

REGULAR BOARD MEETING of July 20, 2005, with Mayor Buck Trott and Commissioners Amy Patterson, Hank Ross, H. N. James, Alan Marsh, and Dennis DeWolf present.

Also present were Richard Betz, Larry Gantenbein, Bill Harrell, Erin Brown, Adam Thompson, Griffin Bell, Ginger Slaughter, Clem Patton, Lewis Doggett, Rick Siegel, King Young, Ran Shaffner, Steve & Beth Hamm, Bill Nellis, David Bock, 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.

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

III. Approval of Minutes.

Copies of the minutes of the July 6 Public Hearing and Regular Board Meeting had been distributed by mail. The Clerk noted an error: the Zoning amendment requiring a vegetative buffer for multi-family developments should be 40 feet in width, not 20.

MOVED BY COMM. MARSH, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES AS CORRECTED.

IV. Reports.

1. The Mayor reported that he, Comm. Ross, and the Town Attorney had attended a meeting of the N. C. Historical Commission in Raleigh earlier in the day. The Committee had agreed to recommend to the D. O. T. that improvements for Bowery Road include the elimination of the proposed curbs, Bituminous Surface Treatment, grass on both sides, native plants on large cuts where it would control erosion, and a minimum of blasting. Comm. Ross added that the road would be 18 feet in width, and only what was necessary would be cleared; native plant mix would be sowed behind a narrow strip of grass, and it would be requested that they be designated "no-mow" areas. He said the D. O. T. seemed committed to accepting the recommendations, which would be formalized in the form of a letter.

2. Comm. DeWolf distributed copies of a letter from the Highlands Chamber of Commerce containing their budget for the coming fiscal year. He said that they had had a very productive meeting earlier in the week, which had included County Commissioner Bryson. The Chamber had found a new location, was reviewing its budget, and was doing what they could to continue to support various projects they had supported in the past.

Comm. Ross reported that the Ad Hoc Committee appointed on May 18 to review the non-conforming building provision in the Zoning Ordinance had met again on July 14 and had drafted some recommendations which had been forwarded to the Town Attorney. The Committee agreed to meet again on July 25 at 8:30 a.m. to further discuss the recommendations.

It was reported that the Town Attorney had also met with the Town Engineer to look at Worley Road.

3. The Town Administrator distributed copies of a letter from Zeke Sossomon on behalf of the Episcopal Church concerning storm damage experienced from the hurricanes in September; he had forwarded the claim to the Town's insurance carrier. He also distributed copies of a petition from several members of the First Presbyterian Church

concerning parking and other problems due to construction on Church Street.

V. Old Business. None.

VI. New Business.

1. As agreed at the Special Meeting of June 1, the Board discussed in some detail the Land Use Plan submitted by the Land Use Planning Committee. The Mayor said he felt the first step should be adoption of the Plan.

MOVED BY COMM. MARSH, SECONDED BY COMM. ROSS, TO ADOPT THE LAND USE PLAN.

Comm. Ross said that he had a problem with adopting some of the specific strategies in the Plan, such as asking the County to create green space at the Highlands School. Comm. Patterson agreed; however, she said that by adopting it as a strategic plan, she was adopting its mission and vision, its basic goals, and not necessarily all of the strategies, some of which would be more workable than others. Comm. DeWolf agreed. Larry Gantenbein said that Community Development Planner Geoffrey Willett had recommended adopting the Plan as a policy statement only, then starting to work through the tactical items; some would work, some would not. Ginger Slaughter said the Committee had also talked about a community meeting.

THE MAYOR CALLED THE QUESTION AND THE MOTION CARRIED UNANIMOUSLY.

The Mayor said he thought the next step should be establishing priorities for addressing the recommendations, and the Board discussed this at great length among themselves and with members of the Planning Board present. Comm. Patterson asked what the time frame would be for proceeding with the most controversial item, extra-territorial jurisdiction (ETJ) and annexation. Larry Gantenbein said ETJ would require describing the area on a map, establishing the population, setting of a public hearing, and notice of the hearing; the Board would also have to determine which ordinances would go into effect immediately, and would have to meet with County Commissioners as well. It was reported that the Planning Board had already prepared a map of a proposed ETJ area, and that information had also been gathered on areas which would qualify for annexation. It was agreed by consensus that these maps should be distributed to the Board as soon as possible, together with general information on ETJ and annexation, so that it could be reviewed; this item should be discussed at the August 17 meeting. Mr. Gantenbein was asked to see if Geoffrey Willett could attend that meeting.

After some discussion, the Board agreed to ask the Planning Board to prioritize the most important or "hot-button" items at their next meeting on July 25, and to present this prioritization at the August 3 meeting.

Ran Shaffner said that a Committee had been working on expanding the Greenways Trail, one of the recommendations of the Plan; the Board agreed that he should bring a draft map for its review before proceeding.

2. MOVED BY COMM. JAMES, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION PURSUANT TO G. S. §143-318.11(A)(6) TO REVIEW AN APPLICATION FOR EMPLOYMENT IN THE POLICE DEPARTMENT AND 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 Police Chief.

A. Copies of proposed amendments of the Personnel Manual clarifying transfer of accrued sick leave within the N. C. Local Governmental Employees Retirement System and creating two new job descriptions in the Police

Department--Captain of Support Services and Captain of Field Operations--had been distributed with the agenda package. The Board then reviewed a resume from Police Auxiliary Officer Tony Carver, whom Police Chief Bill Harrell recommended employing in the Captain of Field Operations position at a beginning salary of 13-7. It was proposed that Patrol/Investigative Officer Todd Ensley's job description be changed to that of Captain of Support Services at the same salary.

B. The Board discussed the acquisition of real property.

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

3. MOVED BY COMM. PATTERSON, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO AMEND THE PERSONNEL MANUAL AS FOLLOWS, AND TO CREATE TWO NEW JOB DESCRIPTIONS IN THE POLICE DEPARTMENT AS PROPOSED.

Add the following paragraph (g) to Section 62, Sick Leave:

"(g) Sick Leave - Transfer of Accrued Sick Leave.

New employees transferring from local governments which participate in the North Carolina Local Governmental Employees Retirement System may transfer, in addition to their retirement credit, all sick leave accrued to date."

4. MOVED BY COMM. PATTERSON, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO EMPLOY TONY CARVER AS CAPTAIN OF FIELD OPERATIONS AT A SALARY OF 13-7 (\$30,832).

5. Comm. Ross had outlined in closed session a project involving the acquisition of a parcel of real property, formerly occupied by the U. S. Post Office, on the corner of Pine Street and Fifth Street; he felt the Town should pledge support for the project. Comm. James said he supported the project in concept, but would have to see more detailed plans before pledging Town funds.

MOVED BY COMM. ROSS, SECONDED BY COMM. DEWOLF, AND CARRIED THAT THE TOWN PLEDGE \$300,000 IN FY 06-07 TO THE PINE STREET PARK PROJECT.

Comms. Ross, DeWolf, Marsh, and Patterson voted "aye," and Comm. James voted "nay."

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 9:30 p.m.

Richard Betz, Town Clerk