



Town of Franklin Board of Aldermen

Agenda

September 8, 2015

7:00 p.m.

1. Call to Order- Mayor Bob Scott
2. Pledge of Allegiance- Vice Mayor Verlin Curtis
3. Adoption of September 8, 2015 Proposed Agenda
4. Approval of the August 3, 2015 Board Minutes
5. Public Hearing **7:05 p.m.** for a New Cell Tower Site Located at Windy Gap Road
6. Public Hearing **7:10 p.m.** for Construction Standards for Curb and Guttering
7. Public Session
8. New Business
 - A.) Board Action on New Cell Tower Site Located at Windy Gap Road- Land Use Administrator Justin Setser
 - B.) Board Action on Construction Standards for Curb and Guttering- Land Use Administrator Justin Setser
 - C.) Presentation by Applicants for Fiscal Year 2015-2016 Non-Profit Funding Pool
 - D.) Street Closing Request for Naturalist Event- Cory McCall and Rob Gasbarro
 - E.) Forward Unified Development Ordinance Revision to Town Planning Board- Land Use Administrator Justin Setser
 - F.) Set Public Hearings for Text Amendments to the UDO- Land Use Administrator Justin Setser
 - 1.) Indoor Gun Range October 5, 2015 at 7:05 p.m.
 - 2.) Mobile Food Trucks October 5, 2015 at 7:10 p.m.
 - 3.) Unified Development Ordinance Revision October 5, 2015 at 7:15 p.m.
 - G.) Forward Initial Zoning Petition for 44 Lowery Lane to Town Planning Board-Land Use Administrator Justin Setser
 - H.) Set Public Hearing for Initial Zoning Petition for 44 Lowery Lane.- Land Use Administrator Justin Setser
 - I.) Forward Re-Zoning Petition for 244 Porter Street to Town Planning Board- Land Use Administrator Justin Setser
 - J.) NCDOT Bike and Pedestrian Planning Grant Announcement- Land Use Administrator Justin Setser
 - K.) NCDOT Bike and Pedestrian Planning Grant Contract- Town Manager Summer Woodard
 - L.) Tax Releases- Tax Collector Jessie Wilkins
 - M.) Budget Amendment- Finance Officer Kyra Doster
 - N.) Application for Taxi Service by Freedom Taxi- Town Clerk Chad Simons and Town Manager Summer Woodard
 - O.) Water Tap Refund for 323 Belden Circle- Town Manager Summer Woodard
 - P.) FEMA Fire Grant- Fire Chief Warren Cabe
 - Q.) Update on Town of Franklin Water Plant Upgrade and Expansion Project- Town Manager Summer Woodard
9. Legal
 - A.) Formal Acceptance of Utility Deed for Pannell Lane- Town Attorney John Henning Jr and Town Manager Summer Woodard
 - B.) Interlocal Agreement with Macon County Regarding Leachate- Town Attorney John Henning Jr
10. Announcements
 - A.) Set Continuation Meeting for Monday September 21, 2015 at 5:30 p.m.
11. Adjourn

September 8, 2015 meeting

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday September 8, 2015 at 7 p.m. in the Town Hall Board Room. Mayor Robert S. Scott presided. Aldermen Patti Abel, Verlin Curtis, Joyce Handley, Farrell Jamison, Billy Mashburn, and Barbara McRae were present.

The pledge of allegiance was done.

Adoption of September 8, 2015 Proposed Agenda

Summer Woodard – Town Manager – Mr. Mayor, Board Members, we would like to add an additional item that will go under Legal, Item C. This will be concerning the Mill Creek Utility Agreement.

Motion was made by McRae, seconded by Curtis to adopt the proposed agenda, with the addition of adding the Mill Creek Utility Agreement to Legal, Line Item C. Motion carried. Vote: 6 to 0.

Approval of the August 3, 2015 Board Minutes

Motion was made by McRae, seconded by Curtis to approve the August 3, 2015 meeting minutes as presented. Motion carried. Vote: 6 to 0.

Public Hearing: 7:05 p.m. for a New Cell Tower Site Located at Windy Gap Road

Mayor Scott opened the public hearing at 7:04 p.m.

Justin Setser – Land Use Administrator – The site area is about 20.99 acres, and the total project is .23 acres. That's the actual site of where the tower will be. They are going to construct a 140 ft. cell tower, and it is currently zoned Residential R-1. It's in the Town's extra territorial jurisdiction. There is no water or sewer there, and they submitted the application on May 18, 2015. Mr. Harold Timmons with Apex Towers is here tonight.

John Henning Jr. – Town Attorney – This will be a good time to remind the Board that this is a quasi-judicial hearing, so if any Board member has heard anything about this matter outside of this meeting, if you have a personal interest in the matter, or if you have discussed this outside of this hearing – you will need to recuse yourself. You will also have to determine whether or not the application meets the findings of fact tonight, and those five findings of fact are included in your packets. You can ask the applicant questions pertaining to the findings of fact.

