

Meeting Date: April 06, 2009

Town of Franklin Board of Aldermen

Agenda

April 6, 2009

7 p.m.

1. Call to order - Mayor Collins
2. Approval of the March 2 and March 17, 2009 minutes
3. Public session
4. Discussion/consideration of comments to Georgia Environmental Protection Division regarding Rabun County wastewater permit application
5. Consideration of non-profit funding application - Little Tennessee Watershed Association/Jenny Sanders
6. Consideration of appointment to the town planning board
7. Consideration of appointments to the Tourism Development Authority
8. Schedule public hearing on Melba Huggins- rezoning petition for May 4, 2009 at 7 p.m.
9. Consideration of approval for -piggyback- contract for new radio-read water meters
10. Continue the meeting until Monday, April 20, 2009 at 5:15 p.m.

April 6, 2009

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, April 6, 2009 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Joyce Handley, Carolyn Pattillo and Bob Scott were present. Alderman Billy Mashburn was absent.

Approval of the minutes

Motion was made by Handley, seconded by Evans to approve the minutes for the March 2, 2009 and March 17, 2009 meetings as presented. Motion carried. Vote: 5 to 0.

Public session

Dan Williams - There is a car museum outside of Atlanta. They sell cars over the internet. I would like to do a car museum like the one in Stone Mountain. You were not fair to Home Depot. I have been paying taxes for twenty one years. I had damage on my property. I cost me \$250.00 to repair the damages. Mayor Collins said that matter has been resolved.

Discussion/consideration of comments to Georgia Environmental Protection Division regarding Rabun County wastewater permit application

Jenny Sanders said we gave you a template letter to use. A copy is attached. Alderman Scott said we have met with Macon County and they will be sending a letter.

Motion was made by Scott, seconded by Evans to do a letter to the Georgia Environmental Protection Division regarding Rabun County's wastewater permit application. Motion carried. Vote: 5 to 0. A copy of the letter is attached.

Consideration of non-profit funding application – Little Tennessee Watershed Association

Jenny Sanders said we are requesting \$4,000.00 for the Little Tennessee Watershed Association. A copy of the application is attached.

Motion was made by Scott, seconded by Handley to give \$4,000.00 from the non-profit funding pool to the Little Tennessee Watershed Association. Motion carried. Vote: 5 to 0.

Consideration of appointment to the town planning board

Motion was made by Handley, seconded by Pattillo to appoint Dr. Tom Harris to the Franklin Planning Board. Motion carried. Vote: 5 to 0.

April 6, 2009 meeting continued,

Consideration of appointments to the Tourism Development Authority

Motion was made by Pattillo, seconded by Curtis to appoint Ron Winecoff and Ronnie Haven to the Franklin Tourism Development Authority. Motion carried. Vote: 5 to 0. Information copies are attached.

Alderman Scott said I would like to advertise all vacancies to our committees in the future.

Motion was made by Scott, seconded by Evans to add to the next agenda discussion on how to do the advertising for the committees. Motion carried. Vote: 5 to 0.

Schedule public hearing on Melba Huggins' rezoning petition

Motion was made by Evans, seconded by Curtis to schedule the public hearing on Melba Huggins' rezoning petition for May 4, 2009 at 7:00 P.M. Motion carried. Vote: 5 to 0.

Consideration of approval for "piggyback" contract for new radio-read water meters

Sam Greenwood said we can use the piggyback method to contract for the new radio-read water meters. He said we are using Moore County's contract.

Motion was made by Handley, seconded by Curtis to approve the piggyback contract for the new radio-read water meters. Motion carried. Vote: 5 to 0. Information copies are attached.

Forward petition for rezoning from R.T.J. of Franklin, LLC to the planning board

Motion was made by Pattillo, seconded by Handley to forward the petition for rezoning from R.T.J. of Franklin, LLC to the planning board for a recommendation. Motion carried. Vote: 5 to 0. Information copies are attached.

Continuation of meeting

At 7:25 P.M., motion was made by Scott, seconded by Evans to continue the meeting until Monday, April 20, 2009 at 5:15 P.M. Motion carried. Vote: 5 to 0.

Call to order

The regular April 6, 2009 meeting of the Town of Franklin Board of Aldermen was continued at 5:15 P.M., Monday, April 20, 2009 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.

April 6, 2009 meeting continued,

Proclamation for Franklin Lions Club – Tony Angel

Motion was made by Handley, seconded by Evans to proclaim Monday, April 27, 2009 as the 70th Anniversary of the Franklin Lions Club in Franklin. Motion carried. Vote: 6 to 0. A copy of the proclamation is attached.

Request for water and sewer allocations for proposed Craftsman Village Project – Luke Williams/Civil Design Concepts, P.A.

