**Town of Lake Santeetlah**

**Council Meeting Minutes**

**April 13, 2023**

Mayor Connie Gross called the meeting to order at 5:33PM. Councilmembers Tina Emerson, Diana Simon, and Jim Hager were present for the meeting. Town Administrator Kim Matheson and Town Technician Scott Kamps were also present. Attorney Bo Carpenter was available by Zoom. Councilmember Ralph Mitchell was not present.

Scott Kamps offered an Invocation and Mayor Gross led the Pledge of Allegiance.

**Approval of the Agenda:** Councilmember Hager made a motion to approve the agenda as presented Emerson seconded. All approved. The motion passed unanimously.

**Approval of the March 9, 2023 Council Meeting Minute, Approval of the April 3, 2023 Special Called Meeting Minutes and Approval of the April 3, 2023 Closed Session Minutes:** Councilmember Emerson made a motion to approve as presented. Councilmember Simon seconded. All approved. The motion passed unanimously.

**Financial/Tax Report:** Matheson reported the tax collection for March was, $6,657.90

Emerson reported on expenses/ideas she plans to present at a budget workshop. The salter for the Town truck will need to be replaced. This cost is approximately $6,000. Emerson has also been doing research for employee benefits including, life insurance, dental and vision, short and long term disability. These benefits are not currently offered but could be for a reasonable cost ($188 monthly) to the Town. Emerson will present further information about these benefits at a workshop.

Simon asked for an update on the appeals for assessments and if there were updated numbers to work with. Matheson explained that she had been in contact with the Tax Assessor and would continue to follow-up until a new value was received.

**Request for Public Comment:**

Kevin Haag asked the Council for an update on Zoning. He was aware that the Zoning Administrator contract was not renewed. Mayor Gross explained that the previous Zoning was currently in place. The Town has a new Zoning Administrator that replaced Mr. Farley who reviews and approves/denies all Zoning Compliance Forms. Brandon Emory (Zoning Administrator) has two compliance forms he is currently reviewing. Emory was not hired to enforce but only to approve or deny according to the Town code. Haag asked Gross if Emory could include enforcement in his duties. Haag suggested once each month that Emory could survey the Town for those who may not be following the code. Gross is not in favor of enforcement. Emerson pointed out that there were 97 residents at the zoning hearing last year who wanted zoning and zoning enforcement yet didn’t want to budget the funds that it would require to enforce. Emerson agrees that we need enforcement but we also need a code that can be enforced, “that’s the balance we need.” Haag suggested that the Council work diligently on zoning enforcement in the coming months.

Betty LoBue shared her concern with appointing alternate members to the planning board. LoBue feels that five members are sufficient for a Town the size of Lake Santeetlah. If the Council, however feels compelled to appoint another member, LoBue feels that the member should be supported of the Land Use Plan.

LoBue also feels that the Town should be concerned with the lack of enforcement of the current Zoning code. LoBue suggested an outside contractor be hired to complete code enforcement. LoBue requested a report of all zoning enforcement actions taken while the current council has been seated to be presented at the May council meeting.

LoBue stated that it is important for the Town Council to keep the TPOA informed of all current developments. As a community, LoBue feels that the biggest concern is that property values remain stable.

Jack Gross acknowledged a letter recently sent by Planning Board chair Anne Hager to the Council members. Gross is concerned that Hager and other board members failed to follow the open meetings law by an email chain which included three board members. According to Gross the email chain openly portrayed prejudice statements towards certain community members. Gross pointed out that in the current Zoning code it states that the Town Council shall appoint Planning Board members and alternates. There is no wording within the code that states the Planning Board would make recommendations to the Town Council of this appointment. Gross stated that due to the prejudice statements within the email/letter that was sent he feels the Town Council has just cause to remove all three members involved in the email chain.

