

REGULAR BOARD MEETING of September 6, 2000, with Mayor Buck Trott and Commissioners Amy Patterson, Zeke Sossomon, H. N. James, and Mike Cavender present. Comm. Sanders was absent due to illness.

Also present were Richard Betz, Lamar Nix, Maureen Lackey, Jerry Cook, Selwyn Chalker, Morris Williams, Kim LeWicki, Bob Wright, Dale Miller, Jack Schneider, Keith Johnson, Quentin & Claire Duff, and several others.

I. Call to Order.

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

II. Approval of Agenda.

Copies of the agenda had been distributed by mail. Dale Miller was present to request permission for a structure on the right-of-way, and asked to be heard under New Business.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO APPROVE THE AGENDA AS AMENDED.

III. Approval of Minutes.

Copies of the minutes of the August 16 Regular Board Meeting had been distributed by mail.

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

IV. Reports.

1. The Mayor expressed regrets over the recent death of long-time Highlands resident Almetta Brooks, and also Tom Crumpler, Jan Chmar, and Betty Wallin.

He also reported that he, the Town Administrator, and the Town Engineer had met on August 29 at Wildcat Cliffs Country Club to discuss concerns over water supply with representatives of Wildcat, Highlands Falls Country Club, Cullasaja Club, and the Highlands-Cashiers Hospital. He understood that some type of water supply study would be forthcoming, funded by those entities and coordinated by the Upper Cullasaja Watershed Association.

The Mayor also reported that he had placed a wreath on the Vietnam Wall exhibit in Franklin on Monday on behalf of the Town.

Several people were present from Shelby Place to discuss a problem with dogs in that area. Claire Duff and Jack Schneider both said that the dogs had been barking for years and that there were sometimes as many as 20 of the animals; Mr. Schneider said that he had been bitten once, and he had filed a complaint with the Chief of Police under the Nuisance Animal regulations. Chief Cook was present and said that he had turned the matter over to John Hook with Macon County Animal Control, and he understood it was being investigated; it appeared that many of the dogs did not have rabies tags or collars. The Mayor asked Chief Cook to follow up on the matter.

Comm. Patterson reported that she would be unable to attend the September 20 meeting because she would be out of Town.

2. Each Board member had received the Public Services Administrator's written report for the month. Lamar Nix was present and reported that the Water Department had replaced a water line on Dogwood Lane, and had also begun installation of the pressure sewer line, the Town portion of the West Shore Lake Sequoyah Project. He also reported that he had been working with Comm. Cavender and

Bob Fisher in an attempt to resolve some of the issues surrounding the Bowery Road matter; the work involved a compromise on right-of-way and road width along the first portion of the road. He also reported that a property owner at the end of Satulah Ridge Road had requested that the Town pave a portion of the private road and narrow cul-de-sac where garbage trucks turned.

MOVED BY COMM. JAMES, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO DENY THE REQUEST.

Mr. Nix also reported that Fire Chief Mike McCall had requested the Town to consider installing additional stop signs at the intersection of First and Oak Streets. The Police Chief recommended adding a sign on First Street.

MOVED BY COMM. JAMES, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO POST AN ADDITIONAL STOP SIGN ON FIRST STREET AT THE INTERSECTION.

3. Each Board member had received the Police Chief's written report for the month. Jerry Cook was present and reviewed the report with the Board, which included written information he had provided on an Internship Program which Highlands School had requested. The Program would serve at least two students in Highlands who were interested in an internship but could not travel to Franklin, where an identical program was in effect. The interns would not be on patrol, and their work would be limited to office work and perhaps parking enforcement. The program had been approved by the Board of Education, and insurance would be provided through the school.

MOVED BY COMM. JAMES, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO AUTHORIZE THE HIGHLANDS POLICE DEPARTMENT TO PARTICIPATE IN THE PROGRAM.

Chief Cook also noted that he would be reviewing two applications for employment in Closed Session at the end of the meeting.

