

December 12, 2005

The Town of Franklin Board of Aldermen had a special called meeting on Monday, December 12, 2005 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Billy Mashburn, Sissy Pattillo, Charles Roper and Bob Scott were present.

Update on Gibson Cove Estates project – Billy Vanhook

Billy Vanhook said the first phase of Gibson Cove Estates has been finished. He said the plans are to start the second phase of the project shortly. He said the second phase of the project has been sold to Jay Baldwin. Mr. Vanhook said I will continue to manage the project for the new owner. Mike Decker said are you asking for an additional water allocation? Mr. Vanhook said an allocation was given for both phases. Jay Gibson will review plans for the water lines in the second phase.

Discussion of Timberleaf project – Bud Haley

Bud Haley said I am asking for a water and sewer allocation for Timberleaf Development. He read a handout to the board. A copy is attached. He said I have met with the Water/Sewer Committee and Jay Gibson about this project. He said I am not sure whether the water main at Arthur Drake Road will be adequate but I don't mind spending the money if I know the water and sewer is available from the Town. Alderman Scott said I still have concerns about storm runoff and the density of the population for the size of the property. He said if there were thirty to fifty percent less sites, I would be agreeable. He asked Mr. Haley if he would have McGill Associates look into these concerns. Mr. Haley said that is why I hired McGill. He said even if I cluster some of the sites I would need the same allocation. Alderman Scott said my main concern is the stormwater runoff. Mr. Haley said I do not see a great deal of concern with the runoff. Alderman Scott said that is fine for now, but we need to look at what this development will create twenty years from now. Mr. Haley said half of my property is in the ETJ and half is outside town. He said I am going to develop this property like it is inside the town. Alderman Evans said we don't have to annex the property. Alderman Curtis said he will have to meet the town's building codes and setback requirements in place now. He said we can't hold him to any higher standards than anybody else. He said I am going to make a motion that we grant him 30,000 gallons per day water and sewer allocation with the understanding he has to pay for a flow study of Riverview Street and Arthur Drake Road with his alternative site is to get water from Hurst Circle. Mayor Collins said I am going to ask you to hold on your motion until we hear further comment. Bob Cansler said I am representing my parents, Mr. and Mrs. Bill Cansler at 289 Riverview Street. He said the deed of this property is Book F21, page 887 of the Macon County Register of Deeds. He said my parents own a two-inch connection on this water line. He said it has never been installed but it has been recorded. Mr. Cansler said we are asking during the study of the water capacity of the line that my parent's two-inch connection be considered along with any other unused connections. He said this connection is the only consideration given for the right of way given by my parents for this water line. Mayor Collins said when does a project deserve a public hearing? He said are we there with this one? Alderman Pattillo said we

December 12, 2005 meeting continued,

had a public hearing on Carenet. She said being new on the Board I will have to excuse myself from voting since I want all the facts. Alderman Mashburn said there is no need for a public hearing on this matter. He said Carenet was a zoning issue and it required a public hearing. Mayor Collins said it looks like a good fit for the way the community is developing. He said it is a big project and I raise the question if we need to have a public hearing. Alderman Mashburn said the 30,000 gallons per day allocation is not a problem for us. He said the Town is in the water business but we have the responsibility to the citizens of the Town. He said we have no right outside our jurisdiction to tell people what they can use their land for. He said if it is not in our extension ordinance we can't hold him to a higher standard than anybody else. Mayor Collins said the question is on something that has this much impact on the area do we need to give folks a chance to voice their opinions. Alderman Roper said we can't do it for some and not for others. Alderman Evans said I agree with Alderman Mashburn. Alderman Mashburn said if we decide not to annex the property would this alleviate some problems for you Alderman Scott? Alderman Scott said yes. Alderman Mashburn said I don't know at this point if I want to annex this property or not. He said it would be just a water and sewer allocation. **Motion was made by Curtis, seconded by Evans to grant Bud Haley an allocation of 30,000 gallons per day of water and sewer for his proposed Timberleaf development off of N.C. 28 contingent upon the following: (1) Mr. Haley paying McGill Associates for doing a flow test to determine if there is enough volume in the water line near the Arthur Drake Road, (2) if the volume is not sufficient at Arthur Drake Road he must tap onto the system at Hurst Circle and (3) that any unused taps be taken into consideration during the study such as the Cansler tap. Motion carried. Vote: 4 to 2. Voting yes: Curtis, Evans, Mashburn and Roper. Voting no: Pattillo and Scott.**

Repairs at wastewater treatment plant – Jay Gibson

Jay Gibson said we have been having trouble with the floating aerator at the wastewater treatment plant. He said we have had problems with this section three to four times over the past ten years. He said we budgeted \$16,450.00 to purchase one. He said the cost is \$18,410.00 plus the cost of the electrical work and the cost of renting a crane. Mr. Gibson said if the shaft breaks it could put the plant out of compliance. **Motion was made by Mashburn, seconded by Evans to purchase the floating aerator for the wastewater treatment plant. Motion carried. Vote: 6 to 0.**

