

Town of Lake Santeetlah (The Town)

Council Meeting Minutes

May 13, 2019

Mayor Jim Hager called the meeting to order at 10:00AM. Councilmembers Mary Williams, 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 was available by phone.

The first order of business was the approval of the agenda. There were no additions or changes necessary. Councilmember Predmore made a motion to approve the agenda. Councilmember Carlton seconded. All others approved, the motion carried.

After review of the April 8, 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. Carlton made a statement for the record regarding Jack Gross comment at the March meeting. In March, Gross pointed out that Carlton should be excluded in voting matters dealing with Santeetlah Lakeside. Carlton denied the incorrect conclusion regarding the ability of a resident to vote on an issue located near property the resident owns. Carlton referenced a written memorandum and legal analysis from the North Carolina School of Government that states clearly that the criteria is personal economic gain for the voter or immediate family and that each vote should be analyzed for potential conflict. Further a member cannot reach a self-determination on conflict and abstention. That must be brought up and the majority of the Town Council must agree.

Financial Report/Tax Report: Town Administrator Matheson presented reports as of April 30, 2019. The general account balance is \$61,898.91; the water operating account balance is \$14,186.26. Tax collection for February was \$570.02. The tax collection rate for the year is 98.86%. The general operating balance does not reflect this balance as the check has not been received at this time. Carlton suggested that a new report be made part of the monthly financial presentation. A balance sheet that compares month to month (ex. April 2018 to April 2019). This will be added and presented next month. Councilmember Williams made a motion to approve the financial report as presented. Councilmember Predmore seconded, all others approved. The motion carried.

Request for Public Comment:

Bill Piel: TDA Presentation – The current balance of the TDA is: \$8,121.15. Spring rental payments have started to come in, \$287.55. The TDA will hold a Budget Hearing on May 25, 2019 at 1:30PM. This will be advertised in the Graham Star and posted on the bulletin board as required. New letters and payment coupons were mailed last week to thirty rental home owners for the 2019 season.

Old Business:

#1 Update of Revised Zoning Regulations/Schedule Public Hearing: A final redlined version of the Zoning Regulations has been sent to Attorney Craig Justus and the Planning Board for review and edits. When the review is complete a work session will be held to discuss and combine thoughts. A Public Hearing will be necessary when edits have been made. A draft will be available at Town Hall and posted on the website when received.

#2 Town Directory Updates: Town Staff worked with Lauren Faulkenberry, Illustrator and Proprietor of Firebird Press, to design a directory with all new updates. The existing ads were renewed and additional ones were sold to compensate all cost of publishing and printing. The agreement with Faulkenberry states that each year she will update and publish and if the Town wishes to make other arrangements she will share the file that can be edited and updated. The new directory should be completed and ready to hand out by Memorial Day.

New Business

#1 Town Technician Maintenance Report: Hayes met with Aldridge Brothers Paving for road repair on Sequoyah Trail due to a water break. The paving will likely be completed next week.

Marty Ritter provided a detailed inspection for repairs needed at each well house, pump house and filter house.

Hayes met with Scott Icenhower about maintenance needed on water tank and steel water tanks. Icenhower plans to provide an estimate for repairs. Randy Welch will visit Town Hall next week and plans to bring another tank specialist to provide a quote for necessary repairs and maintenance. This will allow the Town to have two quotes.

Hayes cleaned up the old well pipe from the well houses and took to the recycling center.

In order for the pavers to raise the asphalt Hayes installed Bill Smith a new meter box and added extension boxes to Smith and Kinglsey Miner's

2: Town of Lake Santeetlah Building Application: The Town of Santeetlah needs to update the Building Application. Ideally this would be complete and ready to approve along with the Zoning Regulations. Mayor Hager ask each Councilmember to review and provide comments and suggestions prior to next month's Council Meeting.

3: Capital Outlay Plan Presentation for TOLS/Keith Predmore: After recent trainings/workshops with the NC Department of Treasury it was recommended that the Town compose a long term Capital Outlay plan. Councilmember Predmore presented a PowerPoint to explain the type of projects that the Town of Lake Santeetlah would need to include in such a plan. Predmore stressed that, water, is a necessity and must be maintained. The explanation helped to understand that using one gallon of water cost much more than simply the water itself, chemicals, water pump, pipes, meters, and much more is involved in getting the gallon of water to the house for use. Predmore explained that the Town will plan to include small projects each year in the budget. Having a Capital Outlay plan will help the Town to better prepare for large expenses in the future.

4: Budget Amendment: Annual Legal Fees: \$5,000 is needed for the remainder of the fiscal year to cover the charges for Town Attorney Craig Justus. Councilmember Carlton made a motion to approve the budget amendment as presented. Predmore seconded. All others approved. The motion carried.

Discussion:

1: Sewer Study Report/Keith Predmore: Predmore visited a septic company in Bryson City NC and was able to see a variety of septic systems and continues to gain knowledge of the most current recommendations.

2: Update of Lakeside Development: Town Attorney Craig Justus, Lakeside Attorney Bob Oast and Town Administrator Kim Matheson will be having a conference call Thursday, May 16th.

3: Water System upgrades and capital improvements plan: A recent inspection by Scott Icenhower detailed several repair/maintenance needs to the water tanks. The Town Council and Town Staff along with other qualified individuals (such as: Randy Welch from SERCAP) will work together to develop these long term plans. Welch will visit Town Hall next week. After his visit and recommendations Mayor Hager plans to re-evaluate the needs and devise a proposed plan for repairs and maintenance. Covenant Construction also provided a detailed repair list for each well house.

4: Training for Planning Board Members: Wednesday, May 15, 2019 Planning Board Member Anne Hager and Town Administrator Kim Matheson are going to Asheville for training. The two can share the information received with those who aren't able to attend.

5: TDA – How to improve Tax Collection: Bill Piel addressed TDA business in Public Comment. No further discussion is necessary.

6: Long Term Road Maintenance Plan: Three years ago the tax rate was increased for the purpose of placing \$32,000 into reserves specifically for long term road maintenance. This has been done the last two years and will be repeated this fiscal year.

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, Meghan Burke, Town of Lake Santeetlah litigation 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 10:45AM.

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 June 10, 2019 at 10:00AM at Town Hall. The annual budget hearing is May 25, 2019 at 10:00 at Town Hall.

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 11:46AM.

Meeting Adjourned

Jim Hager, Mayor

Emily Hooper, Town Clerk