Harold Timmons – Apex Towers – Thank you for having us tonight. The user of this proposed tower will be Verizon Wireless. We have been working with them and the Town in order to comply with the Town of Franklin's Wireless Telecommunications Ordinance. We did conduct a balloon test, and there are pictures in your packets of various locations showing what the tower will look like. Some of the locations, as you can see, you will not be able to see the tower. We do have a letter of support from your Fire Chief. We will fence an 80 by 80 area. We have leased 100 by 100 area, so we can expand in the future if we need to do so. There was nothing within a one mile radius of the site, and from an engineering standpoint, no other sites would have worked for the coverages of the clients. We determined that there was no other alternative than to construct a new tower. We have provided everything that the ordinance requires, submitting a safety statement as well.

September 8, 2015 meeting continued,

Harold Timmons – Apex Towers – We have also provided two maps that show existing coverage, and one that shows the coverage that the tower will assist with. We would ask that you view our request positively, from a convenience and a public safety standpoint – and grant us approval of the special use permit.

Harley Carpenter – I am here to represent my father, Evelyn Greer. He does not want a tower near his property because it will be harder to sell his property if a tower was there over that hill. But he said he would be willing to sell that piece, all eleven acres, if they want to put a tower there and he would be out of the equation. That's his proposal.

Rusty Monroe – Town of Franklin consultant – I represent Carolina Telecommunications Services. I'll be brief. The company has answered every question we've asked, provided us with all the information we needed, and they have complied with all the regulations in the ordinance. We have no issues with the site as well. We have had no negative comments or questions about this site. We recommend approval with the conditions attached. The recommendations should be in your packet.

Mayor Scott closed the public hearing at 7:27 p.m.

Public Hearing: 7:10 p.m. for Construction Standards for Curb and Guttering

Mayor Scott opened the public hearing at 7:27 p.m.

Justin Setser – Land Use Administrator – This is a text amendment to clean up some language, and to make it to where everyone can understand.

No other person spoke during the public hearing.

Mayor Scott closed the public hearing at 7:28 p.m.

Public Session

Howell Derrik – Thank you for having me tonight. I'm going to bring up something tonight that has been a misconception. You have a gentleman in town that is trying to open one up, a gun-range. When you say hand-gun that means pistols or revolvers in your hand. When you say a range, people are thinking howitzers or bb guns. That's not correct. This is a hand gun range that will prevent people from having to go to Dirty Johns. There is no safety there. The impact area is not safe. That won't be the case with an indoor hand gun range. Anyone who doesn't know what they are doing will be kicked out. I saw someone at Dirty Johns yesterday who didn't know gun safety procedures, and that won't happen with an indoor gun range. I'd like to see the Board pass this at the next meeting. There will be nothing wrong with this.

September 8, 2015 meeting continued,

Jerry Smith – Owner of Eagle Fork Vineyards – I’m Dr. Jerry Smith and my wife and I own Eagle Fork Vineyards. We now have a wine tasting shop here in town. We come to the Board to ask for a change in the ordinance. Since 2008, the number of wineries went from 67 to 140 in North Carolina. The amount of money brought into this state as a result of wineries is about \$245 billion. We have about 15,000 employees. This comes from a 2011 study from Appalachian State University. About a third of people who visit here stop at wineries. They spend the night, and spend about 2.6 nights on average when they come. They spend about \$200.00 per each person each night. That goes into the local economy. About fifty percent of people who visit come back at least six times per year, and they come strictly just to visit a winery. The income of the people who visit wineries are well above the average median, coming in at \$65,000 on average. Seventy percent have college degrees. About sixty five percent of winery visitors are women, and the average age of 47. About one third who visit wineries in North Carolina come from outside the state. Our winery is located on 12 ½ acres in Shooting Creek, North Carolina, across the mountain. We are located on West Palmer Street, and we’ve been there for about nine weeks. Clayton, Georgia now has four wineries in their town, indicating just how important it can be to local economies. The only way a winery can be established in Franklin is through a permit process for a private club. It’s very cumbersome and expensive, costing about \$1,800 per permit per year. The Town has an ordinance for a breweries and brewpubs. We are requesting you to change this. We think this has been written, but it hasn’t been passed yet. Private clubs can serve beer and wine. We don’t care to do that, we just want to be able to sell our wine. We may move our wine tasting room to another location, but we don’t want to do that. We need your help. We want to stay in town.

Mayor Scott – We will certainly be in touch with you to talk about this.

Shaina Adkins – Macon County Carenet – I come to you wearing two hats. I wanted to formally invite you to our poverty simulation next Tuesday evening, September 15. It’s not intended to mock or make light of families in poverty, but it is an educational experience. Being in the work that I do, I witness the families and what they go through. But I never experience what they actually go through. The simulation will really open your eyes. I can guarantee that there is a lot to be learned. I will be pleased to see a huge turnout among our commissioners and aldermen. But it truly is teamwork and we can’t do it without you.

Angela Moore – Good evening. Of the \$40,000 that you will begin to hear requests for tonight – a little came from my husband and me. And a little came from every other taxpayer in Franklin. I know you have heard this from me before. But when I feel lead to do so, I give to charities of my choosing. Most of us probably do. But now money is being taken from me and given to someone else. There is a name for this, and it is called socialism. If that doesn’t convince you, let me ask you this. Would you donate to an abortion clinic or gay rights organization? I know I wouldn’t. The board is taking my money and giving it to whomever they like. I don’t get a tax deduction. I won’t get a choice. I won’t get a voice. I’m asking you to give the \$40,000 back to the people. If they want to donate it, great. Wonderful, even fantastic. If they don’t, that’s their business. Please, I’m asking you to reconsider this. I know I come and ask every year about this. This represents seventy five percent of the tax increase that you forced upon the citizens.

