

REGULAR BOARD MEETING of November 20, 2002, with Mayor Buck Trott and Commissioners H. N. James, Mike Cavender, Hank Ross, and Ron Sanders present; Comm. Amy Patterson was out of Town.

Also present were Richard Betz, Lamar Nix, Alan Marsh, Bill Cheney, Bill Rethorst, Tom Walker, Karen Hawk, and Kim Lewicki.

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 a request for extension of a Town water line had been received from Old Edwards Inn, and he requested that it be added to New Business.

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

III. Approval of Minutes.

Copies of the minutes of the November 6 Regular Board Meeting had been distributed by mail.

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

IV. Reports.

1. The Mayor reported that he had learned earlier in the day that the Highlands ABC store ranked 16th in the entire State in percentage of profits (11.43%). He felt that the high profit was due to good management, and he commended the ABC Board: Georgia Sanders, David Wilkes, and George Schmitt.

2. The Town Administrator reported that he had been unable to schedule a joint meeting with the County Commissioners sooner than February; he would notify the Board as soon as a date was set. He also said that Town Attorney Bill Coward had told him that the Parking Ordinance case had been continued until January, and that a hearing would be held next Tuesday to set a trial date for the Edwards case. He also said that he had talked to the Fire Chief and determined that the 15-minute parking space at the corner of Fourth Street in front of the Old Edwards Inn, discussed at the previous meeting, would not interfere with operation of the fire hydrant at that location.

As requested at the previous meeting, he also reported that he had investigated the right-of-way on Bowery Road beyond the disputed section. He said he had talked to Steve Pierson, who had indicated that he would provide deeded right-of-way on the portion of Bowery Road beyond the entrance to Sagee Woods. He had researched the section between that point and the entrance to Sagee Mountain, however, and determined that there was no record in any Town records that this easement had been conveyed to the Town, despite having been listed on the Powell Bill map for at least twenty years. He recommended that the Town consider removing the road from the Powell Bill map and discontinuing maintenance, meanwhile authorizing him to pursuing obtaining right-of-way from the developers of Sagee Mountain subdivision or individual property owners along the road.

Comm. James said he thought the Town might claim a right-of-way to the road due to having maintained it for so long. He asked that the Town Attorney provide an opinion on this question, and the Board agreed by consensus to do so.

V. Old Business.

1. Town Engineer Lamar Nix reported that he had looked at the landscaping along Maple Street proposed by the Leadership Highlands 2002 Class at the previous meeting, and determined that it did not interfere with sight distance or the ditch line.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. ROSS, AND UNANIMOUSLY CARRIED TO APPROVE THE PROPOSAL.

2. The Town Administrator reminded the Board that it had agreed on October 2 to connect the S. B. Association private sewer system to the Town system upon payment of one-half of the full connection fees, contingent on an agreement being prepared by the Town Attorney similar to that with the Highlands Mountain Club. Such an agreement had been prepared and forwarded to the Association's attorney for review, and Town staff had met twice with the new S. B. Association Board members since then. He understood that they were now prepared to execute the agreement and forward the connection fees that they had in hand; Board member Bill Cheney had offered to personally be responsible for any shortfall in connection fees, by signing a promissory note if necessary, for those property owners who had not yet been contacted. He also said that he had been provided before the meeting with a list of some 63 residences believed to be connected to the system.

Bill Cheney was present and confirmed that he was one of six individuals who had only recently volunteered to serve on the S. B. Association Board; none of them had any idea that there had been any problems with the system. They had been reconstructing billing records and meeting with State and Town officials, and believed that they were close to their goal. He said he could personally guarantee the first one-half of the connection fees and was prepared to execute the agreement. He also reported that they were in the process of retaining an engineer to study the cost of bringing the system up to standards, and indicated that they might discuss the Town taking over maintenance eventually. He said that the goal was to connect the system to the Town by November 30, when the discharge permit expired, and he assured the Board that it would not fall into a bad condition again.

Comm. James asked if S. B. Association would still be responsible for the collection system. The Town Administrator said that his understanding was that they would, and that the existing franchise agreement would continue to apply; he had forwarded the agreement to the Town Attorney and requested his opinion.

MOVED BY COMM. SANDERS, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO CONNECT THE S. B. ASSOCIATION SYSTEM TO THE TOWN SYSTEM, UPON THE APPROVAL OF THE TOWN ATTORNEY, EXECUTION OF THE AGREEMENT, AND COLLECTION OF ONE-HALF OF THE APPLICABLE CONNECTION FEES.

VI. New Business.

1. The Town Administrator reported that Old Edwards Inn had requested permission to extend a 6-inch water line along Church Street for approximately 40 feet from Fourth Street in order to provide fire sprinkler service to the new buildings being constructed on the property; a 2" line currently served Church Street, which was inadequate for the sprinkler system. The owners understood that they would be required to fund the extension, obtain an engineer, prepare plans, seek State approval, and obtain a D.O.T. encroachment permit.

MOVED BY COMM. JAMES, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO APPROVE THE EXTENSION CONTINGENT UPON THE TOWN ENGINEER'S SUPERVISION.

2. 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 FOR METER READER. All present left the room except the Clerk and the Public Services Administrator.

The Public Services Administrator reported that Keith Hicks, who had been offered employment at the previous meeting, had reported that he was incapable of performing the meter reader job due to his eyesight; he reviewed several applications with the Board, and recommended employing Richard Lee Bradshaw in the position.

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

3. MOVED BY COMM. CAVENDER, SECONDED BY COMM. JAMES, AND UNANIMOUSLY CARRIED TO EMPLOY RICHARD LEE BRADSHAW AS METER READER AT A SALARY OF 8-1 (\$19,007).

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

There being no further business to come before the Board, the meeting was declared adjourned by the Mayor at 7:37 p.m.

Richard Betz, Town Clerk