

March 8, 2004 meeting,

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, March 8, 2004 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Edwin Hall, Billy Mashburn, Charles Roper, Bob Scott and Jim Williamson were present.

Motion was made by Williamson, seconded by Scott to approve the minutes for the February 2, 2004 and February 19, 2004 meetings as presented. Motion carried. Vote: 6 to 0.

Nancy Scott said you need to look at updating the zoning code and bring it into the 21st Century. She said we are having rapid changes and some are not for the good. She said I have pictures showing earth moving, junked cars and tree cuttings, etc.

Fire Chief Pete Haithcock gave the fire department report. A copy of his report is attached. He also presented a proposed 2004-2005 budget for the fire department. A copy of the proposed budget is attached. Mayor Collins asked Fire Chief Haithcock to get with the fire committee and bring back to the April board meeting a recommendation on your budget. Alderman Scott said I want to commend your department for cutting the trees blocking Maple Street and Harrison Avenue last night.

Public Works Director Jay Gibson reported that the sewer line extension on Town Mountain is almost finished. He said we will be ready to start on the Meadowbrook Lane sewer line in around two weeks. Mr. Gibson gave out samples of preliminary maps that Donnie LeQuire had done showing the location of the Town's water and sewer lines. He said I will be taking some vacation the first week in April.

Police Chief Terry Bradley gave the police department report. A copy of the report is attached. He said there were six hundred seven calls for service in February.

June Hernandez and Alan Popper came before the Board to discuss parking on Main Street. They said some employees are parking there all day. Ms. Hernandez said we are suggesting there only be two to three hour parking allowed on Main Street. Mayor Collins said we need to get help from Macon County and the other businesses to stop their employees from parking all day on Main Street. Alderman Curtis said we could write down the license tag number and check out who is actually parking there all day. Mayor Collins said if you can tell us who is not playing by the rules we could contact them and try to get them on the team. The Board agreed to let the police committee look into this problem and report back to the Board at the next meeting.

March 8, 2004 meeting continued,

Kevin Barnett with the North Carolina Division of Water Quality spoke to the Board about some pump stations owned by Macon County. He said the pump stations on Highway 441 South and on the LBJ sewer line have never been operated by the county. He said these pump stations are a money losing operation. He said the county is the permittee and is responsible for the pump stations. Mr. Barnett said the state is increasing its inspections. He said the result will be appropriate action by the state if there is a problem. He said if the Town takes over the system there will be additional expenses due to visitations, maintenance, operations, recording and reporting. He said there is a legal requirement for the county to maintain their systems. He said abandonment is not an alternative to the county. Mayor Collins said this is an issue between the county and the town. He said what if the Town maintains this system on an interim basis? Mr. Barnett said the state will be looking at the county since they are the permittee. He said the county could contract this work out. Bobby Key said if the Town maintains this system on an interim basis the Town would be liable. Alderman Mashburn said we are involved with the county on the new sewer trunk line. He said part of the grant money is based on doing an irrigation application. Alderman Mashburn said who would be responsible for this application? Mr. Barnett said since the permit is in the county's name the county would be responsible. He said this application would be subject to enforcement. He said you would need a person with an operator license and also a person licensed to do the spraying. He said if the county modifies the permit the state could be looking for money back. Mayor Collins said we need to meet with you again.

Fred Jones said I am representing the Little Tennessee Watershed Association. He said we are using some grant funds for a proposed project at the Memorial Park. He said we are planning to do the following: (1) plant native trees and shrubs along the stream, (2) stabilize the eroding stream banks, (3) direct rainfall to alternate "storage" receptacles, (4) construct a perimeter sand filter, (5) produce a bulletin board and (6) do storm drain stenciling. A copy of the letter is attached. Alderman Williamson said I would like us to meet on site so we can see exactly what you want to do. Mayor Collins appointed Alderman Williamson, Alderman Curtis and Alderman Hall to meet with Mr. Jones and the group on site as soon as possible.

Barbara White and Tony Angel said we are representing the committee interested in the Town of Franklin's 150th Anniversary Celebration. Mr. Angel said we are planning to kick off the celebration on February 10, 2005 with Mayor Collins doing a proclamation. He said also we hope to have a proclamation from the governor and one from the county. Ms. White said the committee will be all inclusive. Mayor Collins said how will the Town be involved? Ms. White said we will have a budgeting request. Alderman Williamson said is this an official committee? Ms. White said the committee consists of only volunteers. Alderman Curtis said there are no town officials or staff on this committee. He said this is a Town celebration. Alderman Williamson said there are no persons on the committee who live inside Town. Mayor Collins said we may want to approach this as a special event and put our blessing on this committee. Alderman Scott said the Town needs to give its blessing to this committee and let us help them. Ms. White said we need as many persons as possible on the committee. Alderman Williamson

