

JOINT MEETING WITH MACON COUNTY BOARD OF COMMISSIONERS on February 21, 2001, with Mayor Buck Trott and Commissioners Zeke Sossomon, Amy Patterson, H. N. James, Ron Sanders, and Mike Cavender present; and with Chairman Harold Corbin and Commissioners Janet Green, Mark West, Charles Leatherwood, and Ricky Bryson present.

Also present were Richard Betz, Bill Coward, Lamar Nix, Maureen Lackey, R. S. Jones Jr., Sam Greenwood, Joe Stark, Byron McClure, Larry Lackey, Kim Lewicki, Don Hendershot, Doug Nagenthal, Candice Cunningham, and Jodie Cook present.

The informal joint dinner meeting was held at the McCollum House, 473 East Palmer Street, in Franklin. Harold Corbin welcomed those present, and Mayor Trott asked the invocation. After dinner, Comm. Corbin called the meeting to order, and he and Mayor Trott introduced officials from the County and the Town.

The meeting began at 7:15 p.m. with a discussion of County enforcement of water quality ordinances. Town Administrator Richard Betz explained that the Highlands Board was concerned over water quality in the Highlands Watershed outside the Town limits, and last fall had discussed the possibility of extending its extra-territorial jurisdiction (ETJ) into this area for the purpose of enforcing the Town's Soil Erosion Ordinance. Town Planner Maureen Lackey then briefly described the Soil Erosion Ordinance and how it was enforced. She said that the local ordinance did not rely on an inadequately-staffed State regional office, and also permitted more stringent controls.

County Planner Joe Stark reported that the County Watershed Associations were in the process of drafting a local ordinance, which he expected to be complete by late spring or early summer.

Mr. Betz also said that the Town was drafting an Impoundment Draining Ordinance, which would regulate the draining of impoundments inside Town. The Ordinance had been prompted by the recent release of sediment from Randall Lake and the problems it had caused in Big Creek and at the Water Treatment Plant. He said that the Highlands Board hoped the County would consider adopting a similar ordinance outside Town. Mayor Trott said that in his opinion Western North Carolina was behind many parts of the country in controlling sedimentation.

Commissioner Ricky Bryson said that he opposed the Town extending its ETJ, and expected that the County would have an Ordinance adopted very soon.

County Manager Sam Greenwood agreed that neither the Town nor the County could rely on the State. He pointed out that, in many ways, Highlands had been affected earlier by problems like sedimentation, but the rest of the County was not far behind. Many recent studies had showed that sedimentation is the major enemy, and with the lakes filled to capacity with silt, the County needed a common-sense regulatory scheme to control it.

Town Commissioner Mike Cavender felt that a Soil Erosion Ordinance should be workable, but not so modest that ignoring it would be just another cost of doing business; he felt that severe penalties were needed so that it was not ignored. He also pointed out that it was much better to prevent sedimentation at its source than to clean up area lakes; according to a recent estimate, the cost of cleaning up three feet of silt in the major lakes in the Highlands area was about \$3 million.

Comm. Corbin asked how the County could help. Mayor Trott said that he felt the County had already taken a step in the right direction by working toward having a County Ordinance on the books.

Mr. Greenwood then discussed a recent interpretation of the Macon County Water Supply & Wastewater Treatment Improvements Fund, established in 1990 and extended again in 1997; under the agreement, matching funds up to \$300,000 was provided by the County for water

and sewer projects through FY 03-04. According to a new interpretation, it appeared that matching reimbursements would be made in the remaining three years only for projects that benefitted citizens outside of Town. Mr. Greenwood said that one of the key elements in reducing reliance on septic tanks and groundwater was the provision of water and sewer through the municipalities, and he felt that these issues stretched outside the city limits. Whatever the original basis of the Fund had been, he felt that it was now necessary to look at what needed to be done in the future.

Those present then entered into a wide-ranging discussion. Comm. Cavender felt that it did not make much sense to have a County-wide system without land use planning. Mr. Betz pointed out that the Town already had qualifying expenses carried over from past years in excess of \$1 million, and was relying on \$900,000 in revenue from the Fund over the next three years to pay for ongoing projects. The origins of the Fund was then discussed. Comm. Bryson did not think that the Town should hoard its water. Mayor Trott was concerned that not all citizens inside Town had access to Town services like sewer. County Attorney R. S. Jones Jr. said that the documents and the preamble of the agreement indicate that its purpose was to service people outside the Town limits. Comm. Sossomon said that wasn't what the agreement said. Comms. Cavender and Patterson said that they had been present when the agreement had been adopted and did not remember it that way. Comm. West wondered what the intent of the agreement had been if not to expand services into the County. Comm. Patterson said that the County had agreed to provide matching resources in the areas of the County where the densest populations were located--i.e, Highlands and Franklin--so that they could get the biggest "bang for their buck." Comm. James did not think that the agreement could be interpreted differently after 10 years. Mr. Betz pointed out that the Town had a long-standing policy of not providing water service unless the area agreed to be annexed; thus, by its own policy, it could not provide water to areas outside of Town. Comm. Bryson said he thought that policy ought to be changed. Kim Lewicki asked if the funding for the next three years was secure or not. Mr. Greenwood said he felt that was a discussion issue.

Those present agreed by consensus for Comm. Ricky Bryson, Comm. Harold Corbin, Comm. H. N. James, and Comm. Zeke Sossomon to meet together and discuss this issue.

Harold Corbin announced that the Association of County Commissioners would be holding a meeting in Franklin on Land Use Planning on April 9, and he invited officials from Highlands to attend.

Mr. Corbin then declared the meeting adjourned at 8:30 p.m.

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Richard Betz, Town Clerk