

**July 7, 2008**

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, July 7, 2008 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Joyce Handley, Billy Mashburn, Carolyn Pattillo and Bob Scott were present. Alderman Jerry Evans was absent.

**Approval of the minutes**

**Motion was made by Handley, seconded by Pattillo to approve the minutes for the June 2, 2008 meeting with the following change: to keep the Board's salaries at \$30,000.00 per year collectively. Motion carried. Vote: 5 to 0.**

**Announcement**

Alderman Pattillo presented to Mayor Collins the Small Towns Economic Prosperity Program plaque the Town received from the North Carolina Rural Economic Development Center on June 24, 2008.

**Public hearing on special use application (Macon County Sheriff's Office gun range)**

Mayor Collins opened the public hearing on the special use application for a gun range at 7:10 P.M.

Persons speaking at the public hearing:

John Henning, Jr. - This decision is legislative in nature. The procedure for a special use permit is you act like a judge to do your determination. You look at the evidence before you.

Sheriff Robert Holland - We have fifty-five officers needing to use a gun range. We are going to Sylva at this time and also we use the range at the Town's sewer plant. He gave a Power Point presentation. The information in the Power Point included the following: (1) controlled access and usage, (2) certified instructors and certified range masters, (3) law enforcement functions only, (4) open availability to local agencies, (5) stewardship plan and (6) EPA best management practices for outside firing range. A copy of the Power Point is attached. We are community minded. We have talked to the neighbors and the church. There will be no use of the range on Sundays. It will be used for combat course, qualification course and shotgun qualification. It is inside the ETJ. We will use the entrance to the landfill. There is plenty of parking area. The gun range will be above the required standards.

Deputy Tony Carver - An engineer has done the plan for the range. The range will have a liner to prevent lead leakage.

**July 7, 2008 meeting continued,**

Michael Grubermann – The Planning Board met and voted at that meeting to adopt the findings of fact as is required by the UDO. A copy is attached. We had the neighborhood compatibility meeting on May 2, 2008. There are twenty-one property parcels within four hundred feet of the gun range. Eight property owners were at the meeting. The use will promote the public health, safety and general welfare due to the lead leaching and the terrain. The public facilities will be served by portable toilets and the only vehicles will be police vehicles. The use complies with all required regulations and standards of the UDO. The use is compatible with the particular neighborhood. There were no protests at the neighborhood meeting. The use is not specifically allowed under the UDO; thus, is a special use.

Howell Derrick – I am in favor. I hope you approve. You should let the citizens use this facility. Let them pay for using the range. It could be self sufficient.

Chuck Holland – I live in the neighborhood. I was not notified, but I have no objection.

Ron Slagle – I am the closest neighbor. I am on the corner. I could not go to the neighborhood meeting. There could be a noise problem. Could it be taken away in the future or is it permanent? Mayor Collins – It is not permanent. It is inside the ETJ. Mr. Slagle – I live within one hundred yards of the range. My property will be devalued.

Mayor Collins closed the public hearing at 7:40 P.M.

**Consideration of special use application**

Mayor Collins and the Board made the following findings of fact:

1 - The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety and general welfare.

2 - There are, or will be at the time they are required, adequate public facilities to serve the use or development as specified in Section 4.11 of the UDO.

3 - The use or development complies with all required regulations and standards of the Unified Development Ordinance or with variances thereto, if any, granted pursuant to Section 4.4.14 of the UDO, and with all other applicable regulations.

4 - The use or development is located, designed and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.

5 - The use or development conforms to the general plans for the physical development of the Town as embodied in this Ordinance, the Principles of Growth, the Thoroughfare Plan, and any other duly adopted plans of the Town.

**July 7, 2008 meeting continued,**

**Motion was made by Mashburn, seconded by Curtis to approve the special use application for the Macon County Sheriff's gun range. Motion carried. Vote: 4 to 0. Alderman Scott was recused from voting since he is still a sworn officer.**

### **Recess**

Mayor Collins recessed the meeting at 7:42 P.M.

Mayor Collins reconvened the meeting at 7:45 P.M.

