

Town of Franklin Board of Aldermen  
Agenda  
November 1, 2010  
7 p.m.

1. Call to order – Mayor Collins
2. Approval of the October 4, 2010 minutes
3. 7:05 p.m. – Public hearing on Extraterritorial Jurisdiction (ETJ) extension
4. Public Session
5. Presentation by Martin-Starnes & Associates regarding the 2010 Audited Financial Statements
6. Presentation by Arnett Muldrow & Associates regarding the Whitmire property – Tripp Muldrow
7. Consideration of request for release of allocated funds for Fiscal Year 2010-2011 for the Macon County Historical Society – Steven Rice
8. Consideration of request for non-profit funding from Macon County Art Association: Uptown Gallery – Karen Albig Smith
9. Consideration of request to close Iotla Street for Winter Wonderland – Linda Schlott
10. Consideration of next step(s) regarding ETJ extension
11. Ratification of e-mail/telephone poll regarding Annexation Report and Services Plan
12. Update on minimum housing code – Town Attorney
13. Consideration of draft code of ethics
14. Consideration of utility refund
15. Consideration of appointments
  - (A) Alcoholic Beverage Control (ABC) Board
  - (B) Tourism Development Authority
16. Adjourn

**November 1, 2010**

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, November 1, 2010 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Joyce Handley, Billy Mashburn, Carolyn Pattillo and Bob Scott were present.

**Approval of the minutes**

**Motion was made by Curtis, seconded by Handley to approve the minutes for the October 4, 2010 meeting as presented. Motion carried. Vote: 6 to 0.**

**Additions to the agenda**

Mayor Collins said I would like to add the following items to the agenda: possible traffic study for Main Street and Palmer Street and a closed session for personnel.

**Public hearing on Extraterritorial Jurisdiction (ETJ) extension**

Mayor Collins opened the public hearing on the Extraterritorial Jurisdiction (ETJ) extension at 7:05 P.M. The following persons spoke at the public hearing.

Michael Grubermann – Land Use Administrator – The Town is allowed by the state to extend the ETJ for one mile for zoning purposes. The Planning Board recommended that the Town extend the ETJ along the corridors after several months of meetings. There are no taxes involved. The Unified Development Ordinance would apply for any new development.

Marty Rowland – Rock Quarry Road – There are no town services to my property. It will not benefit me in any way.

Shirley Ches – Lake Emory Road – Most of my questions have been answered. I do have questions on what is allowed in C-2. There is a junk yard in my area. Another junk yard has been added to my area. They need to be screened from view.

Michael Grubermann – Land Use Administrator – There can be up to three levels in C-2. The definitions are on the website.

Bruce Hedden – US 441 North – How bad do you want me? If I build anything, will there be new taxes? I would have to apply the UDO requirements.

Michael Grubermann – There would be no new taxes to the Town.

**November 1, 2010 meeting continued,**

Keith Rowland – Rock Quarry Road – I am a native of Franklin. I have retired from the military. I have property near the quarry on Highway 64. This property does not lead to development. I cannot hook on to the new sewer line. I cannot use my property. You are putting your zoning on me. I do not want zoning of any kind.

Ricky Blaine – Blaine Road – If I build a building on my property there will be another layer of government. What is the cost of a permit? You need to be careful.

Michael Grubermann – Land Use Administrator – It is \$100.00 for a commercial building.

Cliff Cypher – 1963 Old Murphy Road – If I put a small shed on my property, I would need to get a permit. I have vehicles and a camper parked on my property. I do not want to pay for permits to the Town.

Shane Boatwright – 485 Belden Circle – What would my property be zoned? I park my equipment on my property. I plan to dig dirt out of my property.

Michael Grubermann – Land Use Administrator – Any land disturbance would be regulated by Macon County, not the Town.

Lewis Cain – 155 Arrowwood Lane – Growth in corridors is okay for 441 South and the Highlands Road. There is no access from Highway 64 to my property. I need more information. Property west of Sloan Road is not commercial.

John O’Conner – Highlands Road – I live in the mobile home park on the Highlands Road. You said you would not increase our water bills. The water bills have increased thirty percent.

Charles Garner – How are we going to benefit? My address has been changed. I am going to building a house. I would have to get a permit from the town and the county. More information should have been provided.

Dolan Bates – Sloan Road – You can stop the ETJ on the left side of Sloan Road. Will there be a another public hearing if the area is changed?

Mayor Collins – No.

Mary Nolan – 105 Big Oak Drive – I do not want to be inside the town limits with restrictions.

Mayor Collins closed the public hearing at 7:55 P.M.

**November 1, 2010 meeting continued,**

**Recess**

Mayor Collins recessed the meeting at 7:55 P.M.

Mayor Collins reconvened the meeting at 8:05 P.M.

**Public session**

Dan Williams – I had two guitars stolen from my house. They were worth about \$4,000.00. After I filed a claim, the insurance company mailed me a check. I filed a claim with the Town several years ago.

Mayor Collins – We will not hear anything on this matter again.

**Presentation by Martin-Starnes & Associates regarding the 2010 Audited Financial Statements**

Erica Brown with Martin-Starnes & Associates gave a power point presentation about the 2010 Audited Statements. She said the Town received an Unqualified Opinion. A copy of the presentation is attached.

**Presentation by Arnett Muldrow & Associates regarding the Whitmire property**

Tripp Muldrow with Arnett Muldrow & Associates gave a power point presentation of projects completed by the firm in the past. A copy of the presentation is attached. The Board did not take any action.

**Consideration of request for release of allocated funds for Fiscal Year 2010-2011 for the Macon County Historical Society**

Since Steven Rice was not present at the meeting, there was no discussion of the request.