4. Each Board member had received a copy of the Recreation Director's report for the month. Selwyn Chalker was present and reviewed the report with the Board. He said that the swimming pool was in the process of being closed for the season, and the pool deck work was ready to begin. He also reported that the County would be applying for a PARTF grant for the ballfield project on Buck Creek Road, and the Recreation Resources Representative for the area had indicated that a letter or resolution of support from the Board would be helpful. Comm. James noted that the Board had always supported this project. The Board asked Mr. Chalker to work with the Town Administrator in drafting a resolution of support whenever it was needed.

Mr. Chalker also reported that, at the recent conference he had attended, the League of Municipalities Risk Management Group had presented some information on playground surfaces, and he distributed copies to the Board. New ASTM standards indicated that the 12" of sand in the Recreation Park's playground might be less acceptable in the future; ground pallets, tires, or other loose fill materials were more effective at shock absorbance.

Mr. Chalker also noted that he would be reviewing two applications for employment in Closed Session at the end of the meeting.

5. Each Board member had received a copy of the Town Planner/ Zoning Administrator's report for the month. Maureen Lackey was present and reviewed the report with the Board. She also reported that she and Comm. James had met on August 24 with County Commissioner Ricky Bryson, County Manager Sam Greenwood, County Planner Joey Stark, and newly-employed County Watershed Administrator Brian McClure. The County officials had agreed to enforce prohibition of development in the 30-foot natural vegetative buffer along all perennial waters, and 50 feet along the West Shore of Lake Sequoyah, regardless of

whether the property had been platted before the effective date of the County Watershed Ordinance. The officials had also been receptive to the idea of a notification requirement before draining lakes in the County's portion of the Highlands watershed.

The Town Administrator reported that he had discussed a Lake Drainage Ordinance with Geoffrey Willett, who in turn had discussed it with David Owens at the Institute of Government.

Such an Ordinance could require notification, and might also include specific draining requirements to minimize sedimentation and turbidity monitoring downstream. Mr. Willett felt that both the Town and the County had the authority to adopt such an Ordinance, probably under the Watershed Protection Act. Mr. Betz hoped to have a draft prepared in a matter of weeks.

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

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

7. The Town Administrator reported that bids on both the Maple Street and the West Shore Lake Sequoyah Sewer Improvement projects had been advertized, and would be received at 2:00 p.m. and 3:00 p.m. on September 28. Consulting engineers with W. K. Dickson Company would provide a recommendation for the Board to act upon at the October 4 meeting.

Pursuant to the August 16 Board meeting, a letter dated August 18 had been written by the Mayor to Robert Nass, owner of Randall Lake, and copies were distributed; no response had been received. Robert Reid had also submitted the information requested by Harold Saylor on his dock on Lake Sequoyah, and the Town had forwarded it to Mr. Saylor on August 17. Plans and encroachment permit had also been submitted to the D. O. T. for completion of the sidewalk along the west side of Fifth Street between the school and South Street.

Bids on the Sanitation Department truck, the Street Department tractor, the Street Department dump truck, the Administration pickup truck, and the new chipper for the Electric Department had been advertized, and would be received on September 18; they would be tabulated and presented to the Board for approval on September 20.

A proposal had also been received from W. K. Dickson engineer Victor Lofquist for preliminary work on the Wastewater Treatment Expansion, pursuant to his March 1, 2000 report; the total amount approved in this year's budget for Phase I was \$175,000. Some of those present had not received the engineering proposal, however, due to a delay in the mail over the Labor Day weekend, and the Board agreed to discuss it at the next meeting.

#### V. Old Business.

1. The Board again discussed a request for a four-way stop sign at the corner of Leonard and Smallwood. It was noted that one reason for the stop sign was lack of visibility at this intersection, and Comm. James commented that visual clearance should be maintained regardless of erection of a stop sign. Dale Miller, resident on the northwest corner of the intersection, was present and said that he felt the signs were needed; there was a lot of construction traffic on Leonard Road, and many young children used Harris Lake.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO INSTALL FOUR-WAY STOP SIGNS AT THE INTERSECTION.

The Board also requested that the property owners at the intersection be contacted to discuss trimming of vegetation.

