**Town of Lake Santeetlah**

**Council Meeting Minutes (Zoom)**

**March 10, 2022**

Mayor Connie Gross called the meeting to order at 5:34PM. Councilmembers Tina Emerson, Jim Hager, Diana Simon and Ralph Mitchell were present for the meeting. Town Administrator Matheson, Town Clerk Emily Hooper, Town Technician Scott Kamps and Attorney Derek Allen were also present.

Scott Kamps presented the Invocation.

 Ralph Mitchell presented the Pledge of Allegiance.

**Approval of the Agenda:** Mayor Gross asked for a motion to approve the agenda. Councilmember Simon made a motion to approve as presented. Mitchell seconded. The motion passed unanimously.

**Approval of the February 15, 2022 Council Meeting Minutes:** Councilmember Simon offered an adjustment to the minutes. In public comment section, Roger Carlton’s comment states that the TPOA was going to pay Alan Carver $500 for the survey clarification. Simon clarified that the TDA was going to pay and not the TPOA. Simon made a motion to approve the February 15, 2022 Council Meeting minutes as amended. Hager seconded. The motion passed unanimously.

**Financial/Tax Report:** Tax collection for February was $4,688.44. General operating balance $147,775.38 and Water Operating $43,505.14. Matheson reported a change made on the balance sheet in the water operating. The water billing for December had not been added. The negative figure shown in accounts receivable was changed to $18,528.70.

Finance Officer Tina Emerson reported the profit and loss in water shows a negative balance. This was a deposit being held for late payments that has been returned. This accounts for the $1000 negative shown.

There have been three brick donations since the last Council meeting shown in the General fund ($1,100).

**Ashley Thomas** **– Brookfield (Question & Answer):** Thomas is the Compliance Manager for Brookfield. Thomas explained the issues with dock permits. Brookfield has had turnover with employees leaving confusion with who currently has valid permits, who received permit renewal forms, and who has paid the fee but may not have received an updated permit. Thomas is working on organization and plans to send out permits to those who may have not received them. Thomas acknowledged this may take some time because this is not his job and he has other areas of focus as well. Thomas confirmed that during this process that no one is in danger of losing a dock or receiving a penalty. Matheson offered to assist Thomas with names and addresses for homes who have sold within the Town that he may not have contact information for. Thomas hopes to respond to the emails received within the next week to ten days.

Any homeowners who have questions please send to: inquiresnc@brookfieldrenewable.com This email will be posted on the website as well as other contact information for Brookfield.

**Shannon Dennison (Partner of ASW – Proposed Auditor):** Dennison explained that ASW specializes in governmental accounting and audits. The goal of ASW is to work with Towns throughout the year to answer questions to help maintain compliance. Dennison has 15 years’ experience as an accountant and has served as the finance officer for a school board for several years. ASW completes the audit for Graham County Schools and the Southwestern Council’s government.

**Request for Public Comment:**

Diana Simon: Simon stated that a homeowner contacted her this week asking if the video of the Council meetings could be posted on the website to view at a later time. The 5:30PM meeting time is difficult for them to attend.

Simon asked when the Council would consider returning to meetings being held at Town Hall.

Susan Robinson: Robinson stated the front entrance looked great.

Robinson pointed out the documents for the meeting were not posted on the website, including financial analysis. Robinson also asked about the minutes from the previous meeting being posted on the website for review prior to the meetings.

Emerson pointed out all the documents mentioned were posted on the website under the Council tab. Robinson suggested that the link sent out with the Zoom link have all the documents attached and not just the agenda and agenda review.

**Old Business:**

1. **Update for front entrance progress:** Kamps shared pictures of the front entrance progress. Kamps estimated the project is 55% completed. The rock work is almost complete. The next steps are conduit, electricity and repaving.

The area behind the wall will be backfilled before putting the bulletin board up. There will be drainage behind the wall and top soil (approximately 12 inches) on top for planting.

1. **Updated Public Comment Policy:** Gross presented the updated policy that has been simplified as suggested last month. Matheson acknowledged that Item #1 had been changed to state, Speaking will be allowed for three items, three minutes per item. Emerson stated that Item #3 seems to conflict with Item #1 and suggested #3 should be removed. #4 & #5 seems to limit free speech and restrict the Council from responding back to a comment if they would like to. Emerson pointed out that responding just as she had done earlier to Susan Robinson was necessary to clarify where the documents were on the website. Emerson also suggested adding that there will be two public comment periods during the meeting. Gross suggested that Attorney Allen create a policy with the suggestions and edits provided.

Gross introduced the new Town Attorney, Derek Allen.