Susan Robinson shared her concerns with Zoning as she has heard and understands that other community members are concerned with the current enforcement. Robinson pointed out that the 97 members (mentioned earlier) were not exactly opposed to paying for zoning but simply questioned the estimations of what it would cost to have the enforcement. Robinson understands that the current Zoning Administrator does not live or visit the area. When Mr. Emory needs a measurement that is completed by Town Technician Scott Kamps. Robinson does not feel that this is Kamps responsibility as a Town employee. These are technical measurements and Kamps is not trained to complete these detailed figures, according to Robinson. The Planning board in conjunction with the Town Council should address the questions of the homeowners and determine the best solution of how to enforce the Land Use code.

Alan Davidson stated the Town did not have zoning for the first 60 years of existence and developed just fine. Davidson feels that the code is being used to manipulate, push and punish people within the town that may have different perspectives with Town government and other groups. Davidson said the code should have been written in a much simpler manner for the small Town of Lake Santeetlah. The code is limiting the ability to redevelop certain lots in the Town because it’s so restrictive. Davidson also pointed out that anyone who lived in the Town of Lake Santeetlah should have the ability to serve on community boards if they wish to do so. Stating that they must have similar views and backgrounds is not democratic.

Kevin Haag requested a refund of his water bill for a one month period due to a power outage that caused him to be without water for approximately two days. When the water came back it was muddy and caused him to replace drains and other things within his home. The Council has been working on a solution for Mr. Haag to have the ability to keep water during a power outage. This has been going on for three years according to Haag and is still being tabled with no receivable solution.

**Old Business:**

1. **Planning Board/Appoint new Board Member (action needed):** The Town Council received three statements of interest from community members to fill the alternate Planning Board position. Those interested were, Jack Gross, Alan Davidson and Ralph Strunk. In accordance with the current zoning code 1501.01 there can be two alternate members appointed to the Planning Board. Mayor Gross suggested that the Town Council appoint two of the individuals as alternates. Emerson made a motion to appoint Jack Gross as an alternate to the Planning Board. Gross seconded. Simon stated that the alternate position is not necessary. Hager and Simon opposed. The motion failed. Emerson made a motion to appoint Davidson as a Planning Board member. Gross seconded. Simon stated that Davidson is not a Town property owner. The property is in his mother’s name who has passed away. Emerson asked Attorney Carpenter if Davidson would be eligible. Carpenter confirmed that as the code is stated the applicant must be a property owner. Davidson acknowledged that the property is in a family trust. Attorney Carpenter stated that he would need to further review to provide an answer. Gross asked for an update at the next Council meeting. This item will be on the agenda for May 4th. Mayor Gross withdrew the motion.
2. **Set up Edmunds financial program/Update:** Matheson reported that she is currently training for the new software. Edmunds will continue to provide support and will follow staff through the first check run, payroll and other accounting steps in May when the software is live. Matheson stated that the training has been “a lot” but it was “coming right along.” Emerson asked if anyone had a check that hadn’t been cashed please cash it so that the transfer of accounts would be cleaner. The June water bill will come from the old water software and then Edmunds will go live in July after the billing is complete. Payments will be accepted in the new system and residents can go online and pay by check or card. More details will be provided after the training of the water portion is completed. The training is recorded and Matheson has the ability to go back and watch steps and procedures which is very helpful.
3. **Water reader replacement/Update:** Kamps met with Mike Wallace to determine upgrade options for the water reader. The current, Trimble, used is outdated and will not be supported after 2023. Wallace provided detail of the hardware and software needed in order to get the Town up to date as well as provide many new features to both Town Staff and residents. The total cost for the updated system would be $13,537.50 which would include setup fee, training, and the first year annual subscription as well as the software and hardware. The new software is compatible with Edmunds software. Kamps would have an IPad that he used which is capable showing residents a detailed graph of usage, leaks and other information they may request. This information can be emailed to each resident from the software. Emerson reported that there was currently $10,200 in the budget for other water items that wasn’t spent and could be used for this upgrade. Matheson explained that if it is ordered now it wouldn’t be here until July. Mayor Gross made a motion to move the funds around to purchase the upgraded water reader. Hager seconded. Emerson asked if a budget amendment could be approved at the same time. All approved. The motion passed unanimously. Emerson made a motion to increase the budget line item to $14,000. Hager seconded. The motion passed unanimously.
4. **Town Zoning on GIS mapping:** Mayor Gross reported that while talking with Chris Ferris, appraiser, he wasn’t aware that Lake Santeetlah had Zoning. Ferris suggested the Town Zoning be added to the GIS mapping and that a link be added to the Town website. Mayor Gross explained that Mr. Ferris also pointed out that in the zoning the statement allowing to rebuild according to the County deed/map should not be allowed. Ferris stated these are not exact measurements and should not be used as a guide. Mayor Gross will invite Ferris to speak at the May Council meeting to provide further detail regarding these issues as well as updated tax values.
5. **Updated Election Board Agreement (action needed):** Attorney Carpenter completed an updated agreement. Carpenter sent the updated agreement to Howard, (Graham County attorney), but has not received a response at this time. Simon asked for Carpenter to please present the changes there were made. Carpenter does not have a redlined version on hand to explain each change. Mayor Gross offered a copy to Simon. Emerson made a motion to adopt the agreement and forward to Graham County. Simon seconded. All approved. The motion passed unanimously.