2. The Town Administrator reported that changes had been required in the plans for the Fire Department addition, as reported at the

previous meeting, and the Institute of Government had advised adoption of a resolution terminating the previous bid and authorizing a new one.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO ADOPT THE FOLLOWING RESOLUTION:

A RESOLUTION AUTHORIZING  
RE-ADVERTIZING FOR BIDS FOR  
THE HIGHLANDS VOLUNTEER FIRE DEPARTMENT  
2000 ADDITION AND RENOVATION

**WHEREAS**, on April 12, 2000, the Board of Commissioners authorized advertizing for bids on the "Highlands Volunteer Fire Department 2000 Addition and Renovation" when the Fire Department budget had been approved and the fire district tax had been set by Macon County;

**WHEREAS**, said budget and tax were approved and bids were to have been received at 7:00 p.m. on August 2, 2000;

**WHEREAS**, changes were required in the drawings and specifications, and the bid process was terminated on August 2;

**WHEREAS**, the drawings and specifications have now been changed and the project is ready to bid.

**NOW, THEREFORE, BE IT RESOLVED, THAT** the Board of Commissioners authorizes the re-advertizing for bids for the "Highlands Volunteer Fire Department 2000 Addition and Renovation" for September 20, 2000.

This resolution is adopted this 6th day of September, 2000.

VI. New Business.

1. Dale Miller was present, and said that he had constructed two rock posts and a parking area on Leonard Street at Harris Lake. The pillars were located 17 feet from the centerline of the road, and two feet from the ditch line, and thus were within the 50-foot right-of-way of Leonard Street. The parking lot was gravel, large enough for four cars, and located 30 feet from the Lake. Mr. Miller had made other improvements around the lake, including a split-rail fence, and his plans were to eventually erect a sign designating the area Steve Potts Park. Although he had requested permission through Terry Potts from Vella Mae Potts, he had not realized that permission from the Board was also required under the Zoning Ordinance.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO PERMIT THE STONE PILLARS ON THE RIGHT-OF-WAY CONTINGENT ON EXECUTION OF A REVOCABLE LICENSE AGREEMENT.

Comm. James commented that, like earlier requests, he had a problem when permission for such structures was sought after the fact.

2. The Town Administrator had prepared a map showing the Town's corporate limits, the limits of the one-mile extra-territorial jurisdiction (ETJ), and the watershed basins, as requested at the previous meeting. Comm. Sossomon asked if the question was a moot one now since the County had agreed to enforce the natural vegetative buffer along the west shore of Lake Sequoyah. Comm. Patterson felt that there could be a benefit in considering extension of the Town's soil erosion Ordinance into the area. Comm. James said that he could not see discussing the west side of Lake Sequoyah while ignoring the problem side; Comm. Sossomon agreed. Comm. James also said that generally ETJ preceded plans for annexation, and he did not think this area would qualify. Comm. Patterson said that she would favor looking at the entire watershed. Comm. Cavender said that if the Town was serious about sedimentation, he felt it should take a closer

look at the proposal; combined with a Lake Drainage Ordinance, it had the potential to better protect water quality.

The Town Administrator explained the process for extending authority in the ETJ, which consisted of defining the area precisely along property lines using County Tax Maps, calling a public hearing, and providing first-class notice to all property owners in the area. He also felt it would be worthwhile to analyze how many staff hours would be required to enforce soil erosion regulations in the ETJ, and to discuss procedures with the County Building Inspector for issuing land-disturbing permits for construction outside of Town.

Maureen Lackey described the measures she employed in enforcing the Town's Soil Erosion Ordinance inside the Town limits. She felt that education was a key component of enforcement, and said that she felt the program could be successful.

Bob Wright was present, and commented that he had yet to see a silt fence installed properly in Macon County; many were installed for show, but few were effective in controlling silt.

The Board agreed for staff to prepare an estimate of how much time would be required to enforce the regulations in the ETJ, to discuss permit procedures with the County, and to prepare more detailed maps delineating the ETJ in the Big Creek and Cullasaja watersheds as well as west of Lake Sequoyah.

