

REGULAR BOARD MEETING of March 4, 1998, with Mayor Buck Trott and Commissioners H. N. James, Mike McCall, Ron Sanders, Zeke Sossomon, and Amy Patterson present.

Also present were Richard Betz, Lamar Nix, Eddie Madden, Jolene Niblack, Alan Marsh, Randy Baron, Steve Pierson, Brenda Pierson, Eric Pierson, and Curtis Hayes.

I. Mayor Trott called the meeting to order at 7:00 p.m. He reported that Police Chief Jerry Cook could not be present due to illness in his family, and that Recreation Director Selwyn Chalker was out of Town.

II. The minutes of the February 18 Regular Board Meeting had been distributed by mail.

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

III. Reports.

1. The Mayor reported that he had attended a soil erosion workshop with Town Planner Eddie Madden sponsored by the N. C. Sedimentation Control Commission. He had learned that sedimentation was a growing problem, and that controls were expected to be stricter and more costly in the future. He pointed out that Highlands was one of the few local governments in the western part of the State to enforce a local Soil Erosion & Sedimentation Ordinance.

The Mayor said that the Town Attorney had not been asked to attend this meeting. He felt that the Town Attorney should only be present at those meetings at which the Board felt his attendance was necessary due to a matter on the agenda; the Board agreed.

2. Each Board member had received a copy of the Public Services Administrator's written report for the month. Lamar Nix said that, as the report indicated, he had discussed removing cable from Main Street with both Northland Cable TV and GTE; Northland had said they felt they could budget for removal of their cable, and GTE had indicated that they would begin as early as April to remove their cable. A letter had been received from Division Engineer Dan Martin indicating that the D. O. T. would fund design of the signals on Main Street, but could not guarantee funding for construction.

Mr. Nix then asked the Board for comments on a proposal to install 24 round tree planters 36" in diameter, similar to those in front of John Cleaveland's office, along Main Street, spaced between the street lights; he suggested that the species of tree could be decided at a later date by a Committee or perhaps one of the garden clubs. He also discussed the type of drainage structures desired for Main Street.

MOVED BY COMM. JAMES, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO INSTALL UNDER-CURB DRAINAGE INLETS, AND TO REMOVE THE EXISTING TREES ALONG MAIN STREET AND REPLACE THEM AS PROPOSED.

Planning Board Chair Jolene Niblack was present and said that she approved of the idea.

3. Each Board member had received a copy of the Zoning Administrator's written report for the month. Eddie Madden informed the Board that Roger Talley had resigned from the Planning Board due to an injury he had received. He said that both James Tate and Dennis DeWolf, members of the Land Use Planning Committee, had indicated that they would be willing to serve on the Planning Board.

MOVED BY COMM. SANDERS, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO APPOINT JAMES TATE TO THE PLANNING BOARD

Mr. Madden pointed out that the appointment would leave a vacancy

on the Land Use Planning Committee. The Board agreed for him to bring the names of some prospective members for consideration at the next meeting.

Copies of several proposed amendments to the Zoning Ordinance had been distributed with the agenda for the Board's review.

Mr. Madden reported that he had recently received a full Soil Erosion Plan, which was required for land-disturbing areas of more than one acre. Because review of such a plan required considerable expertise, he had asked W. K. Dickson Company, the Town's consulting engineer, to review it; the cost would be approximately \$400. He suggested that the Town adopt a fee for review of full Soil Erosion Plans to help recover the cost. Considerable discussion ensued.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO ADOPT A MINIMUM FEE OF \$300, PLUS ANY COST OVER THAT AMOUNT INCURRED AS A RESULT OF REVIEW BY THE TOWN'S CONSULTING ENGINEERS, FOR REVIEW OF A FULL SOIL EROSION PLAN.

Finally, Mr. Madden reported that the Land Use Planning Committee was already meeting weekly on Monday nights at 7:00 p.m.

4. Each Board member had received a copy of the Treasurer's Report for the month of February.

MOVED BY COMM. SANDERS, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO ACCEPT THE TREASURER'S REPORT.

5. Each Board member had received a draft copy of guidelines for the operation of the Highlands Cemetery for review. The Clerk reported that the Cemetery Company had met on February 23 and adopted a resolution of dissolution effective July 1. He also asked the Board to consider asking the funeral companies to provide for digging of graves, rather than Town Water Department personnel. After some discussion, the Board agreed for the Clerk to write to the funeral companies informing them that, effective July 1, it will no longer provide this service.

The Clerk reported that the Town's application for a Clean Water Management Trust Fund grant for the proposed West Shore Lake Sequoyah project had been denied. Official notification of approval under the State Revolving Loan program had been received, however. He recommended discussing the funding for the project further when the Finance Committee meets and begins updating the Capital Improvement Plan.

The Clerk reported that, as requested at the previous meeting, a meeting had been arranged with the D. O. T. Statewide Planning office to discuss adoption of the Thoroughfare Plan. On February 23, the Mayor, Comm. James, and Town staff had met with Blake Norwood from that office and discussed adoption of the plan; although a public hearing could be held, it was not required. Comm. James said that he felt the Plan had received adequate public exposure in the press, as well as when it was presented last year, and he did not feel a public hearing was necessary. The Board agreed to place the Plan on the agenda of the next Board meeting for adoption.