### **Public Session**

Margaret Ramsey said we are asking that Mayor Collins and the Board proclaim the third Saturday in July as Macon County Heritage Day in Franklin. **Motion was made by Curtis, seconded by Pattillo to proclaim the third Saturday in July as Macon County Heritage Day in Franklin. Motion carried. Vote: 5 to 0. A copy is attached.**

Randolph Bulgin said Karen Wallace and I are here on behalf of the Macon County Public Library. He said we asked for an appropriation of \$24,000.00 in this year's budget. Karen Wallace said we serve everyone. She said I realized that we moved outside Town. Alderman Pattillo said I have no problem supporting the library. She said I would like to see us have a full time director at our library. Alderman Scott said I would suggest that the library open on Sunday afternoons. Mrs. Wallace said that is a staffing problem. Alderman Mashburn said I want to support the library but we have new criteria in place. Mayor Collins said we will take your request under advisement.

### **Request for water/sewer allocation – G&V Development**

Sam Greenwood said G&V Development is requesting 6,996 gallons per day to Sawmill Village. He said they are planning to be annexed. Copies of the letters are attached. He said the developer understands that outside rates for the tap fees will apply. **Motion was made by Curtis, seconded by Handley to give 6,996 gallons per day to Sawmill Village. Motion carried. Vote: 5 to 0.**

### **Discussion regarding criteria for applications for the non-profit funding "pool"**

Sam Greenwood said we need to rationalize grant requests. He said we should be able to gather savings throughout the year. He said we need to develop criteria for the funding. Mr. Greenwood said some examples would be restrict to nonprofits only, fund agencies within town limits, determine a service or value to the Town, one-time or continuing and a dollar limit. Mr. Greenwood said we need a contract with each entity, possibly an audit or some other type of reporting. Mayor Collins said we need to work on setting the criteria by the next meeting. Alderman Curtis and Alderman Handley agreed to work with staff to develop some criteria.

July 7, 2008 meeting continued,

**Consideration of enhancement agreement with the NC Department of Transportation**

Michael Grubermann said the North Carolina Department of Transportation is willing to provide up to \$20,000.00 in funding for ninety feet of sidewalk on Iotla Street and one hundred ten feet on Main Street. Copies are attached. **Motion was made by Scott, seconded by Curtis to approve the enhancement agreement with the North Carolina Department of Transportation. Motion carried. Vote: 5 to 0.**

**Petition for rezoning**

Michael Grubermann said Margaret Hawks is requesting rezoning of property at 80 Mashburn White Road from R-1 to C-2. Copies are attached. **Motion was made by Handley, seconded by Mashburn to refer this rezoning request on to the Planning Board for a recommendation. Motion carried. Vote: 5 to 0.**

**Consideration of resolution regarding the North Carolina League of Municipalities Green Challenge**

Sam Greenwood said the League is introducing the Green Challenge in an effort to hold down energy costs. He said this is an excellent opportunity to do a program to save taxpayer dollars. Copies are attached. **Motion was made by Handley, seconded by Curtis to adopt the resolution accepting the NCLM Green Challenge and to allow Town Manager Sam Greenwood the authority to pick the standards. Motion carried. Vote: 5 to 0. A copy of the resolution is attached.**

**Other Business**

Mayor Collins said Linda Schlott needs a proclamation to support Cigarette Litter Prevention Month. She has received a grant of \$1,500.00 for Main Street to purchase butt containers. **Motion was made by Scott, seconded by Pattillo to proclaim July as Cigarette Litter Prevention Month in Franklin. Motion carried. Vote: 5 to 0.**

**Aldermen's discussion time**

Alderman Scott said we need to start moving on the Floodplain Ordinance. Sam Greenwood said Angela Moore will come to the August meeting with additional information. Alderman Scott said liners need to be put into the trash containers on Main Street.

Alderman Handley said the trim on the new windows at the Jaycee Building needs to be painted.

Alderman Pattillo said what is the status on the letter to the US Army Corps of Engineers? John Henning, Jr. said we have not heard anything yet.

**July 7, 2008 meeting continued,**

John Henning, Jr. said we have survived Duke Energy's motion to dismiss us from the DENR lawsuit. It has been continued to October.

Department reports are attached.

**Reappointment to ABC Board**

**Motion was made by Scott, seconded by Handley to reappoint Bob Moore as a member of the ABC Board for a three year term. Motion carried. Vote: 5 to 0.**

**Adjourn**

Mayor Collins adjourned the meeting at 9:15 P.M.

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Joe Collins, Mayor

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Janet A. Anderson, Town Clerk