Drew Solesbee – I signed up on the wrong list. I was wanting to speak about the cell tower if I can.

Mayor Scott – I’m truly sorry, but you are too late.

September 8, 2015 meeting continued,

Board Action on New Cell Tower Site Located at Windy Gap Road

John Henning Jr. – Town Attorney – The requirement on this is for the Board to pass the findings of fact that are attached, if you deem it fit to do so. I will say that based on the nature of the presentation that was made, and the recommendation of the Town's consultant, and the evidence presented by the applicant – I think the evidence is incontrovertible.

Motion was made by McRae, seconded by Handley to approve the findings of fact and to approve the special use permit for new cell tower site located at Windy Gap Road. Motion carried. Vote: 6 to 0. A copy of the findings of fact are attached. A copy of the special use permit application is also attached.

Board Action on Construction Standards for Curb and Guttering

Motion was made by Jams ion, seconded by Curtis to adopt the ordinance as amended. Motion carried. Vote: 6 to 0. A copy of the ordinance is attached.

New Business: Presentation by Applicants for Fiscal Year 2015-2016 Non Profit Funding Pool

Cathy Howman – Appalachian Animal Rescue Director – You've seen the packet I provided. You know we operate in the red on a month by month basis. Since January 2015 until mid-August, we've taken in 88 dogs. We have sent about 510 dogs and cats to Asheville to be spayed and neutered. Half of that number is from the public. We offer a low-cost package to those in need. We got a \$1,500 donation two years ago, with the provision going exclusively to spaying and neutering. That fund has ran out now. Our shelter is full because we do not kill. Right now we have three pregnant dogs. One will give birth probably tonight. So it's never two or three puppies. We're looking at 24 new puppies at our shelter next month. With your donation we would be able to restart our spay and neuter program again, and this will help the public deal with the pet population.

Alderman Jamison – How many full-time and part-time employees do you have?

Cathy Howman – Appalachian Animal Rescue Director – We have four full time and six part-time workers, and the rest are volunteers.

Bobbie Contino – Macon County Arts Council – If you have any questions about our application, I'll be happy to answer them. I'd like to say something about the non-profit sector. If you are looking for value added, I don't think you can overlook the non-profit sector.

Alderman Jamison – Your scheduling of events looks really great between now and the end of the year.

Kimberly Losee – Community Care Clinic Director – You have the facts before you in your packets. In 2014 you know we saw 469 unduplicated patients, and eighty percent of our patients work, but they do not make enough to qualify for Affordable Care Act insurance. Many of our patients are educated, and are stable providers for their families. Out of nearly 800 visits we had in 2014, 48 ½ were diagnosed with high blood pressure. Twenty two percent were diagnosed with diabetes. Health is always personal. Your help and support will be appreciated, and will help us with the educational aspect of our organization.

September 8, 2015 meeting continued,

Summer Woodard – Town Manager – The Hospice House Foundation could not make it tonight.

Alisha Ashe – KIDS Place Executive Director – We are a nationally accredited children's advocacy center, caring for abused and neglected children in our community. Thanks for your support the last two years. We have an excellent working relationship with our police department, and work very closely to provide forensic interviews to children who allege abuse. We have wonderful officers, but they are often not comfortable talking to children about the horrible things they have experienced. We specialize in doing that. When you support us, I use the dollars you designate as matching funds to leverage other dollars. So the funds you provide us, we are able to multiply many times over.

Robert Bourke – Macon New Beginnings President – Thanks for allowing me to be here tonight. We are requesting funds to help alleviate this sort of situation to homeless people. There is no approved shelter in Macon County, and no other shelters between Haywood County and Murphy. We will use these funds to put a roof over people's head in the winter. We have one local motel that is willing to house homeless folks in the area. Thanks again.

Alderman Jamison – Is there any shelter east of Haywood County?

Robert Bourke – Haywood Pathways won't accept anyone from Macon County, and neither will Asheville. No place between those two locations.

Mayor Scott – Wasn't that Haywood facility a jail? Isn't that a public facility?

Robert Bourke – Yes. The county owns it and they lease it back to Haywood Pathways.

Alderman Jamison – Out of the 24 homeless people that you estimate are in Macon County, how many of those would be families? I know it changes.

Robert Bourke – We've had two families since April that's approached us. Three males and one female that have approached us. We don't have a facility.

Macon County Carenet – Shaina Adkins – I'm here to advocate for our volunteers. This will help us with a project that will recognize our volunteers. They worked a total of 17,186 hours last year. That equates to about \$137,346 for a potential staff. We're requesting \$4,000 for something similar that you see on me, something that will recognize our volunteers for their service. These volunteers deserve something that identifies them in the work place, but also something they can take out to the community. They don't ask for this, but they deserve it.

Rick Westerman – Macon County Habitat for Humanity – Thanks for your past support. Our funding from town comes from our thrift store, and all of it stays in Macon County. We now have six counties. I brought John along to tell you what we do.

John Welt – Macon County Habitat for Humanity – Thanks for having me. We completed four jobs this past year, one with hospice house. Another was painting and minor repairs. We also did some roofs this year.

