

REGULAR BOARD MEETING of August 15, 2001, with Mayor Buck Trott and Commissioners Zeke Sossomon, Amy Patterson, H. N. James, Ron Sanders, and Mike Cavender present.

Also present were Richard Betz, Lamar Nix, Bill Coward, Willie Houston, Lewis Doggett, Linda Clark, Patrick Neal, Kim Lewicki, Don Hendershot, Mildred Johnson, Bob Wright, Bill Rethorst, Christopher Shook, Jerry and Jean Harris, Frank Ferree, and 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. The Town Administrator asked that a Closed Session item be added to the agenda to review applications for Zoning Administrator and Police Parking Enforcement Officer.

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

III. Approval of Minutes.

Copies of the minutes of the August 1 Regular Board Meeting had been distributed by mail.

MOVED BY COMM. SANDERS, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES AS AMENDED.

IV. Reports.

1. The Mayor reported that he had attended a League of Municipalities Board of Directors meeting in Raleigh the previous week; as expected, much of the meeting had been devoted to the State's budget crisis, including the reluctance of the big cities in the State to agree to the proposed sales tax increase.

He also reported that the inaugural Relay for Life was scheduled for August 17-18. It appeared that the event would be a success, with over \$61,000 raised to date. He thanked Selwyn Chalker for his assistance in organizing the event.

2. The Town Administrator distributed copies of a proposed amendment of the job description of the Zoning Administrator in the Personnel Manual, which he and the Town Attorney had drafted for the Board's review.

He distributed copies of the Police Chief's written report for the month of August, but said that Jerry Cook was not able to be present to review the report due to illness. He also reported that \$127,378 had been contributed to date to the Bowery Road Escrow Fund. He also reported that the Highlands Mountain Club had been connected to the Town's sewer collection system as of last week, and payment of \$101,750 in the first of two annual installments for connection fees had already been received. He also reported that he had written on behalf of the Fire Department to Jay Denton, Chairman of the Jackson County Board of Commissioners, expressing disappointment over the \$3,150 in the County budget for fire protection in the portion of the Highlands Fire District located in Jackson County; an equivalent amount at the Macon County tax rate of 0.011 per \$100 of valuation would have been \$13,241.

3. Town Engineer/Public Services Administrator Lamar Nix was present, and explained that it would be necessary for the Town to replace its reclosers at the new Duke substation on US-64; Duke Energy Services had agreed to provide engineering services at a cost of \$2622 in order to correctly design the reclosers, and had prepared

a contract and service agreement.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO APPROVE THE CONTRACT IN THE AMOUNT OF \$2622, SUBJECT TO REVIEW BY THE TOWN ATTORNEY.

V. Old Business.

1. The Town Administrator reported that Town officials had met with Susan Rabold, the Town's telecommunications consultant with SpectraSite, and were continuing to discuss proposals for antennas on Satulah and Big Bearpen.

VI. New Business.

1. Frank Ferree was present on behalf of the Highlands-Scaly Recreation Committee, and he asked the Town for a commitment to provide sewer service for restrooms and a concession stand at the new Buck Creek athletic fields. Lamar Nix reported that he had reviewed the request, and it appeared that it was physically feasible; the sewer service would connect at Chestnut Hill. He understood that the County did not feel confident of the ability to install a septic system on the property.

Comm. James pointed out that the County would have to talk to Chestnut Hill and the Highlands-Cashiers Hospital; he felt that a connection fee and monthly user fees should also be charged. Comm. Patterson said she was not averse to the concept if the particulars could be worked out; Comm. James agreed. Comm. Sossomon also felt that it was a reasonable proposal; nobody else was permitted to access this sewer line except the Hospital and Chestnut Hill, but this was a County facility.

The consensus of the Board was to approve the proposal in concept, and meanwhile to take it under advisement until the details can be worked out.

2. Planning Board members Linda Clark and Lewis Doggett were present to review the proposed amendments to the Soil Erosion Ordinance; each Board member had previously received a copy. Ms. Clark pointed out that the land in Highlands is different from the land in other areas of the country due to the very steep slopes; the proposed amendments recognized that fact. She reviewed a map prepared by the Division of Community Assistance which showed areas in Town having slopes of 0-30%, 30-60%, and over 60%. She said that it had been pointed out that areas of Town having slopes steeper than that were not identified on the map, and she felt it was essential that they be identified so that the Zoning Administrator and the property owners would know what regulations applied. She then distributed copies of a chart showing the essential requirements of the amendments and how they differed from the current requirements. On slopes of 30-60%, a Mountainside Earthwork Permit would be required, and on slopes over 60% a Soil Erosion Control Plan designed by a Certified Civil Engineer would be required. She acknowledged that the wording of the proposed amendment needed to be refined and placed in the proper location in the Ordinance. But she said that the Planning Board felt that development in the future would occur on steeper and steeper land, and it was important to have these regulations in place.

