

## **Town of Lake Santeetlah**

### **Zoom Council Meeting Minutes**

**January 14, 2021**

Mayor Jim Hager called the meeting to order at 10:00AM. Town Administrator Kim Matheson called roll of all Councilmembers. Keith Predmore, Kevin Haag, Diana Simon and Roger Carlton were present. Brian Gulden, assistant to Attorney Craig Justus, Town Administrator Kim Matheson, and Town Clerk Morgan Postell were also present.

The first order of business was approval of the agenda. Councilmember Roger Carlton suggested adding one item to the agenda: make a query to Brookfield regarding the lake level. Mayor Hager added this to the agenda under Discussion #5. Mayor Hager made a motion to approve the agenda as amended Councilmember Simon made a motion to approve the agenda as amended, Councilmember Haag seconded. The motion passed unanimously.

The next order of business was approval of the December 10, 2020 Council Meeting minutes. Upon review, Councilmember Carlton presented findings in the minutes are the amendments are not solidified and asked for clarification regarding the changes to those minutes. Councilmember Carlton stated we should be able to track changes. Mayor Hager added we have an agenda item regarding Discussion #2. Councilmember Predmore made a motion to approve, Carlton opposed the minutes as amended. Councilmember Simon seconded. The motion passed four to one.

**Financial Report/Tax Report:** Town Administrator Kim Matheson presented reports as of December 31, 2020. The general account balance is \$52,156.84; the water operating account balance is \$22,760.62. The tax collection in December was \$43,144.77. The Town also received COVID relief funds that allowed the town to essentials such as masks, hand sanitizer, hand sanitizing station, filter for the heating/air unit, safety goggles, gloves, and laptop. The big expenses in the water operating checking account will be a payment to Kyle Garland that we will be doing a budget amendment for. Councilmember Carlton asked if this is part of the loan. Matheson explained this is not part of the loan. We have enough money in the water operating checking to pay that.

#### **Request for Public Comment:**

**Property Owner Jack Gross:** made a comment regarding minutes for November, Lake Levels and water quality. He also commented on clarity in open sessions about the reason for closed sessions.

**Property Owner Tina Emerson:** made a comment regarding a resolution by the Town Council in 2001 regarding easements.

Emerson would like the town to go back and review the resolution and to correct this if applicable.

#### **Old Business:**

1. **Report on County Review of Cooperation Agreement:** Town Administrator Kim Matheson stated that County Commissioner, Jacob Nelms would put it back on the County's agenda for February.
2. **Report on LGC Loan Status:** Town Administrator Kim Matheson stated this Loan had been approved and is scheduled to close on January 22, 2021.
3. **Report on Santeetlah Variance:** Mayor Hager stated an email from Jose Rosado was received that stated there was no new information at this time.
4. **Easement Request for Tonya Bassett:** A detailed discussion of this issue included:
  1. Engineering:
    - i. Pipe sizes, types
    - ii. Check valves
    - iii. Routing
    - iv. Town Water Distribution Lines Locations
    - v. Future Town infrastructure additions such as internet, broadband, etc.
  2. Legal:
    - i. Wording of a proposed easement
    - ii. Protection of town interests
    - iii. Costs & Funding- who pays for what
    - iv. Future issues

Town Attorney is to investigate this issue with NC School of Government and report back in February. Councilman Carlton moved to task Attorney to do subject investigation, Councilman Haag seconded. Motion passed four to one. Predmore opposed.

#### **New Business:**

1. **Meeting Dates Schedule:** Councilmember Haag made a motion to accept the meeting dates presented. Councilmember Simon Seconded. The motion passed unanimously.
2. **Security Contract:** The Security Contract and recent lapses in contracted deputies' performance generated a lengthy discussion conveying all aspects of the contract and how these contracted arrangements were to be carried out. Discussion included the contract itself (including its provisions), payments for services, conduct and timing of patrols, uniform and vehicle arrangements. Mayor Hager agreed to meet with the new sheriff and review the contract. Town Attorney suggested a clearer contract with the Sheriff's Departments or with individual deputies. More information on this issue next month.

3. **Public Internet Access:** Internet has been connected at the Guard House by Zito Media. Mayor Hager recommended the Town make the Guard House the only public internet access within the Town because of the security risks associated with using the internet at Town Hall. This will be referred to next months' meeting.
  