Update on Hillcrest Avenue cleanup – Rebecca Crawford

Rebecca Crawford said last Thursday a couple of the town employees and I went to the 76 Hillcrest Avenue property and cleaned up the property. She said there are concerns from some board members that we didn't do enough. She said it needs to be determined what we want to address. She said we need to take baby steps. Mrs. Crawford said the neighbors are complaining but we want to protect the property owners' rights as well. Information copies are attached. Alderman Pattillo said I am in this neighborhood and there are rodents in people's houses. She said if we start a cleanup we need to finish it. Alderman Evans said there are other houses that

December 12, 2005 meeting continued,

need to be cleaned up. He said I would like to discuss this matter further at the January retreat on how far we are going to get into it. Mrs. Crawford said if someone calls with a health nuisance, I refer them to the health department. She said we have to work together. Alderman Scott said the county has the responsibility for public health nuisances. Mayor Collins said our next step is to clean up the junk cars. He said we need to see if they can be legally moved. Bobby Key said I would have to look into the ordinance. He said you would need to have a storage area for the cars. Mayor Collins said we don't have the network in place right now. Alderman Scott said I would like to send a delegation to meet with Ken Ring at the health department about the regulations. Mayor Collins, Alderman Pattillo, Alderman Scott and Rebecca Crawford agreed to meet with Ken Ring. Mayor Collins asked Rebecca Crawford to work on some model language to get rid of junk cars.

Consideration of proposal for legal services

Mayor Collins said Bobby Key has been the town attorney since 1970. He said Mr. Key gave his notice months ago. He said I have a proposal from John Henning, Jr. for legal services. A copy is attached. Alderman Mashburn said I have known John Henning for a long time and have a good working relationship with him. Alderman Evans said would there be a conflict of interest with him also working for the school board? Bobby Key said I don't see any conflicts. Mr. Henning, Jr. said I would like to discuss my working for the Town with the school board before we move ahead. Mayor Collins said we will table this matter until the next meeting.

Discussion regarding Main Street coordinator

Mayor Collins said we haven't been invited to join the Main Street program yet. He said we are working on getting a coordinator. He said we met with Linda Harbuck and Tony Angel from the Chamber of Commerce and Mr. Angel is not a candidate for this position. Alderman Evans said Larry Dryman has brought by his resume. Mayor Collins said we need someone fairly soon since we have the Taste of Scotland coming up. He said Mrs. Harbuck suggested using some of the money that is paid to Hal Chapman for this event. **Motion was made by Evans, seconded by Scott to allow a committee consisting of Mayor Collins, Alderman Curtis, Alderman Pattillo and Mike Decker to work with the Friends of the Scottish Tartan Museum to discuss how best to prepare for the Taste of Scotland in 2006. Motion carried. Vote: 6 to 0.**

Update of solid waste plan

Mike Decker said every three years, Highlands, Macon County and Franklin join together to update the solid waste plan. He said the Board needs to address some issues with recycling. A copy is attached. Alderman Evans said what happened to the recycling trailer we were going to get from Macon County? Mike Decker said I will check into the status of the trailer.

December 12, 2005 meeting continued,

Discussion regarding the Jaycee Building/Memorial Park

Mayor Collins said the building has been broken into. He said there is no parking. He said it may be time to look and see if the three acres could be better used. He said we may be able to get some grant money. Alderman Scott said I would like to get public input on what to do with the property. Alderman Curtis said we may be able to put up a reward for the arrest and conviction of the vandals. Alderman Scott said I agree. Bobby Key said I am not sure if the Town can put up reward money. He said I will check on it. Mayor Collins said we need to look at getting grant money. Alderman Scott said I would like to have a town meeting in February on Sunday and see what the public wants. Alderman Curtis said we can ask the county for parks and recreation money. Mayor Collins asked Mike Decker to talk to the county about parks and recreation money.

Agenda items for January retreat

Mayor Collins said I would like to start about 9:00 A.M. on January 14, 2006. He said we need to discuss the manager form of government and have someone from the North Carolina League of Municipalities present to discuss it with us. Alderman Mashburn said I think it would be better to have a specific time and date for this discussion. He said at the retreat I would like to talk about water and sewer extension policy changes and zoning influence outside the town limits. He said we need to discuss how to manage nuisance issues. Alderman Scott said the Town needs a secondary water source. Alderman Curtis said we need to talk about the future of the Whitmire property. Mayor Collins said we need to discuss room tax and also a conference/civic center. Alderman Evans said I would like to discuss animal control and putting decals on all town vehicles.

Adjournment

Mayor Collins adjourned the meeting at 8:50 P.M.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk