

**July 2, 2007**

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, July 2, 2007 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Billy Mashburn, Carolyn Pattillo, Charles Roper and Bob Scott were present.

**Approval of the minutes**

**Motion was made by Curtis, seconded by Pattillo to approve the minutes for the June 4, 2007 and June 18, 2007 meetings as presented. Motion carried. Vote: 6 to 0.**

**Persons to be heard**

Ben Utley said I could have brought over one hundred thirty persons to this meeting. He said I want to address the proposed RV park on the Parker Farm. He said this will be a major development west of the water intake. He said I realize this proposed development is in the county but this development could negatively impact your water supply. Mr. Utley said there will be increased damage caused by sedimentation. He said I would suggest you appoint a person to go before the county commissioners at their called meeting on July 16, 2007 expressing your concerns with this proposed development. He said there will be one hundred eighty-five RVs on forty-eight acres. He said there are thirty two lots right on the creek only twenty five feet away. He said twenty five percent is shown in the flood plain but more actually floods. He said I encourage a moratorium on the development of the land until the flood plain maps are prepared and new regulations are prepared. He said it is a safety and health issue. Alderman Scott said I feel like the Board should go on record supporting a county moratorium. Alderman Pattillo said I agree with Bob. Alderman Scott said we need to protect the creek. Alderman Evans said I agree with what he is saying. He said if the water gets too high we can't take out water. Mayor Collins said the RVs could be moved during a flood. He said I am not sure we can stop them from using their land. Alderman Scott said what are they asking us to do. Orville Coward said I am representing the developer. He said I am not sure a moratorium can be enacted now after they have been spending money. He said please do not wait until a person has vested rights and then change the rules. He said the county is having a public hearing. Mr. Coward said please listen to all the evidence and then decide what to do. Mr. Utley said we have evidence that the property does flood within twenty five feet of the creek. Tom Ritter said the RVs are self contained. He said the plans have to be engineered. Mr. Coward said the developer wants to work with the Town. Alderman Mashburn said I want to show my concern. He said the Town is concerned about our water source and we want to be a part of anything that goes on. He said we will not turn our back on it. Alderman Pattillo said I agree. Alderman Mashburn said I would like us to go on the record stating our concerns about the development. The Board asked Mike Decker to prepare a letter stating the Board's concerns for the county meeting on July 16, 2007. A copy is attached. Alderman Scott said I want to go on the record that I am in favor of supporting the moratorium on this development until the flood plain maps are developed and the new regulations based on the maps are in place.

## **July 2, 2007 meeting continued,**

Hazel Davis said I am the treasurer of the Macon County Humane Society. She said we have \$15,000.00 to \$16,000.00 of insurance due in May. Chris Murray said I am the new director of the society. As of July 1, 2007 we will be doing microchips at a discount price of \$15.00. He said we have donated three scanners to the police and sheriff departments. He said we are regulated by the state as to the amount of animals we can keep at one time. He said we have one hundred twenty one animals now. He said since 2001 we have sprayed or neutered over three thousand animals. Alderman Evans said our biggest problem is animal control. **Motion was made by Scott, seconded by Pattillo to give \$20,000.00 out of the 2006-07 budget to the Macon County Humane Society. Motion carried. Vote: 4 to 2. Voting yes: Mashburn, Pattillo, Roper and Scott. Voting no: Curtis and Evans.**

### **Recess**

Mayor Collins recessed the meeting at 7:50 P.M.

Mayor Collins reconvened the meeting at 7:52 P.M.

### **Persons to be heard**

Dan Williams said does the Board want to settle my problem with the Town? John Henning, Jr. said I looked into the case. He said since the case was dismissed without prejudice you are barred on that count. He also said it is outside the statute of limitations of three years. Mr. Henning, Jr. said I cannot talk to you directly but will be glad to talk to your attorney. Mr. Williams said I will be suing you.

Mayor Collins read a letter from Virginia Wilson requesting that the water bill for the Unitarian Universalist Fellowship be reduced. A copy of the letter is attached. Alderman Mashburn said it is our general policy to adjust on the sewer portion for a water leak and not the water. He said we can do a payment plan. The Board agreed to allow the Unitarian Universalist Fellowship to pay an additional \$32.00 per month on their water bill until it is paid.

### **Request for donation to the Veterans Memorial of Macon County**

Bob Litten said I am working with the group doing the Veterans Memorial at the recreation park. He said we have a three hundred thousand dollar budget. He said it will be a living memorial. Mr. Litten said we have over three thousand five hundred veterans living in Macon County. He said I am asking for a \$25,000.00 donation over two years. Mayor Collins said we will take this request under advisement. A copy of the letter is attached.

**July 2, 2007 meeting continued,**

**Request for water/sewer allocations**

Orville Coward said G. L. Sprinkle is asking for a water and sewer allocation for his property on the Georgia Highway. He said he is requesting the following allocations: sewer - 9,200 gallons per day and water – 10,500 gallons per day. A copy of the letter is attached. **Motion was made by Evans, seconded by Mashburn to give the following allocation to G. L. Sprinkle: sewer – 9,200 gallons per day and water – 10,500 gallons per day. Motion carried. Vote: 6 to 0.**

Mike Decker said Carlos Mira with TekTone is seeking additional sewer capacity of 477 gallons per day in order to expand his operations. Information copies are attached. **Motion was made by Scott, seconded by Pattillo to give an additional allocation of 477 gallons per day to TekTone. Motion carried. Vote: 6 to 0.**

**Departmental reports**

Main Street Coordinator Linda Schlott said we had our second community forum on June 21, 2007. She said we are compiling a report from the information gathered at the meetings. She said we have done five hundred flyers about the 4<sup>th</sup> of July parade. She said there will a person dressed like “Uncle Sam” giving out balloons. Mrs. Schlott said we will be giving free watermelon at the gazebo. She said the Taste of Scotland went well. She said the annual folk festival will be on July 20 and 21, 2007. Mayor Collins said we need to do a video about these events for television.

