

REGULAR BOARD MEETING of May 1, 2002, with Mayor Buck Trott and Commissioners H. N. James, Ron Sanders, Mike Cavender, Amy Patterson, and Hank Ross present.

Also present were Richard Betz, Lamar Nix, Jerry Cook, Selwyn Chalker, Larry Gantenbein, Kim Lewicki, Bob Wright, Alan Marsh, Richard Rhodes, Mildred Johnson, and others.

I. Call to Order.

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

II. Approval of Agenda.

Copies of the agenda had been distributed by mail. The Clerk requested that an application for Billing Clerk be discussed in Closed Session.

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

III. Approval of Minutes.

Copies of the minutes of the April 17 Regular Board Meeting had been distributed by mail.

MOVED BY COMM. ROSS, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES AS DISTRIBUTED.

IV. Reports.

1. The Mayor reported that he and the Town Administrator had attended a League of Municipalities Regional Mini-Conference in Asheville all day, hearing updated information on insurance premiums, the State budget crisis, the Local Government Commission, and upcoming legislation.

2. Each Board member had received the Public Services Administrator's written report for the month. Lamar Nix was present and reviewed the report, adding that the Bowery Road Water Project was 95% complete, the Bowery Water Tank had been abandoned, and the Sagee Woods Water Line project had begun. He also said that the new belt press at the Wastewater Treatment Plant had been operating for two weeks; six hours of operation at half-speed treated the equivalent of one week in the drying beds under perfect weather conditions. He also said that Neo Corporation has completed some internal repairs on the Buckhorn Gap Water Tank and would be submitting a proposal to clean it.

3. Each Board member had received a copy of the Police Chief's report for the month, which now included data on traffic stops.

The Mayor presented the Chief with a framed Certificate in General Advanced Law Enforcement which he had received from the Criminal Justice Education and Training Standards Committee.

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, adding that the softball season was beginning,

that the tennis courts would be paved this month, and that the pool should be placed in operation by May 15. He also submitted a list of part-time summer employees for the Park.

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

5. Each Board member had received a copy of the Zoning Administrator's report for the month. Larry Gantenbein was present and reviewed the report with the Board, noting that there were no applications for the Zoning Board meeting on May 14 but that they would be meeting anyway, and noting that the Planning Board meeting had been re-scheduled to May 20 due to the Memorial Day Holiday; the Planning Board had also changed its meeting time to 6:00 p.m.

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

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

7. The Town Administrator reported that he had reviewed meter reading policy, as discussed at the last meeting, and determined that the meter readers were aware of existing Town policy and did read meters every month if weather permitted. Records indicated that Dr. Robert Wyatt's meter had been read every month except the month of January.

He also reported that the Macon County Board of Commissioners had adopted a resolution on April 1 in support of the present system of Alcoholic Beverage Control, like the one the Town had adopted on March 6. He understood that the Impoundment Ordinance was on the agenda for May 6, although he had not yet received a copy.

V. Old Business.

1. The Town Administrator reported that he had discussed a hold harmless letter from David Young for hanging the brackets and flower baskets from poles on Main Street, as proposed at the previous meeting, with both the Town Attorney and the Town's liability insurance representative; both recommended that the Town, rather than Mr. Young, actually perform the work, due to the exposure to liability. The Public Services Administrator estimated that the work would take half a day, and it was reported that Mr. Young had agreed to pay the cost.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED THAT THE TOWN HANG THE BRACKETS AND FLOWER BASKETS AS PROPOSED, AT MR. YOUNG'S EXPENSE.

2. The Town Administrator reported that he had further discussed the Town's Notice of Regulatory Requirements from the Underground Storage Tank Section of DENR, as discussed at the April 10 and April 17 meetings. He had received a proposal from S&ME in the form of a Task Authorization Form for \$7,241 for the required monitoring, including surface water testing in the stream; the amount was reimbursable from the State Trust Fund.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. ROSS, AND UNANIMOUSLY CARRIED TO PROCEED WITH THE TESTING.

VI. New Business.

1. Sealed bids had been advertized for this time and place for paving and/or re-surfacing various streets, and the following three bids were opened and read:

- Rhodes Brothers Paving Inc.....\$113,819.68
- HMC Paving & Construction Co. Inc.....121,846.89
- APAC Carolina - Asheville Division.....119,640.60

MOVED BY COMM. JAMES, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO ACCEPT THE LOW BID, SUBJECT TO REVIEW BY THE TOWN ADMINISTRATOR AND THE TOWN ENGINEER.

