

REGULAR BOARD MEETING of August 20, 1997, with Mayor John Cleaveland and Commissioners H. N. James, Mike McCall, Donnie Calloway, Ron Sanders, and Zeke Sossomon present.

Also present were Richard Betz, Lamar Nix, Eddie Madden, Selwyn Chalker, Bill Coward, Virginia Fleming, Curtis Hayes, Hank Urbanek, Georgia Allen, Charlie McDowell, Dennis DeWolf, Richard Rhodes, Alan Marsh, King Young, Buck Trott, and Jolene Niblack.

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

II. The minutes of the August 6 Public Hearing and Regular Board Meeting had been distributed by mail.

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

III. Reports.

1. The Mayor asked the Board to consider setting term limits for members of Boards and Committees appointed by the Board in the future, perhaps a maximum of two terms, in order to give more citizens an opportunity to serve. He also reported that he had recently learned that members of the Appearance Commission, under the State Statutes, were required to be residents of the Town, and he urged the Board to consider this in future appointments.

2. The Mayor reported that Highlands-Cashiers Hospital was applying for 50 additional nursing home beds which would be available in Macon County, and they had asked for a letter of support from the Board. Comm. James asked about sewer capacity for the additional nursing home beds. The Mayor said that he understood the additional beds, increasing the total from 80 to 130, would still be within the 55,000 GPD capacity of the hospital sewer line. The Clerk said that he also understood the hospital had discussed sewer line capacity with Bill Anderson's office, and had been given approval. The Board agreed by consensus for the Mayor to write a letter of support.

3. Comm. James reported that the Utilities Committee had met on August 14 with the Clerk, the Public Works Director, and representatives from V-Z Top and Highlands Country Club to discuss plans to integrate their respective private sewer systems into the Town's sewer system. It had been agreed that a preliminary budget would be prepared for the project, and more detailed discussions would be scheduled for later this fall.

4. The Town Attorney reported that he had written to Kimila Wooten, attorney for Margaret Mitchell O'Donnell, forwarding specifications for the sidewalk at Highlands Plaza to Ms. O'Donnell and requesting the submission of detailed plans by September 15, as instructed at the previous meeting.

5. Recreation Director Selwyn Chalker provided each Board member with a written report for the month of August. The tennis court project was underway, including the new handicapped space and ramp from the entrance drive, which might necessitate the removal of a tree. He felt it would be a good opportunity while the other paving was being done to provide accessibility for the disabled to the lower level of the Civic Center by installing a driveway from the front entrance; there was already a road in that location, and Street Department Head Johnny Henry thought it was feasible. Comm. James was concerned about setting the proper grade for the tennis courts and ensuring that they drain well. Richard Rhodes was present, and said that he planned to drain the courts from side to side; he intended to ask the Town Engineer to help check the grade.

The report also contained the Tennis Court Reservation Policy, and a survey of tennis courts in the area, which indicated that all of them made courts available on a first come/first serve basis at no charge. He said that he had been able to obtain lifeguards for the pool for limited periods over the next few days, but still did not

know about Labor Day. He also reported that the compressor for the air conditioning system had been replaced, but that he was awaiting the installation of fans in the cooling towers; obtaining parts had proven difficult. Comm. James felt the Town should be getting better service through its annual preventive maintenance agreement.

Mr. Chalker also recommended employing Maxine Ramey to work on a part-time basis at the Civic Center on Saturday nights; her hourly wage would be \$6.00.

MOVED BY COMM. SANDERS, SECONDED BY COMM. CALLOWAY, AND UNANIMOUSLY CARRIED TO EMPLOY MAXINE RAMEY AT THE CIVIC CENTER ON A PART-TIME BASIS.

6. The Clerk had distributed copies of a letter dated August 8 from Joe Clark, requesting that the Town provide a 2% discount for early payment of ad valorem property taxes.

The Clerk reported that David Harris of Custom Communications had informed him yesterday that he expected to received the balance of the financial information from Highlands Cable Group by the end of the week, and would have a report shortly thereafter.