September 8, 2015 meeting continued,

Robert Shook – Macon County Historical Museum – Thank you for what you do. I love this town. I wish we could have preserved the old courthouse building and old Dixie hall. I come to you for our need. Our building, the Pendergrass building built in 1904, needs some work. The brick around the chimneys in the third floor, we have five fire places, is deteriorating. It needs some repointing to replace some bricks that have actually fallen out. Then we need to put something around them. Thank you.

Karen Wallace – Macon County Public Library – We've requested \$5,000 and that money will be used for the purchasing of equipment, a copier and network printers for public use. Our existing network printers and copiers are over ten years old. They are frequently out of service.

Alderman Jamison – Are copiers and printers available for people to walk up and use?

Karen Wallace – Macon County Public Library – It's by coin operation, so you have to pay before making copies.

Alderman Jamison – What about your computers. I was reading in the paper about that.

Karen Wallace – We were awarded about \$25,000 to update some equipment, but we have about fifty that needs to be replaced. They run XP, and I'm sure you know XP is no longer supported.

Jennifer Turner Lynn – REACH of Macon County – Our new shelter is almost complete. The money we have requested will assist with basic services. The demand never goes down.

Alderman McRae – Do you have data and figures for the Town of Franklin?

Jennifer Turner Lynn – No, we don't. Our database tracks Macon County.

Diane Cotton – Read 2 Me – In 2011 we kicked this off because we saw that some of our incoming kindergarteners were not equipped with the necessary literacy skills. This will help us with a partnership, to fund it, with the Highlands Literacy Council for the Franklin area for the Dolly Parton Imagination Library. A child can get a book in the mail with their name on it until they turn five years old. This costs us thirty dollars per child. About 160 children live within the town of Franklin that receive these books.

Jim Akins – Scottish Tartans Museum Director – We are the only Scottish Tartans Museum outside of Scotland, and we have some very unusual items over there. Two kilts we have are very rare. We are in the process of expanding it. We bring a lot of visitors to Franklin. You can see our numbers have increased since last year. An increase of over 1,000 people since last year. We have made a lot of progress, reducing our debt by over fifty percent. We are asking for funds to help finish our expansion.

Alderman Jamison – I would like to see your income and expenses for 2015, to see a little more detail on your projected budget. You have estimated expenses of \$80,000 but you're only showing \$10,000 of where it goes to. I'd like to see that before we do anything.

September 8, 2015 meeting continued,

Carol Waldroop – Literacy Council of Highlands – We are starting a project this year in an attempt to get more volunteers to go into schools, particularly through kindergarten through first grades. Getting more adults to work with these kids in the classrooms, this will go a long way to help teachers give one on one time. Especially with the unpredictability of our state budget. This is new. We have about thirty volunteers that will start this month, and probably a lot more as time goes on. You may think why Highlands is attached to our name. That's just because their organization began this program down here.

Alderman Jamison – Looking at your Board of Directors, I see that no person from Franklin is serving on it. I do have some concerns about that since they are wanting to work down here.

Carol Waldroop – Literacy Council of Highlands – Okay. I will bring that to the board.

John Henning Jr. – Town Attorney – I have a slight concern and want to make sure there is no issue with you spending money directly in schools. This seems kind of close. Please let me look into it. I'm sure you can't run a school. I will research this before our continuation meeting. This is a worthwhile effort, so I just want to look into it.

Mayor Scott called a five minute recess.

Street Closing Request for Naturalist Event –

Rob Gasbarro – Outdoor 76 – We are requesting a street closure for an event we are doing October 10, 2015. It's a 50k trail race from downtown Franklin to Wayah Bald and back. We have worked with Warren Cabe and Macon County Emergency Services and the Franklin Police Department to ensure we offer those services for the event. Most of our runners are coming from out of state. This will kick off fall three weeks before Pumpkinfest. We have three breweries coming to do tasting, but that will take place indoors at our location. We are asking for Iotla Street to be closed off for the day of the event.

Mayor Scott – You want to close it down from 8 a.m. until 8 p.m.?

Rob Gasbarro – We want the same thing for Pickin' on the Square. We will be out of their way. We'll have stuff going on at the shop until 8 p.m.

Mayor Scott – You're not going to interfere with Pickin' on the Square?

Rob Gasbarro – No. There will not be anything on town property from us as soon as Pickin' starts. We will not exceed 100 runners. That's what we are permitted for. We have 47 now. I'm satisfied with that too.

Motion was made by Abel, seconded by Jamison to close Iotla Street from 8 a.m. to 5 p.m. on Saturday October 10, 2015. Motion carried. Vote: 6 to 0.

September 8, 2015 meeting continued,

New Business: Forward Unified Development Ordinance Revision to Town Planning Board

Justin Setser – Town Planner – You should see an application to forward an amendment to the Town Planning Board for citizen comments. The state legislature ended the protest petition process for rezoning petitions. This will be a text to comply with state law.

Motion was made by McRae, seconded by Curtis to forward Unified Development Ordinance Revision concerning public protest of rezoning petitions to Town Planning Board. Motion carried. Vote: 6 to 0. A copy of the draft ordinance is attached.

New Business: Set Public Hearings for Text Amendment to the Unified Development Ordinance

1.) Indoor Gun Range October 5, 2015 at 7:05 p.m.