The Treasurer reported that adequate funds had been budgeted. The Board also agreed by consensus that the paving should not occur over a holiday weekend.

2. The Town Administrator reported that the Finance Committee had met on April 24 and reviewed proposals for banking services. The Committee recommended awarding the bid to RBC/Centura bank, based on best interest rate for deposits and other services.

MOVED BY COMM. JAMES, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO AWARD THE CONTRACT TO RBC/CENTURA BANK.

3. An audit proposal had been received from Lucas & Keener, PA; the total amount was \$16,000, an increase from the previous year, and the submission date was October 25, 2002.

MOVED BY COMM. SANDERS, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO ACCEPT THE PROPOSAL.

4. A landscape maintenance proposal had been received from Lance Hollars of Group One; the total amount was \$9,200, the same as last year.

MOVED BY COMM. SANDERS, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO ACCEPT THE PROPOSAL.

Comm. Sanders requested that the work begin earlier in the year than in past years.

5. Each Board member had received a nomination form, copy of appointment policy, list of members whose terms were due to expire, report on terms served, and list of citizens who had expressed an interest in serving on various Boards and Committees of the Town; the Clerk asked that the nominations be returned to him for tabulation before the May 15 meeting.

6. Each Board member had received a copy of a proposed lease agreement between the Town and the Chamber of Commerce for the Visitor's Center in the Town Hall, drafted by the Clerk and reviewed by the Town Attorney. The Board agreed by consensus that the lease should include a one year notice of termination, and should be placed on the agenda for the second meeting in June, at which time the amount of rent would be determined.

7. A resolution had been received, as requested by the Clerk, from the ABC Commission, designating the position of Mayor, rather than any named person, as the recipient of ABC Local Government Opinion Forms.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO ADOPT THE RESOLUTION.

8. A letter dated April 25 had been received from June Longino, asking if the Town would be willing to sell a portion in the rear of its six-acre tract on Hickory Hill Road; the tract adjoined her property on Wyanoak Drive, and she wished to provide a buffer from any future development, as well as to permit the possibility of an addition within the setback area.

Comm. Patterson said she felt the request was a reasonable one. Comm. Cavender felt that it was important for the Town to decide what it wanted to do with this and other Town property; did it want to sell it for revenue, protect it in its natural state, or create a neighborhood park? After some discussion, Comm. James suggested that the Town offer a right of first refusal to Ms. Longino, and the Board agreed.

MOVED BY COMM. JAMES, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO OFFER MS. LONGINO THE RIGHT OF FIRST REFUSAL IF THE TOWN EVER DECIDES TO SELL THE PROPERTY.

9. MOVED BY COMM. CAVENDER, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO SET A SPECIAL MEETING FOR 7:00 P.M. ON MAY 29TH TO PRESENT THE BUDGET. The Clerk also said that he would like to discuss budget issues at the May 15 meeting.

10. Comm. James asked Zoning Administrator Larry Gantenbein about a permit that he understood had been issued for construction on a lot behind Pinebrook Apartments on Spruce Street. Mr. Gantenbein explained that he had issued a permit to convert the old clubhouse at Pinebrook to a residence; he had researched the question and found that the lot had never been made a single parcel, but had remained a single legal entity, thereby permitting it to be used as a building site under Section 109 of the Zoning Ordinance. Comm. James said he did not see how it could be viewed as a separate lot; the current Ordinance required a minimum of two acres and a density of four per acre for multi-family, and he felt something was wrong with Zoning if it was permitted. Mr. Gantenbein agreed that by today's standards the multi-family housing would not be permitted. Kim Lewicki asked if the change in use from clubhouse to residence would mean that it would have to be moved back from the stream. Mr. Gantenbein explained that both uses were permitted; the structure itself was non-conforming, but "grand-fathered," and the footprint could not be expanded into the stream's natural vegetative buffer.

11. MOVED BY COMM. CAVENDER, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION PURSUANT TO G. S. §143-318(A)(6) TO DISCUSS APPLICATIONS FOR EMPLOYMENT FOR BILLING CLERK.

The Clerk reported that the offer of employment to Megan Potts, recorded in the minutes of the previous meeting, had not been accepted. He recommended employing Dawn James in this position.

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

12. MOVED BY COMM. JAMES, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO EMPLOY DAWN JAMES AS BILLING CLERK AT A BEGINNING SALARY OF 10-1 (\$19,983).

VII. The Board agreed to adjourn by consensus.

There being no further business to come before the Board, the meeting was declared adjourned by the Mayor at 8:20 p.m.

Richard Betz, Town Clerk