

## **Town of Lake Santeetlah (The Town)**

### **Council Meeting Minutes**

**June 10, 2019**

Mayor Jim Hager called the meeting to order at 10:00AM. Councilmembers Keith Predmore and Roger Carlton were present for the meeting. Attorney Craig Justus, Town Administrator Kim Matheson, Clerk Emily Hooper and Public Works Technician Eric Hayes were also present. Councilmember Patrick O'Donovan and Mary Williams were both available by phone.

The first order of business was the approval of the agenda. Councilmember Roger Carlton made a motion to amend the agenda by moving Item #1 under New Business: RHS Caregiver Program/Katrina Nelms to the first item of business. Item #4 under New Business removed until next month and substituted with the item: Tall grass along Hwy 129. Councilmember Predmore seconded. All others approved, the motion carried.

#### **New Business**

**#1: RHS Caregiver Program/Katrina Nelms:** Nelms, the Social Worker at Robbinsville High School visited Town Hall to promote and educate others of the Robbinsville High School Caregiver program. The program helps students throughout the school year with various needs. Nelms stated that the school has approximately 300-400 students and in the course of one school year she will see 125 of those kids. The program provides shoes, socks, clothing, and jackets for children in need. Students who have debt in the cafeteria and aren't allowed to eat can receive assistance. Fieldtrips, Tri County Community College books, Welding supplies (for Tri-County), Driver's Ed fees, Graduation supplies (gap and gown), and money for student athletes to have for away games are all examples of needs met by the caregiver program. Each year there are Thanksgiving boxes with items to cook a complete Thanksgiving meal delivered to several children's homes. At Christmas students (last year approximately 25) are taken to the mall with \$150 to spend and have the opportunity to eat at The Olive Garden or Red Lobster. Many of the students have never had this experience. The caregiver program is privately funded and continues to need more support. Donation checks should be made out to RHS with memo – Caregiver Program and mailed directly to the school or taken to Town Hall and staff will deliver to the school. Any assistance will be greatly appreciated and will all go to help the students in need at Robbinsville High School.

Nelms explained that not only do these children need financial support but also benefit greatly from a consistent person in their life who can encourage and guide in a positive manner. The Big Brother Big Sister Program is looking for volunteers as well as financial support to allow the children in Graham County who do not have a stable home life to have the support of an individual who cares for them. For more information on this program contact Katrina Nelms.

Councilmember Predmore made a motion to donate \$500.00 to the RHS caregiver program. Councilmember Carlton seconded. All others approved. The motion carried.

After review of the May 13, 2019 Council Meeting Minutes, there were no additions or changes needed. Councilmember Predmore made a motion to approve the Council Meeting minutes. Councilmember Carlton seconded. All others approved, the motion carried.

After review of the May 25, 2019 Public Hearing Minutes, there were no additions or changes needed. Councilmember Carlton made a motion to approve the Public Hearing minutes. Councilmember Predmore seconded. All others approved, the motion carried.

**Financial Report/Tax Report:** Town Administrator Matheson presented reports as of May 31, 2019. The general account balance is \$45,571.69; the water operating account balance is \$12,737.10. Tax collection for February was \$824.98. The tax collection rate for the year is 99.31%. The general operating balance does not reflect this balance as the check has not been received at this time. Councilmember O'Donovan made a motion to approve the financial report as presented. Councilmember Carlton seconded, all others approved. The motion carried.

**Request for Public Comment:**

Dick Eyestone expressed his gratitude to the Town for their support during the passing of grandson last year. The support from the community was overwhelming and Eyestone and his family sincerely appreciate every act of kindness shown.

Tina Emerson acknowledged two resolutions adopted by the Town Council in 2001, both concerning roadway easements. Emerson stated that the easements, as written encroach on personal property. Emerson asked the current Town Council review the Resolutions and consider dissolving or voiding them. Copies of both resolutions were shared with Attorney Justus for review and research.

**Old Business:**

**#1: Update of Revised Zoning Regulations/Schedule Public Hearing:** The Zoning Regulations will be ready to present to the Planning Board in July. Town Administrator Kim Matheson is working with Planning Board Members and Attorney Justus to plan a meeting date.

**#2: Town of Lake Santeetlah Building Application:** Councilmember Carlton plans to work on the building application and send a draft for Justus to review. The Application will be presented at the July Council Meeting. Carlton suggested that the fee schedule be addressed. The Town of Santeetlah could parallel with the County fees. The County mandates safety and state regulations be met and the Town looks at height and setbacks.

**New Business**

**#2: Town Technician Maintenance Report:** There have been two water breaks this month on Nantahala Terrace. One leak occurred near 37 Nantahala Terrace and required a large portion of the road to be broken up. The location where the water was sighted was several feet from the actual break. The leak has been repaired but will require re-paving in that area. A small break occurred the following week just

down the street but was repaired without breaking the pavement. A large rock underneath the pipe during installation was likely the cause of both breaks.

A high service pump went out. The Town had an extra pump that had been restored and was able to replace with that one. The old one can be taken to Valley Pump Service and be rebuilt to have a spare if this occurs again.