Justin Setser - Land Use Administrator – This will set public hearings for an indoor shooting range. There were some changes made during the last planning board meeting, and you will see the draft ordinance in your packets reflects those changes.

Motion was made by Curtis, seconded by Curtis to set a public hearing for text amendment to Unified Development Ordinance regarding indoor gun range for October 5, 2015 at 7:05 p.m. at Town Hall. Motion carried. Vote: 6 to 0. A copy of the draft ordinance is attached.

2.) Mobile Food Trucks October 5, 2015 at 7:10 p.m.

Motion was made by Jamison, seconded by Abel to set a public hearing for Text Amendment to Unified Development Ordinance regarding mobile food trucks for October 5, 2015 at 7:10 p.m. at Town Hall. Motion carried. Vote: 6 to 0. A copy of the draft ordinance is attached.

3.) Unified Development Ordinance October 5, 2015 at 7:15 p.m.

Motion was made by Jamison, seconded by Abel to set a public hearing for Text Amendment to Unified Development Ordinance to comply with state legislation concerning protest petitions of rezoning applications. Motion carried. A copy of the draft ordinance is attached with Item E.

New Business: Forward Re-Zoning Petition for 44 Lowery Lane

Justin Setser – Land Use Administrator – This is the parcel we annexed recently. Now we have to set the land into a zoning classification. This needs to be forwarded to the Planning Board for discussion.

John Henning Jr. – Town Attorney – We are also going to ask you to set a public hearing for this next month. We don't usually do this, but time is of the essence here. There is need to get this into place, and state law allows us to do this. You have to set a zoning classification for annexation in under 60 days.

Motion was made by Jamison, seconded by Curtis to forward rezoning petition for 44 Lowery Lane to Town Planning Board. Motion carried. Vote: 6 to 0. A copy of rezoning petition is attached.

September 8, 2015 meeting continued,

New Business: Set Public Hearing for Initial Zoning Petition for 44 Lowery Lane

Motion was made by Abel, seconded by McRae to set a public hearing for initial zoning petition for 44 Lowery Lane at 7:20 p.m. on October 5, 2015 in Town Hall Board Room. Motion carried. Vote: 6 to 0.

New Business: Forward Re-Zoning Petition for 244 Porter Street to Town Planning Board

Justin Setser – Land Use Administrator – In your packet you will see the application. They are requesting to have their property rezoned, and you will see an attached map. It's the area below the high school. It's currently zoned Neighborhood Mix Use.

John Henning Jr. – Town Attorney – I see the petition and our normal petitions usually has what their zoning is around the property.

Justin Setser – Land Use Administrator – He filled it out and sent it in. So if that's missing, we need to clarify that. It could be a spot zone. I addressed that to them, but they still wanted to continue. Further west is R-2 Residential. There is no C-2 Commercial around that.

John Henning Jr. – Town attorney – There is no harm in forwarding it to planning board. Spot zones are not illegal if there is a good reason for it. That doesn't happen very much. If we decide that it's not something we can do anyway, we can reject it. No harm in forwarding it on.

Motion was made by Handley, seconded by Jamison to forward rezoning petition for 244 Porter Street to Town Planning Board. Motion carried. Vote: 6 to 0.

New Business: North Carolina Department of Transportation Bike and Pedestrian Planning Grant Announcement

Justin Setser – Land Use Administrator – As you know we have worked on this grant since last April. We were awarded this grant in December. Since then we have released a request for a proposal, had it open for two weeks. We reviewed those proposals and we decided to award the contract to J.M. Teague Engineering. They have extensive consulting groups on their team. Chipley Consulting out of Asheville. They also have the bike plan for the far southwest region that will join with this plan nicely. Equinox consulting and Kostelec Consulting are two other consulting groups working on it. They are out of Asheville too. Stacey Guffey will also be helping with this as well. He's from Franklin. We will set up a steering committee after this, and hopefully have a final plan to approve soon.

New Business: NCDOT Bike and Pedestrian Planning Grant Contract

Summer Woodard – Town Manager – What you have before you is a professional services contract between J.M. Teague Engineering and the Town of Franklin. The Town did budget for the total amount required as a grant. We will ask tonight that the board consider approving this.

Motion was made by Mashburn, seconded by Curtis to allow Town Manager to sign professional services contract between J.M. Teague Engineering and the Town of Franklin for Bike and Pedestrian Plan. Motion carried. Vote: 6 to 0.

September 8, 2015 meeting continued,

New Business: Tax Releases

Jessie Wilkins – Tax Collector – I need the Board's approval for the attached tax releases. There are sixteen on there.

Motion was made by Jamison, seconded by McRae to approve tax releases as presented. Motion carried. Vote: 6 to 0. A copy of the tax releases are attached.

New Business: Budget Amendment

Kyra Doster – Finance Officer – I have an amendment for an insurance settlement in fiscal year 2015 which was unexpended by June 30. This will appropriate the funds for this fiscal year, 2015-2016.

Motion was made by Curtis, seconded by Jamison to approve Budget Amendment for Police Department in the amount of \$18,708. Motion carried. Vote: 6 to 0. A copy of the budget amendment is attached.

New Business: Application for Taxi Service by Freedom Taxi

Summer Woodard – Town Manager – This started last month. It's required that your Town Clerk advertise a potential franchise in the newspaper. We have done that, and no person has come forward to complain or protest Mr. Paquin's request. Also our Police Chief ran a background check on Mr. Brain Paquin, and it came back clean as well.