Mark Cathey said I am the engineer on the Craftsman Village Project. He said the property is south of Franklin on the Georgia road. He said we are asking for water and sewer allocations. He said the plans include a one hundred seat restaurant and four retail shops. He said there will also be residential. He said the allocations are for seven buildings with 41,000 square feet of retail and 13,000 square feet of residential plus one restaurant. Mr. Cathey said the allocation request is for 14,660 gallons of water per day and 13,180 gallons of sewer per day. Alderman Scott said I do not see any green area at all on these plans. He said what are your plans for storm water runoff? Mr. Cathey said we are doing the requirements of the county.

Motion was made by Evans, seconded by Mashburn to give the requested allocation of 14,660 gallons of water per day and 13,280 gallons of sewer per day to Craftsman Village Project and giving the authority to Town Manager Sam Greenwood and Town Attorney John Henning, Jr. to draw up the contract for these allocations. Motion carried. Vote: 6 to 0.

Public hearing on proposed Series 2009 Installment Financing – Town Attorney

Mayor Collins opened the public hearing on the proposed Series 2009 Installment Financing at 5:35 P.M. No person was present to speak at the hearing. Mayor Collins closed the public hearing at 5:36 P.M.

Consideration of resolution regarding Series 2009 Installment Financing –Town Attorney

John Henning, Jr. said you need to make the following findings of fact regarding the Series 2009 Installment Financing:

1 The proposed contract is necessary or expedient because it will provide for necessary repairs, upgrades and improvements to the Town's water and sewer systems, and because the proposed and completed building projects will provide necessary space for essential Town governmental, safety, and utility functions.

2 The proposed contract is preferable to a bond issue for the same purpose because costs of issuance are lower for such financing, the process of arranging such financing is faster, and current prevailing interest rates favor this method of financing.

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3 The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the Projects are either completed, have gone through a completed bid process and a bid awarded, or are to have been sent out to bid and awarded before financing is completed, allowing the Town to borrow only those amounts needed to fund the Projects.

4 The Town of Franklin's debt management procedures and policies are good because the same have been found to be good in the Town's last audit.

5 The increase in taxes necessary to meet the sums to fall due under the proposed contract will be zero cents per \$100 valuation and is not deemed to be excessive.

6 The Town of Franklin is not in default on any of its debt service obligations.

7 The attorney for the Town of Franklin has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

8 The probable net revenues of the portions of the Projects providing improvements to the Town's water and sewer system will be sufficient to meet the sums to fall due under the proposed contract, in proportion to which those sums are attributable to those water and sewer system improvements. All other portions of the sums to fall due will be paid for out of the Town's General Fund.

Motion was made by Pattillo, seconded by Curtis to adopt the Resolution Authorizing the Filling of an Application for Approval of a Financing Agreement Authorized by North Carolina General Statute 160A-20 with the above mentioned Findings of Fact. Motion carried. Vote: 6 to 0. A copy of the Resolution is attached.

Motion was made by Pattillo, seconded by Handley to accept the bid from BB&T in the amount of \$5,000,000.00 at a rate of 4.17% for fifteen years. Motion carried. Vote: 6 to 0. A copy of the bids is attached.

Discussion regarding the Little Tennessee River Basin Advisory Commission (Senate Bill 1083)

Alderman Scott said the Little Tennessee River Basin Advisory Commission bill is leaving out municipalities. He said they are appointing one county person. He said we need to send Senator Snow a letter stating our concerns. Sam Greenwood said in the mountains the water systems are owned by the municipalities.

Motion was made by Handley, seconded by Evans to do a letter to Senator Snow concerning the Little Tennessee River Basin Advisory Commission bill relating the Town's concerns with the lack of representation of municipalities. Motion carried. Vote: 6 to 0.

Consideration of contract with Drake Enterprises – Town Attorney

John Henning, Jr. said the project has been suspended at this time.

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Discussion/consideration of relocation of time capsule located at former town hall site

Alderman Scott said I think we should move the time capsule to this property. Alderman Pattillo said the 150th capsule was placed on the Macon County Historical Society property. After some discussion, the Board took no action.

Discussion regarding selection process for filling vacancies on town-appointed boards

Alderman Scott said we need a more formal procedure for filling vacancies on our boards. He said the public needs to be informed. Sam Greenwood said we can use our web site and put information in our newsletter.

Consideration of budget amendments – Janet Anderson

Janet Anderson explained the proposed budget amendment to the Board. A copy is attached.

Motion was made by Curtis, seconded by Evans to approve the budget amendment. Motion carried. Vote: 6 to 0.

Reports

Sam Greenwood said the contract on the Memorial Park building has been completed. He said we need to budget and complete the work in the upcoming budget. Alderman Handley said it has been suggested we put up security cameras at the building. She said we need to review the rules and the rental costs for the building.

Mike Decker said the North Carolina League of Municipalities has requested we do a Resolution supporting their stand on the annexation statutes. A copy is attached. The Board took no action.

Sam Greenwood said the bids on the public works building will be opened on April 27, 2009. Mayor Collins said I think the plans for the public works building should have been reviewed by the whole board. Mr. Greenwood said the committee did the work on the plans. He said I will e-mail you the plans tomorrow.

Adjournment

Mayor Collins adjourned the meeting at 6:20 P.M.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk

