

REGULAR BOARD MEETING of January 20, 1999, with Mayor Buck Trott and Commissioners H. N. James, Mike McCall, Ron Sanders, Zeke Sossomon, and Amy Patterson present.

Also present were Richard Betz, Kim LeWicki, Jolene Niblack, Eric Pierson, Steve & Brenda Pierson, Alan Marsh, Chuck Cooper, Mildred Johnson, and Rosemary Fleming.

I. Call to Order.

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

II. Approval of Agenda.

The Clerk reported that several applications had been received for the position of Desk Attendant at the Highlands Civic Center, but the Recreation Director had not yet had the opportunity to interview the applicants; he asked that the agenda be amended by deleting the closed session for reviewing those applications.

MOVED BY COMM. SANDERS, SECONDED BY COMM. MCCALL, AND UNANIMOUSLY CARRIED TO APPROVE THE AGENDA AS AMENDED.

III. Approval of Minutes.

The minutes of the January 6 Regular Board Meeting had been distributed by mail.

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

IV. Reports.

1. The Mayor reported that the Board had met informally with the Macon County Board of Commissioners at a dinner meeting on January 18 in Franklin; he thought the meeting was a step in the right direction, and felt that another joint meeting should be scheduled in six months in Highlands. Among the topics discussed were recreation, landfill fees, enforcement of the County Watershed Ordinance, the Cullasaja Gorge Road, and the County's proposed Comprehensive Water and Sewer Study.

2. Comm. James reported that the Finance Committee had met with the Clerk on January 19 and reviewed informal quotations on Town insurance; the Clerk had agreed to obtain additional information and place the matter on the agenda of the February 3 meeting.

3. Each Board member had received a copy of the Town Administrator's written report. Richard Betz reported that he had met again with Jim Kidd from the U. S. Forest Service, and the land exchange process for property adjoining the Wastewater Treatment Plant was now underway. He also reported that he had received a letter from Highway Commissioner Ron Leatherwood dated January 13 indicating that the DOT would begin surveying and staking Bowery Road to determine the costs of right-of-way and construction. Water plans had been submitted to the State for the new water line for Brushy Face, to be installed at the expense of Bill and Martha Colson. The final water line easement for Bowery Road Water Improvements had been reviewed by Steve Pierson and was acceptable.

He also reported that he had discussed Town uniforms with the Finance Committee, and he submitted a memo recommending that the Board consider providing uniforms to public services employees as part of the FY 99-00 budget. Comm. Patterson said she felt that uniforms would benefit the Town as well as employees by making them more recognizable. Comms. Sanders and McCall agreed. Comm. James felt the matter should be discussed at budget time.

He also reported that Town Attorney Bill Coward had informed him that Judge Downs had issued an order reversing the decision of the Zoning Board in the Episcopal Church matter; the order was being drafted.

Finally, he reviewed three proposed amendments to Interlocal Agreements with the League of Municipalities for Risk Management Services and the Municipal Insurance Trust, which the League had asked municipalities to consider. The amendments provided for a severability clause, a 90-day notice of withdrawal, and an exiting fee for failure to provide notice. The Board approved the ballots by consensus.

V. Old Business.

1. The Clerk had forwarded a copy of the WHLC Lease for the site on Upper Brushy Face to the Town Attorney for review, as requested at the previous meeting, and provided each Board member with copies of two recommended changes drafted by Bill Coward, addressing the renewal term of one year and removal of antennas at termination of lease. The changes were approved by consensus.

The Clerk also reported that Chuck Cooper had offered to pay the Town \$250 for removing and dismantling the old antenna on Big Bearpen, on which Comair's antennas are currently located, when the new tower was constructed. Comm. James felt that Comair should be contacted to see if it was interested in the tower; if not, the Board did not object to Mr. Cooper taking the tower.

2. Each Board member had received copies of a letter from W. K. Dickson Company updating estimates for preliminary engineering services for an annexation study, based on the map reviewed and amended by Geoffrey Willett, as reported at the previous meeting. The total fee for evaluating each of three water and three sewer sections was \$14,500, or \$10,000 if combined into a single study; the letter also said that the study would include an evaluation of the impact of the annexation on treatment plant capacities.