March 8, 2004 meeting continued,

said I do not plan to micromanage anything but we need to have one or two appointees from inside Town. Alderman Mashburn said I think we need to table it for now. Alderman Williamson said I agree that we need to wait until the April meeting. Mayor Collins said if we wait we may dampen the enthusiasm and willingness of this committee. He said we can give them our blessing in principle. Alderman Curtis said the committee was appointed in the newspaper and we had no knowledge of the forming of the committee. Ms. White said we want to get your support. Alderman Hall said I agree with Alderman Curtis and we need to meet about this matter later. Alderman Roper said I think we need to wait until the next meeting. Alderman Mashburn said we need to just step away from it tonight. **Motion was made by Scott for the Town to give its blessing to this committee and let us help them. The motion failed for lack of a second. Motion was made by Williamson, seconded by Curtis to table this matter until the April meeting. Motion carried. Vote: 5 to 1. Voting yes: Curtis, Hall, Mashburn, Roper and Williamson. Voting no: Scott.**

Hal Chapman said I am willing to continue to do the Taste of Scotland, Pumpkin Fest, Window Wonderland and eight walking tours for \$12,000.00. He said I am asking for this position since Gail has a new granddaughter. He said there has been a lot of growth in these events. A copy of his proposal is attached. Mayor Collins said I believe we need to do this for this cycle and address this request earlier next year. He said all expenses will need to be paid out of the \$12,000.00 including any money paid to Donnie Clay for his assistance. Alderman Williamson said I would like these events to continue. **Motion was made by Williamson, seconded by Scott to pay up to \$12,000.00 to Hal Chapman and to pay the \$250.00 from last year's contract. Motion carried. Vote: 6 to 0.**

Alderman Scott said the Charles Frazier Celebration Committee has some recommendations. He said basically they are asking for \$750.00 in expense money. Alderman Williamson said we can't write a check to the committee since they are not a non profit organization. Alderman Scott said they understand they will need to turn in bills. **Motion was made by Scott, seconded by Mashburn to give a budget of \$750.00 for the Charles Frazier Celebration. Motion carried. Vote: 6 to 0.**

Mayor Collins said last month Janet Anderson presented a proposed travel policy. **Motion was made by Williamson, seconded by Curtis to pass the proposed travel policy requiring receipts for meals. Motion carried. Vote: 5 to 1. Voting yes: Curtis, Hall, Mashburn, Roper and Williamson. Voting no: Scott. A copy of the proposed travel policy is attached.**

March 8, 2004 meeting continued,

Janet Anderson related that the Town's medical insurance was going up from 5% to 9%. She said the Town pays the employee rate. She said the increase that the employees will have to pay is as follows: (1) employee/family - \$54.19, (2) employee/spouse - \$23.13 and (3) employee/children - \$24.79. A copy is attached. **Motion was made by Mashburn, seconded by Williamson to supplement the employee part an additional \$20.00 for employee/spouse and employee/children and an additional \$50.00 for employee/family. Motion carried. Vote: 6 to 0.**

Donnie Clay said I have been doing the Pickin' on the Square for seven years. He said we usually have twenty four events each year. He said we try to stay in our budget. Mayor Collins said are you asking for our approval to proceed as you have in the past? Mr. Clay said I have a couple of suggestions. He said we could put out four donation boxes to try to help defray the cost. Mr. Clay said also we could charge the vendors a fee. He said the public address system is owned fifty percent by the Town and fifty percent by me. He said the Town owns the trailer. Mayor Collins said go forward with booking the talent. Alderman Williamson said I understand that little league softball teams have been soliciting money in the past. He said this may become a problem. He said also there have been requests that local musicians have an opportunity to play. Mr. Clay said there is an open mike from 6:30 - 7:30 P.M. where anybody can play. Bobby Key said if you charge the vendors we would have a business and would have to file income taxes. Jay Gibson said the dance floor needs to be made more permanent. Alderman Mashburn said it cannot be too permanent because of the agreement with the county. Alderman Williamson agreed to look at the dance floor with Jay Gibson. Alderman Mashburn said Mr. Clay has done a really good job.

Mayor Collins recessed the meeting at 9:05 P.M.

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

Alderman Scott said I want to recommend we give sixteen hours per year to each employee so that they can volunteer for civic, church and educational projects without having to use vacation or comp time. He said they would need to get permission from their supervisor. He said we can wait until the April meeting to act on this matter.

Mike Decker said the Planning Board met on Tuesday, March 2, 2004 on the Roger Stewart rezoning request. He said their recommendation is to rezone the property from residential to business. Alderman Curtis said this would be a good time to rezone the McCollum property to business as well as the Stewart property. After some discussion, the Board decided that the owners of the McCollum property did not want their property rezoned. **Motion was made by Mashburn, seconded by Williamson to set the public hearing on the Roger Stewart rezoning request for the regular April 12, 2004 meeting. Motion carried. Vote: 6 to 0.**

March 8, 2004 meeting continued,

Mike Decker said Terry and Wendy Dalton have requested that their property off of Pannell Lane be rezoned from residential to business. **Motion was made by Williamson, seconded by Mashburn to pass on the rezoning request from Terry and Wendy Dalton to the Planning Board for a recommendation. Motion carried. Vote: 6 to 0.**

