AWARD THE BID TO THE LOW BIDDER, SUBJECT TO REVIEW OF SPECIFICATIONS BY THE PUBLIC WORKS DIRECTOR.

5. Each Board member had received a copy of the Financial Statements for the year ended June 30, 1996, with Independent Auditors' Report, as prepared by Lucas & Wood PC, CPA. The Board agreed to receive the audit and study it, and ask Steve Lucas if he would like to come to the November 6 meeting to review the audit with the Board.

6. Georgia Allen asked if a decision had been made on the Zoning Administrator's attendance at Board meetings, as discussed at the previous meeting. Mayor Pro Tem James reported that the Mayor had spoken to Shannon Baldwin, and that each Board member had received a letter explaining that a request to attend the accounting course Mr. Baldwin was taking had been reviewed by the Town Administrator and reported to the Board.

VI. MOVED BY COMM. CALLOWAY, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO ADJOURN.

Meeting was adjourned by common consent at approximately 7:40 p.m.

Richard Betz, Town Clerk