3. Keith Johnson was present from the Mirror Lake Improvement Association (MLIA), and asked the Board to adopt a resolution requesting assistance from the north Carolina Aquatic Weed Program. The program would provide sterile grass-eating carp for Mirror Lake on a 50/50 cost share basis with the Town; he said the MLIA had agreed to reimburse the Town the entire amount of its share of the cost.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO ADOPT THE FOLLOWING RESOLUTION, CONTINGENT ON RECEIPT OF A LETTER FROM THE MIRROR LAKE IMPROVEMENT ASSOCIATION CONFIRMING THAT IT WOULD REIMBURSE THE TOWN THE ENTIRE AMOUNT OF ITS SHARE OF THE COST:

A RESOLUTION  
REQUESTING ASSISTANCE  
FROM THE NORTH CAROLINA AQUATIC WEED PROGRAM

**WHEREAS**, the Board of Commissioners of the Town of Highlands desires assistance from the North Carolina Aquatic Weed Program for controlling the spread of an aquatic weed.

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

(1) The Board requests that the North Carolina Control Program conduct the Mirror Lake aquatic weed control project in the Town of Highlands.

(2) The Board assumes full obligation for payment of fifty percent of non-federal costs associated with the Mirror lake aquatic weed control project.

(3) The Board will assist the North Carolina Department of Environment and Natural Resources and/or the U. S. Army Corps of Engineers in quantifying its aquatic weed problems and determining the public benefits of the proposed control project.

(4) The Board will assure that the public will have access to the waters that are benefitted by the control project.

(5) The Board will hold the State harmless from any dangers that may result from the implementation of the project.

(6) The Board will be responsible for notifying all land-owners whose property is adjacent to the body of water

(7) The Board will notify the public of any temporary restrictions on use of the body of water as required by the specific method of treatment used.

This resolution is adopted this 6th day of September, 2000.

4. The Town Administrator reported that Rotary/Interact had requested permission to close Pine Street on September 16 from 6:00 p.m. until 11:00 p.m. for a street dance.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO APPROVE THE REQUEST.

5. Tax Releases were presented, pursuant to release from Jackson County, for the following:

- Wallcraft Investment Co. Et. Al.....\$911.70
- Wallcraft Investment Co. Et. Al.....303.48

MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO APPROVE THE TAX RELEASES.

6. MOVED BY COMM. PATTERSON, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION TO REVIEW APPLICATIONS FOR EMPLOYMENT IN THE POLICE AND RECREATION DEPARTMENTS PURSUANT TO G. S. §143-318.11(A)(6). All present left the meeting room except the Town Administrator, the Police Chief, and the Recreation Director.

- A. The Board reviewed applications for a Recreation Maintenance Worker with the Recreation Director. Mr. Chalker recommended employing David Kennemore.
- B. The Board reviewed applications for employment in the Police Department with Chief Cook. Chief Cook reported that Tony Carver would no longer be employed as a Police Auxiliary. He recommended employing David Tippet as Police Auxiliary. He also recommended employing Anthony Corbin as a full-time patrol officer, contingent on completion of his certification.

MOVED BY COMM. JAMES, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO GO INTO OPEN SESSION.

7. MOVED BY COMM. PATTERSON, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO EMPLOY DAVID KENNEMORE AS RECREATION MAINTENANCE WORKER AT A BEGINNING SALARY OF 7-1 (\$7.97/HR).

MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO EMPLOY DAVID TIPPETT AS POLICE AUXILIARY AT A BEGINNING SALARY OF 9-1 (\$8.79/HR), AND TO EMPLOY ANTHONY CORBIN FULL-TIME AT A BEGINNING SALARY OF 11-1 (\$9.71/HR), CONTINGENT ON COMPLETION OF HIS CERTIFICATION.

VII. The Board agreed to adjourn by common consent.

There being no further business to come before the Board, the meeting was declared adjourned by the Mayor at 8:55 p.m.

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Richard Betz, Town Clerk