Public Works Director Jay Gibson said Appalachian Construction is giving us a bid on doing the additional sewer line work on Crisp Street. He said we will have a recommendation soon for the Board. He said Wayne Price has gotten his Grade I Collections license. **Motion was made by Scott, seconded by Evans to give Wayne Price \$1.00 per hour raise. Motion carried. Vote: 6 to 0.** After some discussion, the Board decided to give Wayne Price a plaque and \$250.00 gift certificate for receiving the Al Deratt Award at the 4<sup>th</sup> of July picnic.

Police Chief Terry Bradley gave the police department report. A copy of the report is attached. He said we will be very busy on the 4<sup>th</sup> of July. Mayor Collins said do we need more police at the Pickin’ on the Square? Alderman Evans said no.

Town Planner Michael Grubermann said I have done five zoning permits with three pending. He said I have done five sign permits with one pending. He said the contractor will be starting on the repair work at the Burrell Building. He said we have been working on the proposed Unified Development Ordinance and we should wrap it up on July 11, 2007.

## **July 2, 2007 meeting continued,**

Fire Chief Pete Haithcock gave the fire department report. A copy of the report is attached. He said we received three bids on the expansion. He said one bid is well below the other two bids. Copies of the bids are attached. Alderman Evans said I do not understand why one bid is so much lower. Mike Decker said two of the three bids are very close to the \$300,000.00 informal bid threshold. He said is that okay? John Henning, Jr. said it is okay since the initial bids are under \$300,000.00. Alderman Evans said the contractor giving the lowest bid did the Burrell Building and did a poor job. Mayor Collins said we need to see if the bids are apples to apples. Alderman Curtis said we need to sit down with the low bidder and talk to him. The Board agreed to do a poll later in the month concerning these bids. Chief Haithcock said we do not have any ADA regulations considered into these bids.

### **Agreement regarding municipal bridge inspections with the NC Department of Transportation**

Mike Decker said federal law requires that any bridge inside Town be inspected. Since there are no bridges maintained by the Town, the Town does not need to enter into an agreement.

### **Consideration of called meeting for (1) presentation of draft Unified Development Ordinance (UDO) and (2) Main Street visioning presentation**

Alderman Pattillo said we need to have two meetings. The Board agreed to schedule the meeting on the draft Unified Development Ordinance when the consultants are available.

### **Presentation/discussion regarding abandoned/junk vehicle ordinance**

Michael Grubermann said in your packages is a proposed abandoned/junk vehicle ordinance. He said please review it and give me your feedback. A copy is attached.

### **Discussion regarding implementation of room tax**

Mike Decker said Macon County is taking the room tax from the Chamber of Commerce. He said the Town has legislative permission to implement a room tax. Alderman Evans said my only concern is that we do it ourselves instead of letting the county. Alderman Pattillo said you pay room tax when you stay at motels. Alderman Mashburn said we do not have anything in place. Mayor Collins said we need to try to find out what the county is doing.

### **Additional departmental and committee reports**

Mike Decker said the League has asked the Town to oppose SB 1484 – Medicaid Sales Tax Swap bill. A copy is attached. **Motion was made by Scott, seconded by Curtis to send a letter of opposition on the SB 1484 – Medicaid Sales Tax bill. Motion carried. Vote: 6 to 0. A copy of the letter is attached.**

## **July 2, 2007 meeting continued,**

Mike Decker said Sue Waldroop has indicated she wants to deed her water line to the Town. A copy of the letter is attached. The Board took no action.

Mike Decker said Manfred Judernatz of Otto Engineering has indicated his fee to do the work on the Iotla Street sewer line will be \$1,115.00. A copy of the letter is attached. The Board took no action.

Mike Decker said the work on the raw water intake will begin on July 16, 2007 and be completed by September 27, 2007.

Mike Decker said the Division of Water Quality has indicated for any reportable sewer overflow as of June 1, 2007 through December 1, 2007 the Town will receive a Notice of Violation. He said beginning December 1, 2007 civil penalties will be based on certain criteria. He said also we are going to have to implement flow tracking for sewer extensions. A copy of the letter is attached.

Mike Decker said Junior Moses of 116 Third Street has requested that the Town set the speed limit on Third Street at 20 miles per hour. He said one half of this street is outside town. The Board took no action.

Alderman Scott said I will be compiling the surveys from the public works department about the proposed public works expansion.

### **Water adjustments, discoveries and payment of bills**

**Motion was made by Curtis, seconded by Evans to approve the water adjustments for June, the tax discoveries and to approve payment of the bills. Motion carried. Vote: 6 to 0. Copies are attached.**

### **Closed session – personnel**

**The Board went into closed session at 9:10 P.M., on motion made by Evans, seconded by Curtis to discuss personnel. Motion carried. Vote: 6 to 0.**

**The Board came out of closed session at 9:25 P.M., on motion made by Curtis, seconded by Evans. Motion carried. Vote: 6 to 0.**

### **Open session**

**Motion was made by Scott, seconded by Curtis to accept Angela Moore's resignation as a full time employee as of July 12, 2007 and to rehire her as an independent contractor at \$20.00 per hour with an average of twenty hours per week. Motion carried. Vote: 6 to 0.**

**July 2, 2007 meeting continued,**

**Adjournment**

Mayor Collins adjourned the meeting at 9:27 P.M.

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Joe Collins, Mayor

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Janet A. Anderson, Town Clerk