**New Business:**

1. **American Security/Mike Jones (security for Lake Santeetlah):** Mr. Jones was not available for presentation.
2. **Golden Leaf Flood Mitigation Program/work list for drainage improvements:** Kamps explained that the grant available does not have many restrictions but offers funds for damage due to storm and water drainage issues. Kamps has worked on a list of areas throughout the Town that could benefit from these funds. Kamps received an estimate from the Aldridge Brothers for the repairs ($71,097) for 2000 linear feet. Emerson plans to request approximately $73,000. Most of the funds will be used to pave culverts and complete road repair in various areas within the Town.
3. **Resolution for Capital Reserve Fund (action needed):** Emerson explained when the budget was passed last June a capital reserve fund was established. A certain percentage of tax was set aside for road paving. When setting up a capital reserve fund a resolution must be approved that contains guidelines of how the money will be spent, held and withdrawn. The resolution presented is in accordance with NC General Statute 159-13-18. Town Attorney Carpenter has reviewed and made changes to the proposed Resolution. Some of the funds have been used for the large paving project early in the budget year. There is $29,029 remaining that will start the Capital reserve fund. Hager made a motion to approve. Simon seconded. All approved. The motion passed unanimously. Matheson asked Mayor Gross to pick up the signature cards for the new account at the bank so that all members can sign.
4. **ARPA funds Grant Project Ordinance (action needed):** Matheson explained that Shannon Dennison, town auditor, assisted with the document. Dennison informed Matheson the “cleanest” way to follow procedure for audit and accounting purposes which will free up the $13,385 to be used as needed. Hager made a motion to approve the Project Ordinance and Budget Amendment presented. Gross seconded. All approved. The motion passed unanimously.

**Discussion:**

1. **Veteran Memorial Celebration/pictures:** Mayor Gross participated in the Veteran Memorial Celebration on behalf of Lake Santeetlah.

Mayor Gross presented a picture of the most recent water leak on Black Bear Trail. Gross and Kamps explained detail of the break.

**Final Public Comment:**

Jack Gross pointed out that height requirement is measured from the roadway at the emergency 911 entrance according to the Zoning. Gross also informed Haag that the power outage had no connection with the muddy water. The mud and grit in the water was from the water leak.

**Announcements:**

* The next regular scheduled Council Meeting will be held May 4, 2023 at 10:00AM. This meeting will be held at Town Hall and by Zoom.
* Mayor Gross reported that Councilmember Mitchell is expected to return to Lake Santeetlah soon according to his family.
* Matheson announced the groundbreaking for the Santeetlah fire hall is April 20th at 4:00PM. All are invited.

**Motion to Adjourn.**

Councilmember Hager made a motion to adjourn the meeting. Emerson seconded. The meeting was adjourned at 6:58PM.

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Connie Gross, Mayor Kim Matheson, Town Administrator