**#3: Resolution for Approving Local Water Supply Plan:** This is a yearly Resolution prepared by the Department of Environmental Quality, Division of Water Resources. When the yearly water report is completed the Council is required to approve the Resolution and submit in order to comply with regulations. Councilmember Predmore made a motion to approve the Resolution as presented. Councilmember Carlton seconded. All others approved. The motion carried.

**#4: Tall Grass along Hwy. 129:** The grass along Hwy 129 needs cut. The State is low on funds until July 1, 2019 which could be the reason for the delay. Carlton suggested that a letter of complaint be sent to a State Representative expressing the dissatisfaction of how this is being handled despite the low fund balance. Carlton agreed to draft a letter.

**#5: Jacek Maliowski/Joan Henry Land Sale:** Maliowski/Henry submitted an offer to purchase for a portion of the road strip that is Town property near their rental home, 588 Thunderbird Trail. Councilmember Predmore made a motion to approve the land sale to Jacek Maliowski and Joan Henry. Councilmember Carlton seconded. All others approved. The motion carried.

**#6: Holiday Closing for July 4, 2019:** Graham County festivities will be held July 5<sup>th</sup> and 6<sup>th</sup>. County offices will be closed on both Thursday and Friday. Councilmember Predmore made a motion for Town Hall to be closed both Thursday and Friday for the Fourth of July Holiday. Councilmember O'Donovan seconded. All others approved. The motion carried.

**#7: Appoint ZBA Board member to fill vacancy:** The Planning Board is lacking one member due to Tanya Capeling's resignation. There have been two requests of interest submitted, Jack Gross and OH Yarberr. Councilmember Predmore made a motion to appoint OH Yarberr to the Town of Lake Santeetlah Planning Board. Councilmember O'Donovan seconded. All others approved. The motion carried.

**#8: Budget Amendment:**

- **All pending litigation: \$25,000:** A budget amendment is necessary in order to have sufficient funds for legal fees for the remainder of the 18-19 fiscal year. Mayor Hager suggested the funds be taken from the Land Sale (which is currently in Reserve's) to pay the attorney fees for the lawsuit on Santeetlah Trail. This would avoid taking the funds from the General account.
- **Councilmember meeting fee \$700:** The Councilmember meeting fee is short due to the resignation of Councilmembers and new ones appointed. Changing officers from only two members making \$200 per month to now having three caused the shortage. The Mayor, Vice Mayor and Finance Officer all receive \$200 monthly. Mayor Hager once held two of those titles but only received \$200.

Town Administrator Matheson also acknowledged that she has the authority to move funds around up to \$2000 to different line items within the budget without an amendment. Lamar Williams needs to

complete water testing which will require funds to be moved from chemicals to testing. Matheson pointed out this transfer had occurred.

Councilmember Predmore made a motion to approve both budget amendments as presented. Councilmember O'Donovan seconded. All other's approved. The motion carried.

**#9: Approval of TOLS 2019-20 budget:** There were two changes in the budget after the public hearing. \$2500 was placed in a line item for Building Application Fees. Councilmember Meeting Fees were increased from \$6,000 to \$7,200. Finance Officer O'Donovan made a motion to approve the proposed budget and budget ordinance for the 2019-20 fiscal year.

**Discussion:**

**1: Sewer Study Report/Keith Predmore:** There are no updates at this time.

**2: TDA Report/Diana Simons:** The TDA held a Budget Meeting and approved the proposed budget for the 2019-20 year. The Town Council was presented a copy of the budget for approval. The TDA projects to collect \$12,000 this year. There are several projects for the upcoming year. The Town is working with Robbinsville, Fontana and GREAT on signage throughout the County. Board member, Predmore is researching a car charging station. Councilmember Carlton made a motion to approve the proposed budget. Councilmember O'Donovan seconded. All others approved. The motion carried.

Councilmember Predmore made a motion to move into Closed Session Pursuant to the provisions of North Carolina General Statute 143-318.11 (a) (3) and 143-318.11 (c), I move that the Town of Lake Santeetlah Town Council go into closed session to receive advice from attorney, Craig Justus, Town of Lake Santeetlah attorney, which advice comes within the purview of the attorney client privilege. The advice will be general legal advice about legal issues or legal matters.

Pursuant to the provisions of North Carolina General Statute 143-318.11 (a) (3) and North Carolina General Statute 143-318.11 (c), I move that the Town of Lake Santeetlah Town Council go into Closed Session to receive advice relative to the following existing lawsuit which is presently pending: The Santeetlah Trail suit, Marsha Mathews & Johnny Cochran vs. The Town of Lake Santeetlah.

The Town of Lake Santeetlah Town Council moved into closed session at 10:56AM.

Councilmember Predmore made a motion to move into Open Session. Councilmember Carlton seconded. All others approved. The motion carried.

**Announcements:**

Mayor Hager announced that the next Council Meeting is July 8, 2019 at 10:00AM at Town Hall. The block party is planned for July 13, 2019. More details to come.

With no further business at this time Councilmember Carlton made a motion to adjourn the meeting. Councilman Predmore seconded, all others agreed. The motion carried. Mayor Hager adjourned the meeting at 11:43AM.

**Meeting Adjourned**

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Jim Hager, Mayor

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Emily Hooper, Town Clerk