The Board and others present then discussed the amendments in some detail. The Mayor asked if the Board had been working under the assumption that no sediment should leave the site; it was reported that the current Ordinance requires that. Comm. James suggested that the applicant provide information on the slope when applying for a land-disturbing permit, rather than relying on the map; that would cover the areas not shown on the map. Bob Wright agreed; he felt that the map was a useful tool, but he did not think it needed to be made a part of the Ordinance. Bill Rethorst said that he thought it was interesting to identify the slopes, but enforcement of existing

Ordinances was much more important; there was plenty of evidence in Town now where the regulations had not been enforced. He felt that it would be better to strengthen the existing Ordinance rather than taking on additional slope requirements. Bill Coward asked how the planting schedule would be policed; Linda Clark suggested that the Zoning Administrator would inspect sites according to a schedule. Bob Wright stressed the importance of re-vegetation, and said that that was one of the weaknesses in the State regulations.

He agreed that we were seeing more and more development on steep lots, and he felt that it was important to look ahead. He also pointed out that the requirement for soil tests should be clarified. It was reported that there were good standards for managing soil erosion in several of the country clubs, including Sapphire Valley, Cullasaja Club, and Highlands Falls. The Mayor asked about the County Ordinance, which Mr. Wright had been drafting. Mr. Wright reported that it had just been submitted to the County Commissioners; it regulated land-disturbing areas as small as one-half acre, which was not as stringent as the Town's Ordinance but better than the State. Comm. Sossomon asked if, from a results point of view, the Town was better off enforcing what we have now, or adding another level; he pointed out that there was no limit to what information could be requested under the current Ordinance. Richard Betz said that he agreed with Comm. James and Bob Wright that the map should be illustrative only, but added that it could be valuable information for property owners; he felt it would be more effective to regulate the slopes of land-disturbing activities on a case by case basis by requiring the greatest slope disturbed to be indicated on the application for a permit.

Comm. James suggested that the Interim Zoning Administrator, as well as the new Zoning Administrator when employed, should review the proposals. The Board agreed; the consensus was that the Planning Board should work with Mr. Betz and the new Zoning Administrator, and also review the regulations in other areas like Sapphire Valley.

3. Sherri Kremser was not present, but the Town Administrator and Town Engineer reported that she had asked them about the possibility of the Town funding 50% of the cost of a sidewalk across the front of the Mountain Fresh Fine Foods property. The sidewalk would be six feet in width, raised brick, with a curb and gutter on each side, and would be located on private property, with parking on both private property and right-of-way; some of the parking spaces in the area now would probably be lost, but pedestrian safety would be enhanced.

Lamar Nix said he had obtained a price of \$13,600 from PACO Concrete to install the proposed sidewalk, but no plans had been prepared other than a sketch which Mr. Nix had made based on the County tax maps. The Board deferred action until a more detailed plan could be prepared.

4. The Board discussed the need for stop signs at the intersection of Oak and Maple Streets, now that Maple Street was open to traffic.

The Town Engineer, the Police Chief, and the Fire Chief recommended a four-way stop sign at the intersection.

MOVED BY COMM. SANDERS, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO APPROVE A FOUR-WAY STOP SIGN AT THE INTERSECTION.

The Mayor reported that the D. O. T. had agreed to conduct a traffic study on Maple Street as early as September.

5. The Town Administrator reported that Frank Montgomery had resigned from the Advisory Committee for the Scholarship Endowment Fund. The Committee had met on August 9 and recommended that Steve Chenoweth be appointed to fill Mr. Montgomery's term; Mr. Chenoweth had agreed to serve.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO APPOINT STEVE CHENOWETH TO THE ADVISORY COMMITTEE FOR THE SCHOLARSHIP ENDOWMENT FUND TO FILL THE UNEXPIRED TERM.

6. The Mayor reported that the Highlands Hoedown Committee had requested that Pine Street be closed for another street dance on

August 25th from 7:30 p.m. until 11:00 p.m.

MOVED BY COMM. SANDERS, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO APPROVE THE CLOSING OF PINE STREET AS REQUESTED FOR DANCES THROUGHOUT THE REST OF THE SEASON.

7. MOVED BY COMM. SANDERS, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION PURSUANT TO G. S. §143-318(A)(6) TO REVIEW APPLICATIONS FOR EMPLOYMENT FOR ZONING ADMINISTRATOR AND POLICE PARKING ENFORCEMENT OFFICER. All present left the room except the Clerk and Assistant Police Chief Willie Houston.

A. It was reported that Josh Houston had resigned the previous week. The Board reviewed an application for Police Parking Enforcement Officer from Scott Anthony Nelson; Police Chief Jerry Cook had recommended employing Mr. Nelson in this position.

The Assistant Police Chief then left the room and Christopher Shook entered.

B. The Board met with Mr. Shook and reviewed his application for Zoning Administrator.

Mr. Shook then left the room and the Board discussed the application.

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

8. MOVED BY COMM. SANDERS, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO EMPLOY CHRISTOPHER SHOOK AS ZONING ADMINISTRATOR AT A BEGINNING SALARY OF 17-1 (\$28,235) FOR A SIX-MONTH PROBATIONARY PERIOD.

9. MOVED BY COMM. CAVENDER, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO EMPLOY SCOTT NELSON AS POLICE PARKING ENFORCEMENT OFFICER AT A BEGINNING SALARY OF 9-1 (\$19,020).

VII. MOVED BY COMM. CAVENDER, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO ADJOURN.

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

Richard Betz, Town Clerk