**Consideration of request for non-profit funding from Macon County Art Association: Uptown Gallery**

Karen Albig Smith said the Macon County Art Association: Uptown Gallery is requesting \$5,000.00 from the non-profit funding pool. An informational copy is attached.

**Motion was made by Handley, seconded by Mashburn to give \$1,500.00 to the Macon County Art Association: Uptown Gallery from the non-profit funding pool. Motion carried. Vote: 6 to 0.**

**November 1, 2010 meeting continued,**

**Consideration of request to close Iotla Street from Winter Wonderland**

Linda Schlott, Main Street Coordinator, said this year Window Wonderland will be called Winter Wonderland and will be held only for one night. She said we need to close Iotla Street from 2:00 P.M. to 9:00 P.M. on December 3, 2010.

**Motion was made by Handley, seconded by Pattillo to close Iotla Street from 2:00 P.M. to 9:00 P.M. on December 3, 2010 for Winter Wonderland. Motion carried. Vote: 6 to 0.**

**Trail Days**

Mayor Collins asked Linda Schlott to explain about the possible changes to Trail Days. Mrs. Schlott said there are several issues with using Big Bear for the event. She said the plans are to move the event to the gazebo. She said it should help the businesses. Alderman Scott said I think the decision needs to be made by the Trail Days Committee. He said all the stakeholders' needs to be involved. The Board asked Mrs. Schlott to get with the Trail Days Committee about these plans.

**Main Street Study**

Mayor Collins said I would like to have the North Carolina Department of Transportation to do a study on the possibility of changing Main Street from one way to two way traffic. He said the Department of Transportation will do the study for free.

**Motion was made by Handley, seconded by Pattillo to ask the North Carolina Department of Transportation to do the traffic study on Main Street. Motion carried. Vote: 6 to 0.**

**Consideration of next steps regarding ETJ extension**

John Henning, Jr. said the next step on the ETJ extension would be doing the ordinance. Mayor Collins said all of the board members need to meet with Michael Grubermann about the map before completing the ordinance.

**Ratification of e-mail/telephone poll regarding the Annexation Report and Services Plan**

**Motion was made by Evans, seconded by Curtis to ratify the results of the e-mail/telephone poll regarding the Annexation Report and Services Plan dated October 4, 2010. Motion carried. Vote: 6 to 0. A copy of the report is attached.**

November 1, 2010 meeting continued,

**Update on minimum housing code**

John Henning, Jr. said I have done draft on minimum hosing code for your review. He said the code would be compliant driven. He said we can consider the code at the December 5, 2010 meeting. A copy is attached.

**Consideration of draft code of ethics**

**Motion was made by Curtis, seconded by Mashburn to adopt the code of ethics as presented effective immediately. Motion carried. Vote: 5 to 1. Voting no: Evans. A copy is attached.**

**Consideration of utility refund**

Sam Greenwood said J. C. Jacobs is requesting a refund for utility tap fees and availability fees. Mr. Greenwood said Mr. Jacobs paid fees for six units. He said due to the size of the property, only five units were built. He said the refund would be as follows: \$550.00 - water tap, \$440.00 - sewer tap and \$1,800.00 - availability fee.

**Motion was made by Mashburn, seconded by Evans to refund to J. C. Jacobs: the following fees: \$550.00 – water tap, \$440.00 – sewer tap and \$1,800.00 – availability fee. Motion carried. Vote: 6 to 0.**

**Appointment to Alcoholic Beverage Control (ABC) Board**

Alderman Scott nominated Wayne Swank. Alderman Evans nominated Jim Shope.

**Motion was made by Evans, seconded by Curtis to appoint Jim Shope to the Alcoholic Beverage Control Board. Motion failed. Vote: 2 to 4. Voting yes: Curtis and Evans. Voting no: Handley, Mashburn, Pattillo, and Scott.**

**Motion was made Scott, seconded by Pattillo to appoint Wayne Swank to the Alcoholic Beverage Control Board. Motion carried. Vote: 4 to 2. Voting yes: Handley, Mashburn, Pattillo and Scott. Voting no: Curtis and Evans.**

**Appointment to Tourism Development Authority**

**Motion was made by Scott, seconded by Evan to appoint Chuck Emrick to the Tourism Development Authority. Motion carried. Vote: 6 to 0.**

**Other business**

Departmental reports are attached.

**November 1, 2010 meeting continued,**

Mayor Collins said I would like us to do a study on doing a second level of parking from Stewart Street on the parking lot on Palmer Street. He said the study would be at no cost to the Town. The Board agreed to do the study.

Alderman Handley said Palmer Street needs repaving due to the water/sewer projects. Sam Greenwood said the projects are almost completed. He said the North Carolina Department of Transportation plans to repave Palmer Street this fall. However, he said it will depend on being able to get asphalt.

Alderman Scott said this year's Pumpkin Fest was excellent.

**Closed session**

**At 9:23 P.M., the Board went into closed session on motion made by Mashburn, seconded by Handley for the following reason – G.S. 143-318.11(a)(6) – To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an public officer or employee or prospective public officer or employee. Motion carried. Vote: 6 to 0.**

**The Board came out of closed session at 9:40 P.M., on motion made by Curtis, seconded by Scott. Motion carried. Vote: 6 to 0.**

**Open Session**

The Board took no further action and no other matters came before the Board.

**Adjournment**

**Motion was made by Mashburn, seconded by Pattillo to adjourn the meeting at 9:42 P.M. Motion carried. Vote: 6 to 0.**

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Joe Collins, Mayor

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Janet A. Anderson, Town Clerk