IV. Old Business.

1. Dennis DeWolf was present with a revised plan for Carolina Way, which he had reviewed with Comm. Calloway of the Street Committee prior to the meeting, and which he said reflected the concerns of the Board voiced at the previous meeting. The revised plan called for a 5-foot colored, textured asphalt sidewalk along Carolina Way, but to extend only as far as the Custom House in Carolina Square—where it would turn north and join the sidewalk in front of that business—and in front of Wild Thyme Gourmet. A 10-foot textured but uncolored asphalt strip would continue east along Carolina Way to Fifth Street, and would be used as a short-term unloading area. The plan would increase the cost, and installation needed to occur before the end of September when cold weather was a possibility.

MOVED BY COMM. CALLOWAY, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO ACCEPT CAROLINA WAY FOR MAINTENANCE, PROVIDED THE PROPOSED IMPROVEMENTS ARE INSTALLED TO TOWN SPECIFICATIONS AT THE EXPENSE OF ADJOINING PROPERTY OWNERS.

V. New Business.

1. King Young appeared before the Board with a request to install two stone columns within the right-of-way of Satulah Road, adjacent to Kendall Pierson's and Jack Wotton's property. The columns would be three feet in diameter and five feet in height, and would contain a sign saying "Satulah Historic District" and the brass plaque of the National Register. He said that he had met with the Public Works Director, and the columns would not be in the ditch line nor interfere with any water lines. He offered to bring a drawing and site plan before the Board when they had been prepared. Comm. James asked who the grantee would be under the revocable license agreement which would be required; Mr. Young thought that Mr. Pierson and Mr. Wotton would execute such an agreement.

2. Mr. Young also asked the Board to approve use of Town streets for the second annual CROP walk, which was scheduled for 1:00 p.m. on August 24; the route would be the same as last year.

The Clerk asked the Board to also approve use of Town streets for the 15th Annual Highlands 5-K Run & Fitness Walk on October 25; the route and time would be the same as last year.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO APPROVE BOTH EVENTS.

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

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**RESOLUTION DECLARING SEPTEMBER 15-21, 1997
AS MACON COUNTY HABITAT FOR HUMANITY WEEK**

WHEREAS, it is recognized that the citizens of Macon County are worthy, as a matter of conscience, of a simple, decent place in which to live; and

WHEREAS, Macon County Habitat for Humanity is a non-profit organization whose purpose is to assist Macon County citizens to achieve the goal of owning their own home through the provision of a zero-interest loan and the assistance of volunteer labor in the construction of a Habitat dwelling; and

WHEREAS, with the cooperation of non-profit organizations, community volunteers, local businesses and churches, civic groups, and the support and encouragement of local governments, decent, affordable housing can become a reality for all residents of Macon County; and

WHEREAS, Habitat for Humanity International is celebrating its 21st anniversary, and the goal of providing housing to Macon County citizens may be advanced by the designation of a week during the year to recognize and appreciate the efforts of those contributors, volunteers, and Habitat families whose efforts combine to create a revolving fund of assets available in Macon County, while seeking to eliminate sub-standard housing conditions in the County.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of Highlands duly assembled in regular session on the 20th day of August, 1997, that the week of September 15-21, 1997, be designated as "Macon County Habitat for Humanity Week," to initiate a community-wide effort to support Macon County Habitat for Humanity and to promote activities and events that will educate the public and further the ambition of providing housing to our citizens, and to honor the efforts of those involved in this activity.

The Town of Highlands

John W. Cleaveland, Mayor

(TOWN SEAL)

ATTEST:

Richard Betz, Town Clerk

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4. A petition for re-zoning had been received from James A. Potts for a 0.86 acre lot in Glendale Subdivision, north of Pierson Drive, from R-2 to B-3. The Mayor noted that previous re-zoning petitions had been tabled pending completion of the Land Use Plan update; he asked Eddie Madden and Jolene Niblack about the time frame for tabulation of the land use surveys by Geoffrey Willett. Mr. Madden said he understood it would be at least two to three months before the surveys have been tabulated. Comm. Calloway asked if the Planning Board wanted to have the results of the survey before acting on any re-zoning request; Ms. Niblack indicated her Board wanted those results first. Comm. James suggested that the Mayor call Mr.

