

REGULAR BOARD MEETING of January 15, 2003, with Mayor Buck Trott and Commissioners H. N. James, Mike Cavender, Hank Ross, and Amy Patterson present; Comm. Ron Sanders was not present.

Also present were Richard Betz, Lamar Nix, Larry Gantenbein, Jerry Cook, Selwyn Chalker, Bill Coward, Richard Melvin, Alan Marsh, Sam Sprinkle, Buzz Williams, Dave Barstow, Edna Foster, Lou Dorn, Pat Boyd, Edwin Poole, Lewis Doggett, Kitty Byers, Allan Schultz, Kim Lewicki, 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 Town Administrator reported that two items had been deleted.

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

III. Approval of Minutes.

Copies of the minutes of the December 18 Regular Board Meeting had been distributed by mail.

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

IV. Reports.

1. The Mayor reported that he had been trying to verify the status of the Senate Bill containing a \$500,000 matching grant for a water line to Highlands-Cashiers Hospital; he understood the bill was currently in limbo. In the meantime, Hospital Administrator Jim Graham had asked for Town officials to participate in a meeting to be held at the Hospital the first week in February to discuss how the rest of the funds were to be raised. The Mayor asked Comms. James and Ross on the Utilities Committee, the Town Engineer, and the Town Administrator to attend. Comm. James agreed to attend, but said he understood the Hospital was to be responsible for raising funds for the line.

2. Town Attorney Bill Coward was present and said that he had asked Sam Sprinkle to report to the Board on surveying thus far for the Edwards case. Sam Sprinkle submitted a report dated January 14 showing the costs to date--\$41,250 for his field work, office computation, and mapping, and \$10,000 for aerial photography and control. He estimated that the remaining field and office work would be about \$10,000, plus \$7,750 completed but not yet billed. He provided copies of several maps--including the aerial work, a contour map generated from that work, and lots already located using Kelsey deeds--to Richard Melvin, who was present at the meeting.

In other business, Mr. Coward reported that he had attended a seminar in Asheville on public records law as part of his continuing education. He also said that a paralegal in his office was conducting title searches for the property owners along the "Town-owned" portion of Bowery Road to determine if the right-of-way had been conveyed. The records of appeal in the Bowery Road condemnation was ready to be filed, and he expected that the Court of Appeals would hear the cases sometime during the summer. Finally, the Main Street Parking Ordinance case had been continued again.

3. Each Board member had received a copy of the Public Services Administrator's written report for the month. Lamar Nix said that

the Sewer System Evaluation would be presented at the February 5 Board meeting; several faults had been located, most of which could be repaired by the Town. The Hydraulic Modelling Study was also well underway, and would include location of all water valves.

4. Each Board member had received a copy of the Police Chief's written report for the month. Jerry Cook was present to answer any questions.

5. Each Board member had received a copy of the Recreation Director's report for the month. Selwyn Chalker was present to answer any questions.

6. Each Board member had received a copy of the Town Planner/Zoning Administrator's report for the month. Larry Gantenbein was present and reported that the Land Use Planning Committee was still finalizing the opinion survey which it proposed mailing to all property owners in the Highlands Township; the survey was scheduled to be approved at the January 27 meeting, and if so would be mailed to the Board with the February 5 agenda package.

He also reported that the Zoning Board had expressed some concern over the issuance of a permit to the Highlands Biological Station; it had agreed to ask if the Planning Board could review the scope of the language in the Ordinance which permitted the Station to construct any structures that "may be necessary, convenient, or desirable for the operation thereof." Comm. James said he also felt that the language should be reviewed, as well as the applicability of the requirements to the Valentine property.

MOVED BY COMM. JAMES, SECONDED BY COMM. PATTERSON, TO ASK THE PLANNING BOARD TO REVIEW THE LANGUAGE PERTAINING TO THE BIOLOGICAL STATION, AND ALSO TO REVIEW WHAT REQUIREMENTS WERE IN EFFECT WHEN THE STATION PURCHASED THE VALENTINE PROPERTY.

Comm. Cavender felt that the language had been broad because of the Biological Station's needs. Comm. Patterson said she had no problem with asking the Planning Board to review the language, but she felt that the Board should not be placed in a position where it felt obligated to change provisions in the Ordinance whenever the Zoning Board had a problem with it. Comm. James said that his concern had nothing to do with the Zoning Board; he had intended to raise the question at this meeting in any case. Comm. Ross asked if the Land Use Planning Committee would be reviewing this matter; Mr. Gantenbein said that it was not inherent in their mission. The Mayor called the question. THE MOTION CARRIED, WITH COMMS. JAMES, PATTERSON, AND ROSS VOTING "AYE" AND COMM. CAVENDER VOTING "NAY."

7. Each Board member had received a copy of the Treasurer's Report for the month. The Treasurer added that he had converted some General Fund and Electric Fund cash to Certificates of Deposit due to declining checking account interest rates.

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

8. The Town Administrator reported that an informal joint meeting had been scheduled with the County Commissioners at 6:00 p.m. on February 10 at Rib Country.

He also distributed copies of a letter dated December 23 from Harold Saylor, Regional Engineer with the Public Water Supply Section, replying to the Town's letter of August 8 concerning use of Robbie Reid's dock on Lake Sequoyah; the letter said that the recreational activities described "are not considered violations of the Lake Sequoyah Recreation Plan so long as permitted and supervised by the Highlands Police/Lake Warden to ensure compliance."

He also reported that, pursuant to discussions with the Finance Committee, he had decided to request proposals for auditing services; it had been nine years since the Town had reviewed its auditors. The Board agreed by consensus. He also noted that he had requested

informal proposals for painting the Town Hall.