4. **Budget Amendment for Water & General Funds:** Town Administrator Kim Matheson explained this was on the budget for last fiscal year but work was not completed until last month. Matheson talked to the LGC about paying for those repairs for the well houses and paying it from the general fund so this money was never intended to come out of the loan, instead, it would be transferred from the UCB General Savings Account and put into the Water Operating Checking. \$9,000.00 was taken to pay part of this that was completed in the last fiscal year. Kim spoke with Jim and the money is available in the Water Operating Checking account to pay this. This money can be left in General savings and not transferred unless need be. Councilmember Carlton asked that Matheson clarify the general funds account and the water fund savings accounts. Matheson stated to Councilmember Carlton that this is the only account on the balance sheet that says UCB General Account Savings. Councilmember Carlton suggested the Budget Amendment be clearer than what it is and the Budget Amendment state where the money is moved from and where it is transferred to. Councilmember Simon suggested clarification on the line item from where it is moving to and delete the statement regarding where the repairs would be coming from. Matheson stated she could reword this and "state the money from the repairs will come from Operating Water Funds." This is the regular operating water account. Councilmember Carlton made a motion to move the Budget Amendment with this correction. Councilmember Simon seconded. The motion passed unanimously.

The next Budget Amendment was Legal Fees for Bob Wehr. Town Administrator Kim Matheson stated one bill had already been paid and this will be the final bill. Councilmember Carlton suggested clarification of the language for appropriations of the General Fund in the last paragraph. Councilmember Predmore made a motion to approve. Councilmember Simon seconded. The motion was passed unanimously.

5. **Fee Agreement with Van Winkle, Buck, Wall, and Starnes & Davis P.A.:** Councilmember Carlton asked Brian Gulden if he was aware of this agreement. Brian stated this is a standard fee agreement for Towns and cannot negotiate this agreement because he does not have the authority to do so. Councilmember Carlton suggested a conference call be held with Craig Justus to clarify whether this is a fee agreement or engagement letter and also asked that this be moved to next month's agenda after speaking with Town Attorney. Mayor Hager asked all council members send comments to Town Administrator Kim Matheson before a conference call is scheduled. Comments should be received by next Wednesday.

## **Discussion:**

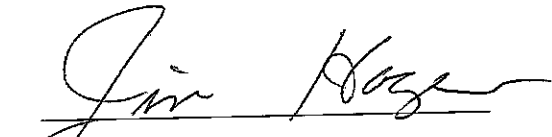
1. **New Zoning Status Report by Town Attorney:** Brian Gulden stated he and Craig are working on this together and Craig is also working on this remotely and they are slowing moving through the Zoning rewrite and it has taken longer than they both anticipated. Councilmember Carlton spoke with Craig and he stated this be on an agenda for the planning board by mid-February for approval.
2. **Minutes Policy:** Mayor Hager made the comment that some people want the minutes to be a transcript and others want them to be very brief and we need to come up with something in-between. Brian Gulden added in reference to the minutes that minutes should contain mainly a record of what was done at the meeting and not was said by members. Councilmember Simon also said that was also suggested by Attorney Craig Justus in the past regarding minutes. Mayor Hager indicated that future minutes be sent to Councilmember Predmore for review, and submitted back to Town Clerk, for any changes and then sent out to the council members. Mayor Hager will make the final decision.
3. **Emergency Snow Removal:** Town Administrator spoke with Lovin Contracting regarding the need for emergency snow removal in the case that Eric Hayes is unable to do it. Lovin agreed to come out and do snow removal and spread salt. They will only be doing Town roads. Snow removal of private roads/driveways must be by private arrangement with Lovin Contracting. Matheson will inquire about a rate.
4. **2021 Goals & Objectives:** Councilmember Carlton would like to have a meeting regarding Goals and Objectives for the 2021 year in February. A Planning Board meeting will also be held via Zoom in April.

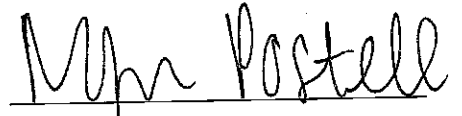
## **Motion for Closed Session**

### **Announcements:**

- The next Council Meeting will be held February 11, 2020 at 10AM. This meeting will be held via Zoom unless otherwise notified. Information will be sent at a later date.

With no further business necessary Councilmember Simon made a motion to close the meeting. Councilmember Carlton seconded. All others were polled. The meeting was adjourned at 12:58PM.

  
Jim Hager, Mayor

  
Morgan Postell, Town Clerk