

REGULAR BOARD MEETING of July 16, 2008, with Mayor Don Mullen and Comms. Amy Patterson, Dennis DeWolf, Larry Rogers, and John Dotson present; Comm. Hank Ross was out of Town.

Also present were Richard Betz, Joe Cooley, Josh Ward, Bill Coward, Kim Lewicki, Melody Spurney, Dennis Matthews, Judy and Louis Michaud, Alan Marsh, Ellen Westnedge, Mitchel Sorin, John Fisher, 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. The Town Attorney requested a short Closed Session at the end of the meeting to discuss potential litigation.

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

III. Approval of Minutes.

Copies of the minutes of the July 2 Public Hearing and Regular Board Meeting had been distributed by mail.

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

IV. Reports.

1. The Mayor reported that a joint meeting between the Highlands and Franklin Town Boards and the County Commissioners was scheduled for July 17 at 6:00 p.m.
2. Comm. Marsh reported that the County Commissioners were working on a Junk Ordinance.

V. Old Business.

1. The Board again discussed a recommendation of the Public Works Committee made at the June 25 meeting that the Town's policy of requiring 100% of the property owners along Wyanoak Road to convey right-of-way before paving the road be changed to 90% when in the best interest of the public. Town Attorney Bill Coward had indicated that the Town could establish any reasonable policy on accepting conveyance of street right-of-way.

MOVED BY COMM. ROGERS, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED THAT THE CONVEYANCE OF RIGHT-OF-WAY BE ACCEPTED BY THE TOWN OF HIGHLANDS AND THE STREET PAVED.

VI. New Business.

1. Mitchel Sorin and John Fisher were present to review cost estimates for the Town Hall. They presented revised plans which had incorporated several

minor changes, as well as inclusion of a Visitors Center and elimination of a ticket kiosk, as well as elevations and 3-D views. They said that a cost consultant had been retained and a contractor had also been asked to provide an estimate, and both were presented in a summary spreadsheet and a detailed line-item cost estimate. The contractor's estimate was \$4,341,822, and the consultant's estimate was \$5,108,729. The Board discussed LEED certification with the architects, and they agreed to follow up with some information and costs.

2. Town Attorney Bill Coward reviewed in some detail a proposed contract with Wilder Consulting for the Town Manager search. The contract had been approved at the previous meeting subject to submittal of an estimate of expenses and the hourly rate for partial services; Mr. Wilder had informed the Town that out-of-pocket expenses would not exceed \$2,000 and the hourly rate would be \$115 per hour. It had also been approved subject to review by the Town Attorney, and copies of Mr. Coward's recommended changes and Mr. Wilder's written response to those changes had been included in the agenda package. It was agreed that the Town would contract with another firm to do a background check on the candidate; that reports be filed every two weeks or at each Board meeting, rather than monthly; and that Wilder not recruit any successful candidate for another job within five years, rather than two years. The changes were to be forwarded to Mr. Wilder and the contract signed by him and the Mayor if acceptable so that he could begin work immediately.

3. Hillrie Quin was present and reviewed information which had been distributed in the agenda package on a proposed Mountain Transportation Initiative. The State program was being supported by a partnership between the Chamber of Commerce, the Community Foundation of Highlands, and the International Friendship Center to provide public transportation by eight-passenger van between Franklin and Highlands through a non-profit organization called 2Plus Inc. Initial polling indicated some interest, and the cost per day was estimated to be \$6.50 per passenger; the vans were provided by the State program, and the fare covered operating expenses. Mr. Quin proposed further investigating the feasibility of the program.

4. MOVED BY COMM. ROGERS, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION PURSUANT TO G. S. '143-318.11(A)(3) TO CONSULT WITH THE TOWN ATTORNEY ON POTENTIAL LITIGATION AND THE LEGAL RAMIFICATIONS OF AMENDING THE SIGN REGULATIONS. All present left the room except the Town Administrator, the Town Attorney, the Planning Director, and the Code Enforcement Officer.

The Board consulted with the Town Attorney on possible amendment of the sign regulations and potential claims that might arise under that ordinance in the future.

MOVED BY COMM. ROGERS, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO GO INTO OPEN SESSION. The room was opened to the public and Melody Spurney and Kim Lewicki returned. They were given the foregoing general account of the closed session.

VII. MOVED BY COMM. PATTERSON, SECONDED BY COMM. DOTSON, AND UNANIMOUSLY CARRIED TO ADJOURN.

There being no further business to come before the Board, the meeting was declared by the Mayor to be adjourned at 8:30 p.m.

Richard Betz, Town Clerk