John Henning Jr. – Town Attorney – We don't do this often. So we have to consider some things. Public convenience is required. You can require him to publish his rates, the number of cabs operated in town, the experience of the applicant and other relevant facts that you want to address.

Mayor Scott – It's not an exclusive franchise?

John Henning JR. – Town Attorney – No.

Alderman Jamison – I have a question on the fees that's listed. I'm thinking it may be a typo. You give an example of a Wal-Mart on Main Street. You said you will charge \$3.00 in range one and 3.2 miles at \$.15 cents per mile. You mean \$1.50 per mile, correct?

Brian Paquin – It's a \$1.50 per mile and \$.15 cents per tenth of a mile.

Alderman Jamison – Thank you. I think it's a good idea to have a taxi cab.

Motion was made by Mashburn, seconded by Jamison to grant Brian Paquin and Freedom Taxi a franchise to operate in the Town of Franklin. Motion carried. Vote: 6 to 0. A copy of the permit is attached.

September 8, 2015 meeting continued,

New Business: Water Tap Refund for 323 Belden Circle

Summer Woodard – Town Manager – Mr. Jim Vanderwoude needs a water tap refund. He came in and mistakenly was charged an outside water fee when he was inside. He is entitled to a refund of \$2,080.00.

Motion was made by McRae, seconded by Abel to approve the refund for \$2,080 to Mr. Jim Vanderwoude. Motion carried. Vote: 6 to 0.

New Business: Federal Emergency Management Agency (FEMA) Fire Grant

Warren Cabe – Franklin Fire Chief - For the sake of time I will have Mr. Hursey pass out a sheet detailing what the grant will do. About a year and a half ago the Mayor and I met with Representative Mark Meadows, and he was asking what the federal government could do for us. One of the things we were encouraged to do was look at the firefighters grant program to see if we could get some equipment. We compiled a list of what our ongoing expenditures were on a year by year basis. We actually got approved for a grant for personal protective equipment if we agree to accept it. The grant request was done in 2014. Our biggest need is improvement of our self-containing breathing apparatuses. We replace about three every year in our budget, costing about \$20,000. We don't want to get beyond a ten year life span of those devices. Our cash match is \$6,840. We have 33 of those in our department right now, anywhere between three and six on a truck. Out of those 33, we had 21 of those devices that were over ten years old. This will allow us to use the \$20,000 that we budget annually for the matching portion. Federal grants are hard to manage sometimes. We have to pay \$2,700 to a consultant out of Transylvania County to manage the grant application and implementation. They manage about fifty percent of the awards that are awarded in North Carolina. So tonight the total would be \$9,576.20. The federal government will provide \$136,810 on top of that. That will replace 21 of the breathing apparatuses, an estimated cost of \$6,500 per piece, and 13 additional face masks.

Mayor Scott – Did John Dorner write the grant?

Warren Cabe – Fire Chief – Ryan Hursey actually submitted the grant. Mr. Dorner provided some information on the guidelines on what FEMA was looking for. He is also going to help us make sure we process everything correctly, the bidding process, purchasing process, etc.

Mayor Scott – Is Dorner's fee coming out of the grant itself?

Warren Cabe – Fire Chief – It's part of the match. His fee will be \$2,700.

Mayor Scott – So we basically have the grant management being administered by an outside party?

Warren Cabe – No. He will just provide assistance.

Mayor Scott – Who is going to keep track of the money, receipts, bids?

Warren Cabe – Fire Chief – Ms. Doster, Ms. Woodard, Ryan Hursey and myself.

September 8, 2015 meeting continued,

Alderman Jamison – This is pretty standard. All of these departments use consultants for federal grants, and have done so for years. The Federal Emergency Management Agency even allows consultants to be paid in the grant.

Warren Cabe – And I'll be honest with you Mr. Mayor. We never thought we would get awarded with this.

Mayor Scott – The only suggestion I have is that any grant applications by any town department come to this board for approval prior to submitting the application.

Warren Cabe – Fire Chief – I understand that.

Mayor Scott – We have all been through that before. No town department needs to go off on its own and apply for a grant.

Alderman Curtis – It is a worthy grant.

Warren Cabe – Fire Chief – Mr. Meadows would like a public relations event with the Board and bring the check to you.

Mayor Scott – We do understand that in the future all applications for grants will come to the Board for approval. Just for the sake of bookkeeping.

Warren Cabe – Fire Chief – I understand.

Alderman Mashburn – In total how many of these do you need? Do you need one for every volunteer?

Warren Cabe – Fire Chief – It's based on trucks. Engines have to have four. Service trucks or ladder trucks must have six for full credit. We keep a couple of spares just in case. Our personnel carrier vehicle has 3, for mutual aid purposes.

Alderman Mashburn – How many do you need?

Warren Cabe – Thirty-five

Alderman Mashburn – So you're going to get 21 new ones, and you're going to get 13 new masks?

Warren Cabe – Yes. We have a couple of people who use different sizes. And every time we use them they have to be disinfected and hung out to dry and cleaned. That way we will have replacements.

Mayor Scott – Starting at boots, going all the way to the helmet, how much does it cost to equip one firefighter?