Willetts office and see if the timetable can be moved forward; he agreed to do so. The Board agreed by consensus to defer action on the request pending update of the Land Use Plan.

5. The Clerk reported that he had received a letter signed by several residents of the lower end of Wyanoak Road, complaining about speeding in the area and requesting Children Playing or Speed Limit signs. He had asked Police Chief Jerry Cook to review the situation, and the Chief had found that seven roads in the area had no posted speed limits and/or were not included in the Town's Traffic Schedule. He recommended establishing the following speed limits on the roads indicated:

Hickory Hill Road.....	20 mph
Wyanoak Road.....	15 mph
Wyanoak Drive.....	15 mph*
Cheowah Drive.....	15 mph
Azalea Circle.....	10 mph
Dogwood Avenue.....	10 mph
Perquin Road.....	10 mph

*(Posted but not included in Traffic Schedule)

Robin Dietrich was present, and reiterated the problem with speeding, children playing, and elderly people walking on the road. Comm. Sanders felt both Children Playing and Speed Limit signs should be posted on all the streets. Comm. James noted that this was just one small area of Town; he was concerned about other areas. The Clerk pointed out that at least one of the roads in the list was a State road, and would therefore require a concurring ordinance, and that some of them were private roads. He said the speed limit on Town streets was 35 mph unless a lower speed limit was posted.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. CALLOWAY, AND CARRIED TO POST CHILDREN PLAYING SIGNS ON THE ROADS INDICATED, AND TO ESTABLISH THE FOREGOING RECOMMENDED SPEED LIMITS IN THE TRAFFIC SCHEDULE. Comms. Sossomon, Calloway, Sanders, and McCall voted "aye;" Comm. James voted "nay," citing the need to look at the whole situation.

6. The following two sealed bids had been received pursuant to informal invitation to bid on a surplus vehicle, a 1986 Ford Ranger 4 X 4 pickup truck, as approved at the previous meeting:

- Roger Dale McMahan.....\$1105
- David Leffler.....1201

The Board agreed by consensus to sell the vehicle to high bidder David Leffler.

7. The Mayor reported that Susie Deville had asked if the Board would tour the Peggy Crosby Community Service Center prior to one of the Board meetings, and/or consider holding a meeting at that location. The Board agreed to meet at the Crosby Center at 6:15 p.m. on September 17, but to return to the Conference Room of the Town Hall for the regular meeting.

8. MOVED BY COMM. CALLOWAY, SECONDED BY COMM. MCCALL, AND CARRIED TO RE-APPOINT GEORGIA SANDERS TO THE ABC BOARD. Comms. Calloway, McCall, Sossomon, and James voted "aye;" Comm. Sanders abstained.

9. The Clerk had prepared a proposed policy on Health Insurance and Life Insurance under the Municipal Insurance Trust plan, approved at the previous meeting. He had discovered that, contrary to what he had reported at that meeting, retiree insurance could not be offered to elected officials or volunteer firemen. The Board discussed the eligibility requirement for retirement of full-time employees. Comm. James suggested that the policy parallel that of the Local Government Employees Retirement System. The Clerk agreed to make the change and send a copy to the Board for review before the next meeting.

10. Comm. James asked about the status of the Bowery Water Project, Phase I. The Clerk said that he was waiting for Steve Pierson to provide him copies of the deeds of property adjoining the proposed water line, so they could be forwarded to the Town Attorney and a right-of-way deed to the Town could be executed.

11. MOVED BY COMM. SOSSOMON, SECONDED BY COMM. CALLOWAY, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION TO DISCUSS FILING OF A DECLARATORY JUDGEMENT WITH THE TOWN ATTORNEY, PURSUANT TO G. S. § 143-318.11(a)(3). Except for Town staff, all those present left the meeting room. Curtis Hayes requested to be notified when the Board went into Open Session.

The Board discussed at some length the filing of a Declaratory Judgement by the Town Attorney concerning the rights-of-way of 4½, Fifth, and Poplar Streets.

MOVED BY COMM. SANDERS, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO GO INTO OPEN SESSION. Curtis Hayes was invited back into the meeting room.

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

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

Richard Betz, Town Clerk