The Clerk reported that Town Attorney Bill Coward had forwarded a copy of a letter from Kimila Wooten informing him that Margaret Mitchell O'Donnell had been in contact with her contractor, and he expected to begin work on the sidewalk to Highlands Plaza next week or the week after, providing the weather holds up.

Each Board member had received a copy of a letter from Ralph Morris and Curtis Hayes, alleging that "the Town continues to fall short in its duty to the press," and his response, which he said had been reviewed by the Mayor and Town Attorney.

IV. Old Business.

1. The Clerk reported that the Town Attorney was preparing a revised antenna lease agreement with WHLC based on the comments received from the Board at the previous meeting. Invitations for bid had been requested from several tower companies, asking for bids based on ¼", 1", 2", and 3" ice load.

2. The Clerk reported that he had met with Steve Pierson, as instructed at the previous meeting, and conveyed the Board's decision concerning a 60-foot utility right-of-way for the proposed Bowery Road water line.

Steve and Brenda Pierson were present, and Brenda Pierson pointed out that they did not have a 60-foot right-of-way along the road, since several lots on the opposite side of the road from their property had been conveyed without rights-of-way before the area had been annexed. Steve Pierson said that he was not willing to provide more than a 15-foot right-of-way from the center of the road; he pointed out that the Subdivision Regulations only called for a 40-foot right-of-way. He said the existing gravel road was approximately 16 feet in width.

Comm. Patterson asked if this was a private road. Mrs. Pierson said that it was, but that it was Town-maintained. Mr. Pierson said that he had no immediate plans to develop the property along the road.

Comm. Patterson felt that, since the lots on the other side of the road had been conveyed prior to annexation, Mr. Pierson was under no obligation to provide a right-of-way until he subdivided the land.

Comm. James felt that the Town should require 30 feet of the 60-foot right-of-way shown on a 1988 plat submitted by Mr. Pierson. He pointed out that the water line was being installed where Mr. Pierson would be developing some day, and it should be to the advantage of both parties. He also felt that the property owners on the other side of the road should be contacted about a right-of-way.

Mayor Trott pointed out that the Finance Committee would be meeting soon, and he felt that they should consider putting the money budgeted for this project somewhere else.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO TABLE THIS MATTER UNTIL SOME FUTURE DATE.

Comm. McCall suggested that the Utilities Committee meet with Mr. Pierson to discuss the matter.

The Board asked the Clerk to contact the property owners along the other side of the road regarding an easement.

V. New Business.

1. The Clerk reported that no bids had been received for a piece of property on Hicks Road donated to the Fire Department; the parcel had been re-advertized, with a minimum bid of \$5000 requested.

Comm. McCall reported that he understood Ed Talley, an adjoining property owner who had submitted a bid of \$3000 on February 4, had offered \$3500 for the property after that date; he said that the Fire Department had voted to accept that offer.

MOVED BY COMM. MCCALL, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO SELL THE FOREGOING PROPERTY TO ED TALLEY FOR \$3500.

2. Randy Baron was present with a site plan and elevation of proposed improvements at the entrance of the Kelsey & Hutchinson Lodge on Spring Street. He proposed re-locating one of two stone columns already located within the right-of-way in order to widen the driveway from 13 feet to 16 feet for safety. In addition, he outlined plans to construct "wing" walls connected to the columns, a rock curb, and a culvert, all within the right-of-way. He also proposed installing a new sign on an old sign post located with the

right-of-way. It was pointed out that this request, however, would require approval from the Zoning Board, since signs located within the right-of-way were prohibited by the Zoning Ordinance.

MOVED BY COMM. JAMES, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED FOR THE PUBLIC SERVICES ADMINISTRATOR AND THE STREET COMMITTEE TO REVIEW THE REQUEST.

3. Each Board member had received copies of a proposed agenda for the March 14 Board retreat, prepared by the Mayor and the Clerk based on suggestions received from some Board members.

4. The Board agreed by consensus to authorize the Mayor to issue the following proclamation, as requested by the Highlands-Cashiers Hospital:

National Nutrition Month Proclamation

WHEREAS, healthy eating promotes health and wellness. A healthy lifestyle is the key to feeling good and being able to do the things a person wants to do. A healthy eating plan is the beginning of a healthy lifestyle; and

WHEREAS, nutrition is an important component of health. Healthful eating improves quality of life and reduces risk of illness and disease; and

WHEREAS, all foods can fit into a healthy eating plan. Food choices for a healthy lifestyle include favorite foods that meet a person's preferences and needs; and

WHEREAS, registered dietitians are the nutrition experts. A registered dietitian can provide the most current nutrition information for promoting health and wellness for all ages.

NOW, THEREFORE, I, Allen Trott, Mayor of Highlands, North Carolina, hereby proclaim March 1998 as "National Nutrition Month," and recognize the registered dietitian as the "nutrition expert," and commend this observance to our citizens.

This resolution is adopted this 4th day of March, 1998.

The Town of Highlands

Allen L. Trott, Mayor

(TOWN SEAL)

ATTEST:

Richard Betz, Town Clerk

VI. There being no further business to come before the Board, the meeting was declared adjourned by the Mayor at approximately 8:40 p.m.

Richard Betz, Town Clerk