

REGULAR BOARD MEETING of February 5, 2003, with Mayor Buck Trott and Commissioners H. N. James, Ron Sanders, Hank Ross, and Amy Patterson present; Comm. Mike Cavender was out of Town.

Also present were Richard Betz, Lamar Nix, Larry Gantenbein, Jerry Cook, Selwyn Chalker, Macon County Sheriff Robbie Holland, Kim Lewicki, Bill Rethorst, Barry Buchanan, Jim Rothermel, Michael Osborne, David Pond, Eddie Taylor, Carolyn Cook, Mary Beth Brody, Chuck Cooper, Paul Schmitt, Alan Marsh, and others.

I. Call to Order.

The Mayor called the meeting to order at 7:00 p.m. He noted that Macon County Sheriff Robbie Holland was present, and he welcomed him and commended him for the good service his Department had provided to Highlands since his election.

II. Approval of Agenda.

Copies of the agenda had been distributed by mail.

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

III. Approval of Minutes.

Copies of the minutes of the January 15 Regular Board Meeting had been distributed by mail.

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

IV. Reports.

1. The Mayor reported that he had received a letter from Congressman Charles Taylor informing him that \$20 million had been added to the State Private Forestry budget to support efforts to control the woolly adelgid. The funds were in the FY-03 Interior Appropriations bill approved by the House, and Taylor had said he was not aware of any opposition in the Senate and was confident that it would pass.

The Mayor reported that he had read the article in The Highlander on Tuesday concerning problems that the Land Use Planning Committee was having in developing a survey. He said it seemed as if the Committee was unable to come up with a suitable survey, and he would like to see the Board consider calling a joint meeting of the Town Board and the Land Use Planning Committee to see if the ground rules could be discussed. He said that he had spoken to Geoffrey Willett concerning the problem, and Mr. Willett had said that, although he had worked with many groups, but had never encountered a problem like this. He asked the other Commissioners how they felt about the Committee.

Comm. Patterson said that she had heard some reports but she considered them all hearsay. She said she would like to ensure that the Committee knows for certain what its charge is, and felt that perhaps the Board had been remiss in making its mission clear; she felt that a joint meeting might be the best approach. She said she would like to know why the survey was taking so long, and why Mr. Willett felt that the group was at an impasse.

Comm. Sanders said that he had heard a lot of negative comments. He understood that the cost of sending out the surveys would be \$6,000 to \$7,000, and that one of the questions concerned the Town going outside of Town to acquire property and paying for it with Town taxpayers money; he disagreed with that idea.

Comm. James said that he thought the Committee understood its mission,

but that he understood from hearsay that it was going in many different directions; he thought that there had been outside interference and private interest groups trying to influence it.

Comm. Ross said that this was the first he had heard of these problems; he understood that the Committee was bogged down, but thought that the survey was nearly ready. He pointed out that there were a lot of complicated issues involved that needed to be hashed out, and he felt that the Committee should be given a little more time. He thought that the direction had been clear from the start, but he would be glad to meet jointly with them.

Comm. James asked Alan Marsh, a member of the Committee who was present, for his opinion. Mr. Marsh said that a three-person survey sub-committee had been working on the questions for the survey and the questions had not been understood by all of the members of the Committee at the last meeting; some members felt that the questions would be difficult to answer. They had been revised at the meeting, and the sub-committee was to have finalized them and reviewed them with Mr. Willett, then transmitted them to the Clerk for inclusion in the agenda package. He thought it would be good to have a joint meeting if there was a problem.

Comm. Sanders said he understood that Mr. Willett could not work with the Committee any longer, and asked if this was true. Alan Marsh said that the Committee worked well with him, but there were perhaps some problems with the sub-committee. Larry Gantenbein was present, and confirmed that the sub-committee was to have met last week and sent the survey questions to Mr. Willett for review.

The Mayor said that he had contacted Mr. Willett, who had conveyed to him that he was having these problems. The Town Administrator confirmed that he and the Mayor had both talked to him earlier in the day and he had shared his concerns, offering to come to the meeting if necessary. The Mayor added that he was especially concerned over a question on the survey raising the question of "grandfathered buildings" being re-constructed, an issue which had already been decided by the Board.

Comm. Patterson said that she was not certain at this point; she felt that it was better to have a face to face meeting now with the Committee, but it would probably not be productive to meet if it was that close to finalizing the survey.

Comm. Sanders asked the Mayor if the Board could vote on this matter now.

MOVED BY COMM. SANDERS, SECONDED BY COMM. JAMES, TO DISSOLVE THE LAND USE PLANNING COMMITTEE AND ABANDON THE SURVEY, AND LEAVE IT FOR A FUTURE BOARD TO CONSIDER.

Comm. Ross said that a lot of people had been spending time on this Committee, were very interested in the issues at stake, and would be disappointed.

Comm. Patterson pointed out again that the only way the Board could find out was to ask the Committee; a lot of good folks had spent a lot of time, and there was no way of knowing at this time unless the Board had something before it to review. She was not in favor of dissolving the Committee at this time.

Mr. Gantenbein was asked about the last Committee meeting, and he confirmed Mr. Marsh's account; the survey questions had been proposed, and significant comments had been received from the Committee concerning whether they would be understandable to the general public, and also whether they appeared to be personal agendas. He had understood that the questions were to be re-drafted based on the comments.