1. **General Release of Liability Form:** Gross stated the general release of liability form was reviewed by the Attorney and a new proposed form was presented that would cover the Town from liability. Emerson made a motion to approve the Indemnification Release and Waiver Agreement as presented. Simon seconded. All others approved. The motion passed unanimously.
2. **Danger Tree Removal:** Gross explained the new estimate received for removal of the danger tree on Thunderbird was $3210. This was considerably lower than the previous estimate ($4600). The removal will involve a crane and lowered power lines. Hager made a motion to accept the bid for $3210 from Freedom Arbor. Simon seconded. All others approved. The motion passed unanimously. Emerson pointed out that Freedom Arbor is a local company and has the liability insurance required by the Town.
3. **Update Water Policy:** This item will be tabled until the April Council Meeting for further review by the attorney.
4. **Broadband Update:** Gross shared that she had communicated with Chris Bradley concerning the broadband situation in the area. Gross also received a letter from Senator Kevin Corbin with an invitation to a meeting Monday March 21st in Franklin. Gross plans to attend the meeting, Simon also stated she plans to attend. Gross will report the information gathered at this meeting in April.

Bradley reported that the federal funds are “trickling down” to the states and now the states are burdened with what to do with it. NC has a GREAT grant program. The program is giving money to private broadband companies to do construction in rural areas. This includes Graham County. Bradley stated he would share more detail when time allowed.

1. **Water Tank Inspection – Completed One Year Anniversary:** Kamps reported that Scott I enterprises completed the inspection and was pleased with how the tank looked. Scott I informed Kamps that after one year it is evident if the paint is going to last a long time and it looked great. Icenhower pointed out that when a tank hasn’t been painted in a long time it is difficult to get all the small pin holes sealed and after one year those become evident if they need further repair. Icenhower trained Kamps on how to do visible inspections. All the tanks are now on a schedule for inspections. Kamps will complete the visual inspections and Icenhower will come for more in-depth inspections every four years. The current inspection completed was paid for with the original project contract.

**New Business:**

1. **Proposal from Anderson, Smith & Wike, CPA to be the TOLS Auditor:**  The contract from ASW was presented. Emerson pointed out that the contract price was $12,000 per year. This is the same amount paid to the previous audit firm. ASW will also complete the TDA audit under that price which was currently an extra $500. The contract is for 2022 – 2024. Hager made a motion to approve the audit contract and hire the firm ASW to complete the Town of Lake Santeetlah audit. Simon seconded. All others approved. The motion passed unanimously.
2. **Budget Amendment - Danger Tree Removal:** Matheson explained the budget amendment in detail. Hager made a motion to approve the amendment as presented. Simon seconded. All others approved. The motion passed unanimously.
3. **Nantahala Regional Library Interlocal Agreement:** Gross is on the Regional Library Board and asked to recuse herself from any vote on this matter. The ten year agreement is between the surrounding Counties and Towns to offer support to the library. The agreement presented will expire in September 2022. In the past there was conflict with a library employee and how the funds were being used and the Town withdrew support. Gross confirmed that issue had been resolved. Emerson suggested the Town ask for the new agreement. Simon reviewed previous minutes and the Town donated $5000 yearly. This seems like a large donation for Lake Santeetlah. Simon suggested that the Town give a donation directly to the Graham County library. Gross asked Matheson to contact Franklin Snook and ask if a new agreement is being prepared for the Council to review prior to making a decision. Matheson will provide a report in April.
4. **Estimate from Aldridge Brothers for Road Paving on Black Bear:** Kamps reported that James Aldridge called just as the meeting started and is unable to provide a quote at this time due to asphalt prices changing daily. Aldridge will submit a quote as soon as he can get a price.
5. **TDA Report/Diana Simon:** Simon reported the TDA held a meeting last Thursday. The Town does not have the funds left in the budget for front entrance landscaping. The TDA approved a budget amendment in their budget to fund the front entrance landscaping ($5000). The TDA contracted with Karen Taylor for purchase of the plants. Extra pricing is listed for other services from Taylor. Simon stated the TDA should have extra funds for Capital projects. The TDA discussed creating a graveled area with seating at Manerre Park with these funds. Simon hopes that this could be completed prior to the June social gathering at the park. Simon will reach out to those who live in that area for their opinion.
6. **Public Records Policy:** Emerson explained that the policy presented is the current policy for the state of NC approved in 2018. The policy the Town has at this time is the 2014 state policy written by Governor McCrory who was sued for the policy. Emerson explained that Roy Cooper who was the Attorney General at the time settled the suit and created the updated policy presented. Emerson suggested that the Town update their policy in accordance to the State policy. Gross asked Attorney Allen to review and provide a recommendation in April.
7. **Council Meeting Date & Time (Saturday mornings at 10:00AM):** Simon suggested that the meeting times be moved from Thursday at 5:30PM to Saturday’s at 10:00AM. The 5:30 time is during dinner and conflicts with afternoon schedules. Simon asked for consideration of this change. Simon made a motion to allow the community (by survey) to provide input of their preference for meeting date and times. Emerson seconded. Hager, Simon and Emerson voted to approve. Gross and Mitchell opposed. The motion passed three to two.