Comm. James said he had discussed the County's proposed Comprehensive Water and Sewer Study with County Manager Sam Greenwood at the dinner meeting on January 18. He felt that W. K. Dickson Company could best conduct the Highlands portion of such a study, and if so it could include much of the information required for the annexation study; he said the County seemed to be open to that suggestion. He felt there could be cost savings for the Town if it waited to proceed with this study until after the County had learned whether its application for a grant had been accepted in mid-February. The Board agreed to defer this matter, as well as the question of whether or not to proceed with a complete annexation study, until the February 17 meeting.

VI. New Business.

1. The Board again discussed telecommunications tower management and considered a moratorium, as discussed at the previous meeting. The Town Administrator said that he had asked Community Development Planner Geoffrey Willett about moratoriums. Mr. Willett had informed him that a moratorium could be passed without a public hearing, but he recommended that it state the cause of the action, the geographic coverage, the time limit—many communities had taken a six-month period—and what action would be taken by the Board during the moratorium. Mr. Betz also reported that he had contacted some private tower management companies, and had tried to contact the League of Municipalities to inquire more into their endorsement of MetroSite Management; he hoped to have additional information by the next meeting.

Comm. Sossomon felt the Town should proceed with a moratorium

immediately; Comm. McCall agreed. MOVED BY COMM. SOSSOMON, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO DECLARE AN IMMEDIATE MORATORIUM ON WIRELESS COMMUNICATIONS PROVIDER FACILITIES WITHIN THE CORPORATE LIMITS OF THE TOWN OF HIGHLANDS FOR A PERIOD OF SIX (6) MONTHS, IN ORDER TO ALLOW THE BOARD TO STUDY, DEVELOP, AND ADOPT AN ORDINANCE REGULATING SUCH FACILITIES, AS WELL AS TO STUDY THE POSSIBLE AVAILABILITY OF MUNICIPAL SITES TO LEASE AS MAY BE APPROPRIATE.

2. Each Board member had received a summary copy of all of the Zoning Amendments and Land Use Planning Committee Recommendations received to date, their status, and the procedure for implementing the recommendations, prepared by the Clerk and the Town Planner. The Board then proceeded to discuss all of the items.

The Clerk reported that the final version of the proposed Appendix C—which had been expanded to include not only color and exterior material standards, but also standards for retaining walls, fencing, arcades and porches, roofs and gutters, windows and doors, awnings, landscaping, pavement surfaces, lighting, and utilities—had been sent to the Planning Board for review. He understood that Eddie Madden was also drafting amendments related to simulated building materials in fire districts, as discussed at an earlier meeting. The Board agreed to defer action until that Board had made its recommendation.

The Board then discussed the amendments of the Zoning Map and Zoning Ordinance in considerable detail. Comm. McCall shared his concerns that inability to obtain enough right-of-way might make some of the recommendations feasible; Comm. Patterson agreed. Comm. Sossomon felt the Board should proceed with a public hearing and notice on the Zoning Map amendments, and then further discuss the Ordinance amendments at the February Board meeting. The Board also reviewed recommendations related to unloading, traffic flow, residential areas, and municipal services, none of which would require public hearing.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO SET A PUBLIC HEARING FOR MARCH 17 ON THE FOLLOWING AMENDMENTS OF THE ZONING MAP, AND TO FURTHER DISCUSS THE ZONING ORDINANCE AMENDMENTS AT THE FEBRUARY 17 MEETING.

(A) Change zoning along Spring Street from B-3 to B-2 with the exception of the Neal property on the South side of Spring Street from 3rd Street to 4th Street;

(B) Change zoning on Main Street from B-3 to B-2 from Second Street to First Street;

(C) Change zoning at Catholic Church along Fifth Street property from R-2 to B-4;

(D) Change zoning of the Liz Development property along U.S. 64 from B-3 to R-1;

(E) Change zoning of the Merry Mountaineer property on U.S. 64 from B-3 to B-4;

(F) Change zoning of the Village Goldsmith property along U.S. 64 from B-3 to B-4;

(G) Change zoning of the Roger Smith property along U.S. 64 West from B-3 to R-2;

(H) Change zoning of the Gerson Perry property along U.S. 64 West from B-4 to R-2.

VII. There being no further business to come before the Board, the meeting was declared adjourned by the Mayor at 8:09 p.m.

Richard Betz, Town Clerk