Comm. Patterson commented that the Town Board had deliberately stayed out of the process, but at the same time needed to be sure that the questions were on point; it sounded like the whole Committee didn't

know what was going on from the article in the paper.

The Mayor called the question. Comms. Sanders and James voted "aye," Comms. Patterson and Ross voted "nay," and Mayor Trott voted "aye" to break the tie vote.

3. Each Board member had received a copy of the Public Services Administrator's written report for the month. Lamar Nix added that the Town had been randomly selected to prepare a water assessment survey for the Environmental Protection Agency, and he and Water Treatment Plant Operator Wade Wilson would be meeting with Public Water Supply Section officials tomorrow in Cullowhee for training in preparing the assessment.

4. Each Board member had received a copy of the Police Chief's written report for the month. Jerry Cook was present and reported that the Department had cleared several cases, including a recent mail theft case. The Mayor said that he had heard a comment from a local merchant involved in one of the cases concerning the high calibre of the Police Department and he commended Chief Cook. He also reported that, effective January 6, Pat Taylor had been appointed Magistrate.

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 to answer any questions. He reported that he had just returned from Raleigh, and had also attended a program in Salisbury the previous week.

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

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

8. The Town Administrator reported that \$106,050 in sewer connection fees, of the \$108,550 required for the first year, had been collected from S. B. Association with the help of William Cheney; only two residential connections remained to be collected. He also understood that Pesterfield Engineering was in the process of preparing a Preliminary Engineering Report on the status of the S. B. Association sewer collection system.

V. Old Business.

1. Paul Schmitt was present to discuss repairs at the Highlands Playhouse. He reported that the plan to replace the roof trusses had been revised when it became apparent that steel would be required at the bottom cord of each truss. Wall areas had also been required to be re-built up under the trusses, as they had been encountered, due to a lot of rot at the plate line and also at the foundation, and the total amount of steel had doubled. He said that the engineer for the project, Joe Johnson, had donated his services, and that Schmitt Building Contractors had donated its profit and overhead, but he was requesting the Town to pick up the cost of the structural materials. The original estimate last April had been \$19,400, and to date \$22,900 had been paid; he expected that the entire cost would be approximately \$55,000, or about \$27,000 more. All of the bills had been paid to date, but the funds to pay them had been borrowed.

Comm. Patterson asked if this would be a permanent fix, and Mr. Schmitt replied that it was designed for all necessary loads and would be a lasting solution. He offered to forward a detailed breakdown of costs to the Town Administrator. Comm. James suggested that the Finance Committee review the costs; he and Comm. Patterson agreed to meet on February 13 at 5:00 p.m.

VI. New Business.

1. Michael Osborne, David Pond, and Eddie Taylor were present from W. K. Dickson Company to present the results of the sanitary sewer evaluation they had completed. Several copies of the written report were distributed, and Eddie Taylor presented the report in some detail. He said that the study had consisted of mapping, flow isolation, smoke testing, and dye testing; the Town had provided for line cleaning and television inspection. The problems identified in the report included broken service lines, manholes needing replacement, holes in manhole lids, bad joints in the older terra cotta pipe, and lines under structures or buildings. He said that, on average, 106,000 GPD of inflow had been observed, and 54,000 of infiltration. The total cost of repairs, if contracted out, would be approximately \$120,000, including a \$56,000 slip-line replacement of a line in Fifth Street. Replying to a question from Bill Rethorst, he said that no exflow had been identified.

Town Engineer Lamar Nix said that he felt most of the work could be done in-house, with the exception of some of the line replacement work and the manhole grouting; he agreed to provide more detailed estimates for next year's budget. Comm. James suggested that the Utilities Committee meet to review the report, and he and Comm. Ross agreed to set a meeting for that purpose.

2. The Town Administrator reported that the Town's lease with WHLC for its five antennas on the Big Bearpen Tower, entered into in March of 1999, provided for review of the annual \$6000 lease every two years; it had last been reviewed in 2001. Each Board member had received a package of information from Chuck Cooper concerning the lease amounts paid by area radio stations. Mr. Cooper was present, and commented that it had been a tough year economically.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. ROSS, AND UNANIMOUSLY CARRIED TO LEAVE THE RENT AT \$6000 ANNUALLY FOR THE NEXT TWO YEARS.

3. On re-advertisement, only one bid had been received for the surplus 1996 Ford Crown Victoria police car, first advertised at the previous meeting; the minimum bid was \$2000. The Mayor opened the bid, which was from Fred Munger, in the amount of \$601. The Board discussed the minimum bid amount with the Police Chief, who pointed out that the vehicle had a new engine, new transmission, and new tires.

MOVED BY COMM. JAMES, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO RE-ADVERTISE, EMPHASIZING THE VEHICLE'S SELLING POINTS.

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

A. The Public Services Administrator reported that Wayne Johnson had resigned from his position in the Water Department; the position would be advertized.

B. Mr. Nix also reported that several applications had been received for the position in the Street Department, and Street Department Head Eugene Ramey recommended employing Jim Carver at the beginning salary; he concurred.

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

5. MOVED BY COMM. SANDERS, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO EMPLOY JIM CARVER IN THE STREET DEPARTMENT AT A BEGINNING SALARY OF 9-1 (\$19,970).

VII. MOVED BY COMM. SANDERS AND UNANIMOUSLY CARRIED TO ADJOURN.

There being no further business to come before the Board, the meeting was declared adjourned by the Mayor at 8:40 p.m.

Richard Betz, Town Clerk