**Discussion:**

1. **Brookfield Contact Information on Website:** The contact information for Brookfield will be posted on the website.
2. **Respect Town Staff Phone:** Gross asked the Council to consider Town staff before sending emails or making phone calls after hours or on days off. Gross asked the Council to try using the office phone as much as possible.
3. **Santeetlah Fire Department Appreciation Day:** Gross has been talking with Brian Johnson, volunteer fire chief, about a possible fundraiser for the department. They are hoping to build a larger station and are planning some large fundraisers for that, but Mayor Gross would like to do something small on behalf of the Town. Johnson and Gross are working together on a plan. The idea is for a fire truck to park at Manerre Park. The volunteers will be around to answer questions, introduce themselves and Gross will provide refreshments. Gross will provide more details as a date is set and a final plan is made.
4. **Long Term Water and Road Planning:** Emerson reported that both her and Councilmember Simon attended a Zoom call with Buddy Melton, from Civil Engineer Design Group, on Tuesday. Melton informed those involved of grants available for the water system. Melton’s recommendation was to begin with a grant for a Capital Improvement Plan. Then use the plan to determine what needs to be done and move forward by applying for other grants. Melton will be sending more information on what is available. If the Town is interested Melton and company will write the grant. Emerson will provide a report when the information is received.
5. **Budget Workshops to be scheduled:** Gross stated that she would like to schedule two budget workshops prior to the budget hearing in May. The budget workshops will be April 21st and April 28th at 5:30PM. Emerson will have a rough draft prepared and sent to the Council prior to the workshop.
6. **Sale of the Town’s Polaris Ranger:** Gross explained that the Town does not use the Ranger as expected and it would be in the best interest to sell. Gross has reached out to the attorney concerning procedure for selling. A reserve should be set for the bid. Gross made a motion to sale the Town ranger pursuant to statutory guidelines for selling property valued under $30,000. Hager seconded. All others approved. The motion passed unanimously. Allen will send an email of step by step procedure for the Town to sell the ranger properly.
7. **Refugee Donation:** Hager explained that the war in Ukraine is devastating and would like to challenge other Councilmembers to match his donation of $500 to a charity of their choice working in some way in Ukraine. Hager donated to an organization working with refugee’s donorservices@ruf.org Simon has matched the donation to the World Center Kitchen. As of the second day of invasion the World Center Kitchen was on the ground feeding refugees. This donation can be given at [www.WCK.org](http://www.WCK.org)

**Final Public Comment**

Jack Gross: Gross suggested that the meetings remain by Zoomuntil Governor Cooper releases the state of emergency. Gross hopes that when the meetings return in person that Zoom would still be an option for those who cannot attend.

Gross pointed out the terms for reappointment for TDA members is coming up.

Gross stated that Simon is currently involved in house exchange. According the Resolution passed by the Council any homes that are exchanged for money or goods would be subject to the occupancy tax. Gross asked that this be considered when members were reappointed.

Susan Robinson: Robinson congratulated the Town Council on being open to hearing homeowners input concerning meeting times.

Robinson pointed out that surveys can be handled properly, producing qualitative results that can then be used for decision making. Robinson suggested partner with the TPOA. Robinson offered her assistance with the survey.

The public comment policy states that a council member cannot be addressed directly which is difficult when a homeowner has a question or concern.

Gross asked for clarification if a Councilmember’s spouse would be prohibited from bidding on the Ranger. Attorney Allen will research and determine the requirements.

**Motion for Closed Session:**

1. **The Town of Lake Santeetlah will move into Closed Session for Employee Matters:** Emerson read the motion for the Town Council to move into closed session.
2. **Action from Closed Session:** There is no action from Closed Session.

**Announcements:**

* The next regular scheduled Council Meeting will be held April 14, 2022 at 5:30PM. This meeting will be held via Zoom, unless otherwise notified. Information will be sent out at a later date.

**Motion to Adjourn.**

Councilmember Emerson made a motion to adjourn the meeting. Hager seconded. The meeting was adjourned at 7:33PM.

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Connie Gross, Mayor Emily Hooper, Town Clerk