

REGULAR BOARD MEETING of December 1, 2004, with Mayor Buck Trott and Commissioners Amy Patterson, Hank Ross, H. N. James, Alan Marsh, and Dennis DeWolf present.

Also present were Richard Betz, Lamar Nix, Larry Gantenbein, Selwyn Chalker, Kim Lewicki, Jim Lewicki, Melody Spurney, Bronce Pesterfield, William Cheney, Mercedes Heller, Ginny Harris, Bob Wright, Katy Calloway, Ralph Thomas, Bill Rethorst, Dr. Robert Wyatt, Carla Frisch, Wick Ashburn, 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 reported that the agenda had been mailed early due to the Thanksgiving holiday, and several items had been omitted: a review by Carla Frisch of Town population studies, a briefing by Mercedes Heller on Japanese knotweed, and a Closed Session to discuss property acquisition, under New Business; and a request for a sewer line to the Gorman property at Highlands Country Club, under Old Business.

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

III. Approval of Minutes.

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

MOVED BY COMM. MARSH, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES AS DISTRIBUTED.

IV. Reports.

1. The Mayor thanked all those who had participated in the Christmas Tree Lighting event the previous Saturday.

2. The Town Administrator reported that information had been received from Bronce Pesterfield and distributed with the agenda concerning the S. B. Association sewer system, and he noted that representatives were present to discuss the item; the Public Works Committee had proposed discussing this matter tonight, but he understood some information had still not been received. Comm. James said that he felt this item should be scheduled for the December 15 meeting in order to have time to review the information, as well as to explore acquisition of right-of-way. The Board agreed by consensus.

3. The Town Administrator said that he had discussed the agenda with the Town Attorney; Mr. Coward had nothing to report.

4. Each Board member had received a copy of the Public Services Administrator's written report for the month; Lamar Nix was present to review the report. He reported that training had taken place at the Water Treatment Plant for six Town employees earlier in the week. He also reported that surveying had been completed for the Poplar Street Sewer and he thought he would be able to begin design work in a few days. He also reported that the Holt Knob Water project was underway, and that zelcova trees had been planted along West Main Street as agreed several months ago. Comm. Ross said that zelcovas were a suitable street tree and should work well in that area and also on Pine Street. The Mayor said that the D.O.T. had been working on the Maple Street traffic light, and he understood the work would be completed soon.

5. The Police Chief had been unable to submit a report.

6. Each Board member had received a copy of the Recreation Director's report for the month; Selwyn Chalker was present to review the report.

7. Each Board member had received a copy of the Town Planner/ Zoning Administrator's report for the month; Larry Gantenbein was present to review the report. He said that the Land Use Planning Committee expected to begin taking up substantive issues at its first meeting in January.

8. Each Board member had received a copy of the Treasurer's Report for the month. The Treasurer reported that some preliminary funds had been received from FEMA for Hurricane Frances. Copies of the audit were still not available.

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

9. The Town Administrator drew the Board's attention to the new Zoning Map displayed in the meeting room and reported that Matt Shuler was working out well in the GIS/Field Technician position. An initial meeting had been scheduled for December 13 with Northland and Verizon to discuss the pole audit.

V. Old Business.

1. The Board discussed the permit issued at previous meetings for use of Town right-of-way for construction by Old Edwards Inn Inc.

MOVED BY COMM. JAMES, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO APPROVE CONTINUATION OF THE PERMIT ISSUED AT THE PREVIOUS MEETING UNTIL THE JANUARY 5 MEETING.

The Board also discussed the permit issued at previous meetings for use of Fifth Street in front of the Highlander Newspaper building.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO APPROVE CONTINUATION OF THE PERMIT UNTIL THE JANUARY 5 MEETING.

2. The Town Administrator reminded the Board that, at the October 1, 2003 meeting, it had discussed a request to connect the Gorman property on Hummingbird Lane--now owned by Ralph Thomas--to the Town sewer. A plan had been prepared for a 2" PVC line and pump station across the Highlands Country Club fairway to NC-106; the Club had provided an easement which would permit others in the area to access the line if needed, and the Town Engineer had confirmed that a maximum of 35 residents could be served by the line. Comm. James said he had no problem with the individual request, but did not know if it would be the best solution to providing sewer to the area; Comm. Patterson agreed.

MOVED BY COMM. JAMES, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO APPROVE MR. THOMAS TO CONNECT HIS SINGLE RESIDENCE TO THE MUNICIPAL SEWER AS PROPOSED, AT HIS OWN EXPENSE, PROVIDED THAT AT SUCH TIME AS OTHER CUSTOMERS WISH TO CONNECT TO THE SEWER LINE THE BOARD ADDRESS THE ISSUE AGAIN.

Mr. Thomas was present and said that he was willing to provide an easement across his property, provided his driveway was not disturbed; he had installed a 6" pipe for that purpose.

VI. New Business.

1. The Town Administrator reported that W. K. Dickson Co. consulting engineer Brian Tripp had recommended advertising for bids

for the Wastewater Treatment Plant expansion; although the authorization to construct had not been received and the contract could not be awarded, advertizing for bids could save time.