Finally, he reported that the Macon County Solid Waste Department had asked if the Town would like to participate with Macon County in updating its three-year Solid Waste Plan; the Board agreed by consensus.

V. Old Business.

1. Each Board member had received written information from Dave Barstow of the Jackson/Macon Conservation Alliance (JMCA), as requested at the previous meeting, concerning a request for a donation toward a matching \$100,000 grant from the National Forestry Foundation to combat the wooly adelgid. Dave Barstow was present and outlined the information provided. The insect had already done a great deal of damage to hemlock trees in New England and was now in this area, and it appeared that the treatment of individual trees was expensive and unfeasible. The grant would provide for the a laboratory at Clemson University to begin production of predator beetles which would destroy the wooly adelgid. Thus far, \$65,000 had been raised, and a single donor had agreed to give \$25,000 if another \$10,000 could be provided. The JMCA was requesting the initial \$10,000, as well as consideration of \$15,000 per year over the next three years.

Comm. Cavender asked if Congressman Taylor had provided any help. Buzz Williams, former Chairman of the JMCA, was present and said that, while his office had been responsive, no specific funds had been earmarked for the wooly adelgid. Comm. Cavender also asked about future funding. Mr. Williams said that the JMCA had committed to a three-year program and would have to request funds each year, although start-up costs were expected to be higher the first year. Mr. Cavender also asked where the beetles would be released. Mr. Williams replied that a Release Committee would be responsible, with the final decision being made by scientists; the releases would be within the 200,000-acre Highlands-Cashiers plateau, with the top priority being given to National Forests. Jackson and Macon County had not yet been contacted for funding.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. ROSS, THAT THE TOWN PROVIDE \$5,000 PER YEAR TOWARD THE PROJECT, INCLUDING THIS YEAR, AND THAT A LETTER BE DRAFTED TO CONGRESSMAN TAYLOR REQUESTING THAT SPECIFIC FUNDS BE APPROPRIATED FOR THIS AREA. Comm. Cavender said that, while the solution was not guaranteed, he would hate to think that we had the opportunity to do something and did nothing.

Comm. Patterson felt that the Town had an obligation to use the moneys of the citizens of Highlands wisely and in their best interests. If the program was not in their best interests, then she felt the Town should not provide any funds; but if it was, she felt the Town should provide the full \$10,000 needed, then review the program again next year. Comm. Cavender amended his motion accordingly, and Comm. Ross seconded it.

Comm. James said that he had been told that a hedge in his yard had twig blight, which was also killing hemlocks in the area; he wondered if the JMCA was looking at that and similar problems.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. ROSS, AND CARRIED, TO DONATE \$10,000 THIS FISCAL YEAR TO THE JACKSON/MACON CONSERVATION ALLIANCE FOR THE WOOLY ADELGID PROGRAM AS OUTLINED TO THE BOARD, AND THEN TO REVIEW THE REQUEST AGAIN NEXT YEAR. Comms. Cavender, Ross, and Patterson voted "aye" and Comm. James voted "nay."

VI. New Business.

1. Each Board member had received a copy of a map showing property owned by Elliott Miller adjoining the Town's six-acre tract on Hickory Hill Road. The Town Administrator reported that Mr. Miller, who

had been unable to attend the meeting, had inquired into the possibility of purchasing or acquiring an easement over a portion of the property for use as a septic system and driveway in order to be able to expand his existing residence. He reminded the Board that last year it had offered June Longino, another adjoining property owner, the right of first refusal if the Town ever decided to sell the property.

The Mayor pointed out that that request was different; Ms. Longino had wanted protection from future construction on the Town's property, while Mr. Elliott wanted an easement over it. Comm. James was concerned about the precedent for similar requests for use of Town property.

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

2. Informal bids had been solicited for four Town vehicles, and were opened and read, as follows:

- 1989 Ford 555C Backhoe - Minimum bid \$5,000
Fred Munger.....\$6,555
- 1991 F-450 Bucket Truck - Minimum bid \$4,000
Bill Hawkins.....\$6,100
- 1996 Ford Crown Victoria - Minimum bid \$2,000
James Ramey.....\$100
- 1990 Dodge Dakota 4X4 - Minimum bid \$500
Larry Holt.....\$960
Fred Munger.....655
Pat Barnes.....505
Brandon Ramey.....1,001

MOVED BY COMM. CAVENDER, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO SELL THE BACKHOE TO FRED MUNGER, THE BUCKET TRUCK TO BILL HAWKINS, AND THE PICKUP TRUCK TO BRANDON RAMEY, AND TO RE-ADVERTIZE THE POLICE CAR.

3. Each Board member had received a copy of the Highlands Fire & Rescue Department's Annual Report for 2002.

MOVED BY COMM. JAMES, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO ACCEPT THE REPORT.

4. MOVED BY COMM. CAVENDER, SECONDED BY COMM. ROSS, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION PURSUANT TO G. S. §143-318.11(A)(6) TO REVIEW APPLICATIONS FOR EMPLOYMENT IN THE SANITATION DEPARTMENT. All present left the room except the Clerk and the Public Services Administrator.

- A. The Public Services Administrator reported that Kenneth Carver had resigned from his position in the Sanitation Department effective December 31; the position had been advertized and several applications for the position that had been received. He recommended employing Tommy Carpenter.
- B. Mr. Nix also reported that Jason Wilbanks had resigned from his position in the Street Department. The position had not yet been advertized.

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

5. MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO EMPLOY TOMMY CARPENTER IN THE SANITATION DEPARTMENT AT A BEGINNING SALARY OF 9-1 (\$19,970).

VII. The Board agreed by consensus to adjourn.

There being no further business to come before the Board, the meeting was declared adjourned by the Mayor at 8:30 p.m.

Richard Betz, Town Clerk