Warren Cabe – You're talking about \$10,000 per person, counting the breathing pack.

Mayor Scott – It's a good thing you don't need cake sales to raise money anymore.

September 8, 2015 meeting minutes continued,

Motion was made by Curtis, seconded by Jamison to accept the Federal Emergency Management Agency Grant. Motion carried. Vote: 6 to 0. A copy of the grant is attached.

New Business: Update on Town of Franklin Water Plant Upgrade and Expansion

Summer Woodard – Town Manager – You have an updated sheet from McGill and Associates with the proposed schedule for the Water Plant Upgrade and Expansion. The complete preliminary design is scheduled for September 30, 2015. Sixty percent submittal to the Town is due by October 30, 2015. Final submittal to the Town is December 4, 2015. Submittal to the state Department of Environment and Natural Resources is December 11, 2015. Plan approval is estimated to be mid to late January, 2016 based on recent review items. Advertisements and bids are scheduled for February and March of 2016. The award of the project will hopefully be in March 2016.

Legal: Formal Acceptance of Utility Deed for Pannell Lane

John Henning Jr. – Town Attorney – You each have a copy of the deed in front of you from property owners who owned a small residential development that the Town for some time provided water to. The Town water meter ultimately from these utility lines is in this subdivision. From the meter to where it ties onto the town system, it is currently owned by these people in the deed. They have asked us to take that over. This does that. We are trying to formally adopt these deeds going forward. Please reaffirm that the Town will accept utility line, and I will even redraw the deed.

Motion was made by Handley, seconded by Abel to approve the Utility Deed for Pannell Lane. Motion carried. Vote: 6 to 0. A copy of the deed is attached.

Legal: Interlocal Agreement with Macon County Regarding Leachate

John Henning Jr. – Town Attorney – We are not asking for a final agreement on anything, which might be next month. I spoke with the county attorney, Chester Jones, yesterday. For the past twenty something years the county has operated a leachate pond on the landfill. It's on the wastewater treatment plant. They treat it. The county has methane monitoring equipment on the property, and also, we operate an arrangement by which some of our sludge is taken back and deposited in the landfill. I'll have a complete agreement for you next time.

Chris Stahl – Macon County Solid Waste Director – The crux of the agreement is that Town treats leachate and we accept the sludge in landfill, and no charge either way. We need a letter to address the expansion of the landfill. We need it in order for us to get a permit for the landfill.

John Henning Jr. – Town Attorney – All we are authoring tonight is for the town manager to send a letter to state Department of Environment and Natural Resources to have a leachate agreement, and that we will continue to do it.

Alderman Jamison – I'm not going for sixty years.

September 8, 2015 meeting continued,

John Henning Jr. – Town Attorney – We are still discussing that. And you're right. WE don't know if the town will have need for that in the future. We will reach a compromise.

Motion was made by Jamison, seconded by McRae to authorize Town Manager to send letter emphasizing and detailing agreement. Motion carried. A copy of the letter is attached.

Legal: Mill Creek Utility Agreement

Summer Woodard – Town Manager – We finally got a final version. Mill Creek wishes to become a purchased water system.

Motion was made by Curtis, seconded by Jamison to approve Mill Creek Utility agreement. Motion carried. Vote: 6 to 0. A copy of the agreement is attached.

Announcements:

Alderman McRae – Can we do something to show our appreciation to Scotty Keener for what he has done with our garden at town hall. It's absolutely beautiful and he deserves some recognition.

Mayor Scott – You would be surprised to know that we get a lot of comments from tourists and locals about his work.

Summer Woodard – Town Manager – We certainly will do something for him.

Mayor Scott continued the meeting to Monday September 21, 2015 at 5:30 p.m. at Town Hall.

September 8, 2015 meeting continued,

The regular September 8, 2015 meeting of the Town of Franklin Board of Aldermen was continued at 5:30 P.M., Monday, September 21, 2015 in the Town Hall Board Room. Mayor Robert S. Scott, Aldermen Patti Abel, Verlin Curtis, Joyce Handley and Farrell Jamison were present.

Motion was made by Curtis, seconded by Abel to excuse Alderman Barbara McRae from the meeting. Motion carried. Vote: 5 to 0.

Discussion on Non-Profit Funding Pool Applications for Fiscal Year 2015-2016

Mayor Scott – We will discuss the non-profit organization funding alphabetically, and if anyone on the Board has any questions, please ask.

Community Care Clinic

Alderman Mashburn – I do have a question about Community Care Clinic. I'm not sure what the intended use of the \$5,000 is.

Rachel Hoskins – Vice-Chairman of Community Care Clinic – The requested funds will pay for diabetes education classes for some of our clients, as well as referrals for physicians outside of our volunteer base, or outside of the scope of what our volunteer doctors can provide.

Alderman Mashburn – Thank you.

Hospice House Foundation of WNC

Alderman Jamison – I'd like for the Hospice House to discuss their request. They were not here at the last meeting.

Michele Alderson – Hospice House of WNC – I have Phyllis Racine here with me. She is our capital funds raising manager. She has done a great job. She applied for the grant on our behalf.

Phyllis Racine – I'm pleased to help this organization bring a hospice inpatient facility to Western North Carolina region. It will be housed here in Franklin. We have a couple of capital raising challenges right now.