MOVED BY COMM. JAMES, SECONDED BY COMM. ROSS, AND UNANIMOUSLY CARRIED TO ADVERTIZE FOR BIDS FOR THE WASTEWATER TREATMENT PLANT PROJECT, TO BE RECEIVED AT 2:00 P.M. ON JANUARY 13, ON RECOMMENDATION OF THE ENGINEER.

2. Katy Calloway, Executive Director of Upper Cullasaja Watershed Association, was present with a proposed Memorandum of Understanding and the executive summary of a grant application by that organization to the Clean Water Management Trust Fund. The grant was for general watershed planning, and she said the Town would be informed as specific projects are developed. The grant required documentation that the Town was willing to partner with UCWA and be a cooperating agency. She requested that the Board approve the following:

MEMORANDUM OF UNDERSTANDING
BETWEEN THE UPPER CULLASAJA WATERSHED ASSOCIATION, INC.
AND THE TOWN OF HIGHLANDS, NORTH CAROLINA

The Upper Cullasaja Watershed Association, Inc. is a citizen-based, nonprofit, watershed protection organization dedicated to the preservation of water quantities and water quality in the watershed. Since 1999, UCWA has led a local effort to restore scientific measurement systems through partnering with local governments, state and federal agencies, and local and regional environmental groups. UCWA's key values are based on a non-adversarial approach and the demonstrated ability to form effective partnerships with any interested group. Land developers, contractors, and area golf courses are considered important stakeholders in the watershed, along with concerned citizens, property owners, environmental groups, and government agencies.

UCWA respectfully requests that Town of Highlands Board of Commissioners acknowledge and support our efforts as UCWA continues to develop these partnerships with a broad range of stakeholders to address the current causes of impairment and the future threats to the waterways in the Upper Cullasaja River Watershed.

Specifically, UCWA would like for the Town of Highlands to act as a cooperating agency with respect to specific projects as defined, as a prerequisite for obtaining federal, state and private funding. UCWA will work closely with the Town Board to bring specific projects that may be of benefit to the Town, to the Board's attention for comment and concurrence prior to issuing a grant application or any public statement illustrating the Town's involvement.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO AUTHORIZE THE MAYOR TO SIGN THE FOREGOING MEMORANDUM OF UNDERSTANDING.

3. A proposal for renewal of the contract with Tate Landscaping Services LLC for the calendar year January 1 through December 31, 2005, had been submitted; the terms were the same.

MOVED BY COMM. DEWOLF, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO RENEW THE CONTRACT.

4. The Town Administrator reported that the contract with J & J Lawn Service for mowing at the cemetery was due to expire December 31. A proposal had been received for renewing the contract at the same weekly cost for mowing and the same hourly maintenance cost.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO RENEW THE CONTRACT.

5. The Town Administrator reported that Georgia Sanders, Chair of the ABC Board, had inquired about the possibility of the Town waiving the utility charges for the ABC Building as it did for the Highlands Emergency Council building; she had pointed out that the savings would be passed on in the form of increased ABC revenues to the Town. The annual amount was approximately \$8,000. Comm. James said he did not think this would be good policy. The Board agreed by consensus to take the matter under advisement until the next meeting.

6. The Town Administrator recommended the following Christmas bonuses for full- and part-time employees, the same as last year:

Less than one year of service.....	\$150.00
Between one year and ten years of service.....	\$200.00
Between ten years and twenty years of service....	\$250.00
More than twenty years of service.....	\$300.00
Part-time employees.....	Hams

MOVED BY COMM. PATTERSON, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO APPROVE THE BONUSES. The Town Administrator thanked the Board on behalf of all employees.

7. Comm. Ross introduced Carla Frisch, an intern from UNC-Chapel Hill working at the Biological Station, whom he had mentored in a review of the Town's population studies. Ms. Frisch then summarized her review of the Marketek, W. K. Dickson, U. S. Census, and other population estimates for the permanent, seasonal, and vacation populations. The Mayor thanked her for her informative presentation.

8. Mercedes Heller was present on behalf of the Land Stewards of the Highlands Plateau, the Laurel Garden Club, and the Mountain Garden Club, to brief the Board on Japanese knotweed, an invasive species that was present in Highlands. She distributed a package of information and described the effects of this weed on native plant growth, fire hazard, soil erosion, and the local economy; much of the weed was located on Town right-of-way and other property. She proposed obtaining more information on an effective eradication program, and requested the Town's cooperation in working with volunteers on such a program.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO SUPPORT SUCH A PROGRAM IN CONCEPT.

9. MOVED BY COMM. MARSH, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION PURSUANT TO G. S. §143-318.11(A)(5) TO DISCUSS THE ACQUISITION OF REAL PROPERTY. All present left the room except the Clerk and the Town Engineer.

The Board discussed the possible acquisition of real property.

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

10. MOVED BY COMM. ROSS, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO AUTHORIZE THE MAYOR TO PURSUE THE ACQUISITION OF THE REAL PROPERTY DISCUSSED IN CLOSED SESSION.

VII. MOVED 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 8:30 p.m.

Richard Betz, Town Clerk