Mike Decker said we have a revised sewer use ordinance. A copy is attached. He said there were a couple of things that the state wanted changed. He said one change is the definition of a significant industrial user goes from 50,000 gallons per day to 25,000 gallons per day. Mr. Decker said also the maximum civil penalty will go from \$10,000 to \$25,000. He said the issue comes up from time to time about grease traps at restaurants. He said we need better enforcement language. He said grease can cause problems in our system. He said we will study this until the April meeting. Bobby Key said this sewer use ordinance brings us up to the current standards. He said when we pass this ordinance we will need to appoint a director. Mr. Decker said Wayne Price will need to be the director. Kevin Barnett said this ordinance is important to the Town since the state is taking a stronger position on enforcing sewer over flows. He said this ordinance can help protect the Town and allow them to go after somebody causing problems to the system. He said you can charge the person causing the problems.

Mike Decker said we have a change order on the Bidwell Street water line in the amount of \$8,693.29. **Motion made by Williamson, seconded by Scott to approve the change order in the amount of \$8,693.29 on the Bidwell Street water line. Motion carried. Vote: 6 to 0. A copy of the change order is attached.**

Mayor Collins said we are planning to have a retreat on Saturday, April 24, 2004 at Mill Creek Country Club. He said it will start around 8:30 A.M.

Alderman Roper said Keith Vinson has requested a street light on Baird Cove. Mayor Collins asked the street committee to look into this request and report back to the Board at the April meeting.

Alderman Curtis said what is the progress on the easements for the Baird Cove sewer line? Bobby Key said Leonard Bates has agreed to sign. He said Marie Jennings got a revised map yesterday. He said Vann Waters will meet with her to see if there are any problems. He said Ms. Southard has not signed. Alderman Mashburn said we agreed to give one free sewer tap to the Southards and give two free sewer taps to the Tallents and to Sprinkle. Mr. Key said Mr. Potts agreed to let us go under his driveway. He said Ms. Smith has not agreed yet and indicates she is not going to sign anything.

Alderman Williamson said I would like a closed session to discuss personnel.

Mike Decker said the proposed sign ordinance will soon be ready for your review. He said we will probably need to have a called meeting in the middle of April.

March 8, 2004 meeting continued,

Mike Decker said we are partnering with Macon County to get a grant for E-government. He said we have talked about hiring a planner. He said this person could also do the GIS. He said we can utilize the county's existing maps by applying our own layers of data.

Mike Decker said Curtis Dowdle an instructor with Southwestern Community College has requested the Town donate one or two of our surplus vehicles. Bobby Key said we can not donate to a school only to another governmental unit.

Mike Decker said we have received a letter from Senator Elizabeth Dole inviting us to a meeting next week in Clyde. A copy of the letter is attached. Alderman Williamson said I would like to go to this meeting with you.

Water adjustments for February, tax discoveries, tax releases except for DeSoto Trail and payment of the bills were approved on motion by Williamson, seconded by Mashburn. Motion carried. Vote: 6 to 0. Copies are attached.

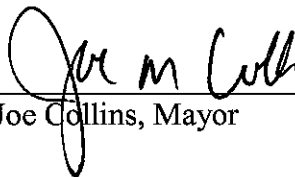
The Board went into closed session at 10:00 P.M., on motion made by Williamson, seconded by Curtis to discuss personnel. Motion carried. Vote: 6 to 0.

The Board came out of closed session at 10:05 P.M. since it was an illegal closed session, on motion made by Scott, seconded by Mashburn. Motion carried. Vote: 6 to 0.


Mayor Collins said what is the beef? Alderman Williamson said you created a committee without informing the Board. He said that is not right. Mayor Collins said I was invited to the meeting. He said I may have been wrong. Alderman Mashburn said when you are appointed to a committee you are not appointed to give your opinion but are representing the Board. He said you get instructions from the Board. Bobby Key said when you are interviewed by the press and report a Board decision you need to be careful what you say. Mr. Key said giving individual opinions in the press makes it tough for the rest of the Board. Alderman Williamson said it appeared in the paper that Alderman Scott was in favor of cocaine. Alderman Scott said I was misinterpreted. He said we are six individuals who were elected to the Board. He said this is a democracy. Alderman Williamson said I have heard several comments about the drug article. Alderman Scott said tonight we discouraged the public when we did not welcome them with open arms. Alderman Curtis said in the first place they should have come here first and not shut out the whole Board. He said we represent the taxpayers of the Town and not special interest groups. Mayor Collins said we are talking about well known people on this committee. He said they are concerned citizens. He said they are probably shaking their heads. Mayor Collins said we need to go forward from this. Alderman Scott said Alderman Williamson I do not know why you postponed a decision on the Little Tennessee Association request. Alderman Williamson said this work could cause flooding and also when the work is done it will permanent. Alderman Mashburn said we had a group who came to the Board around two years ago and at that time the Board voted no because the changes encompassed too much area and it was a permanent situation.

March 8, 2004 meeting continued,

The meeting adjourned at 10:20 P.M.



Joe Collins, Mayor



Janet A. Anderson, Town Clerk