Alderman Jamison – What will the money be used for?

Phyllis Racine – The Hospice House has contracted with me to help them do fundraising, and the grant request is to help underwrite that expense.

Alderman Mashburn – So it's paying your salary?

Phyllis Racine – Yes, partially.

September 8, 2015 meeting continued,

Macon County Historical Society

Alderman Mashburn – Robert, on your application it was put down for renovations on the third floor. When you presented at our last meeting you were more specific, saying it was going to fund the chimneys. Is that what you are asking for now?

Robert Shook – Macon County Historical Society – That's the greatest need right now. It's also a safety issue. The bricks need to be stabilized.

Alderman Jamison – So this request is to assist with the renovations with the chimney, and the brick and mortar that is loose right now?

Robert Shook – Macon County Historical Society – That is correct.

Alderman Mashburn – Madam Manager, should we not have something that reflects that on the application?

Summer Woodard – Town Manager – Yes. If the Board is interested in doing that, your best option is to have Mr. Shook complete a new application that states exactly what they want to do. I'll be glad to help you do this Mr. Shook.

Alderman Curtis – Also, I'd like to see some accurate figures on the expenses and income that you put down on the paper. Because I think I've seen those figures before, and I know them to be erroneous. If they are correct, I'd like to see the treasurer's signature on them to certify that they are correct.

Alderman Jamison – Have you gotten an estimate on the costs?

Robert Shook – Macon County Historical Museum – We got quotes from A to Z. One is from \$20,000. I'd say \$10,000 when it's all said and done.

Scottish Tartans Museum

Alderman Jamison – I was the Alderman who requested a revised operating fund. I read over it and it looked good. You should be commended for what you have done in the past year, bringing down the debt.

The Literacy Council of Highlands

Carol Waldroop – You should have gotten an email today clarifying how we will use the funds to comply.

Mayor Scott – Something happened with that email. We couldn't open it.

Carol Waldroop – I will forward it to Ms. Woodard.

The Board discussed the non-profit funding applications at length.

September 8, 2015 meeting continued,

Motion was made by Mashburn, seconded by Curtis to cut \$1,000 from the Macon County Library and fund \$1,000 to the Arts Council of Macon County. Motion carried. Vote: 5 to 0.

Motion was made by Abel, seconded by Jamison to approve the non-profit funding with the revisions below. Motion carried. Vote: 5 to 0. A separate copy of the revised funding is attached.

Appalachian Animal Rescue	\$3,000.00
Arts Council of Macon County artist fees)	\$1,000.00 (Stipulation that funds cannot be used for
Franklin Community Care Clinic	\$4,000.00
Hospice House of WNC	\$0.00 (will not fund salaries)
KIDS Place	\$5,000.00
Macon New Beginnings	\$2,000.00
Macon County Care Network	\$1,000.00
Macon County Habitat for Humanity	\$5,000.00
Macon County Historical Museum	\$3,000.00 (Must complete new application to be more
specific about chimney renovations, and provide accurate budget with treasurer's signature)	
Macon County Public Library	\$4,000.00
REACH of Macon County	\$5,000.00
READ2Me	\$2,000.00
Scottish Tartans Museum	\$3,000.00
The Literacy Council of Highlands	\$2,000.00 (Must complete new application to ensure
funding is open to all children in the general public in Franklin, and not just in public schools)	

Discussion on Downtown Crosswalks

Town Manager presented to the Town Board of Aldermen a project to redesign seven downtown crosswalks with a thermoplastic crosswalk brick design. A copy of the presentation is attached.

The Town Board of Aldermen discussed possible designs at length.

Alderman Jamison – I like the idea of the brick pavers, and hopefully sometime in the future some sidewalks on Main Street will be done.

Summer Woodard – Town Manager – One more thing. I apologize. I did speak with Wesley Grindstaff today, with the North Carolina Department of Transportation. I got an email confirmation from him moments ago. They are happy with what we have so far. They will want to know what design we chose to go with, and the color scheme we choose to go with. I'll submit that to them for their approval once you choose what you want. The cost proposal is with Oliver Paving. They have done Gastonia, West Minister, South Carolina and other places. They've been in business in 1972. The total cost to do this project is \$27,298.00. You did budget more than that in your streets and sidewalks budget.

Alderman Abel – Can they put in reflectors in the crosswalks. They have them in Clayton, and they are solar generated so they flash at night. They are made to withstand snowplows too.

September 8, 2015 meeting continued,

Summer Woodard – Town Manager – I will certainly ask.

Summer Woodard – Town Manager – I will also reach out with Tim Hudson, President of Oliver Paving, and I will ask if they will get as close of a color to our current brick pavers.

Motion was made by Abel, seconded by Jamison to approve option one, running bond brick pattern with white sides, as well as a red color that most closely resembles the Town of Franklin's current brick pavers. Motion carried. Vote: 5 to 0.

Mayor Scott – Alright. I would like to have two board members sit on our existing committees. I would just like to appoint another board member as a liaison. I don't want to blindside you, but be thinking about that for next month. We're not having any problems, but I think two voices are better than one.

Adjourn:

Motion was made by Jamison, seconded by Handley to adjourn the meeting at approximately 6:45 p.m. Motion carried. Vote: 5 to 0.

Chad B. Simons, Town Clerk

Robert S. Scott, Mayor

