

Town of Lake Santeetlah

Zoom Council Meeting Minutes

Initial Draft Subject to Council Approval

November 12, 2020

Mayor Jim Hager called the meeting to order at 10:00AM. Town Administrator Kim Matheson called roll of all councilmembers. Jim Hager, Diana Simon, Roger Carlton, Keith Predmore, were present for the meeting. Kevin Haag was not present until 10:05 AM. Attorney Brian Gulden (assistant to Craig Justus), Town Administrator Kim Matheson, Clerk Morgan Postell were also present. Joe Turchetti was also present for the meeting at 10:07 AM.

The first order of business was to approve the agenda. Councilmember Roger Carlton made a motion to approve and councilmember Simon seconded. All others were polled. The motion passed unanimously.

The second order of business was Approval of the October 15, 2020 Council meeting minutes. councilmember Predmore made a motion, Councilmember Simon seconded. All others were polled. The vote was passed unanimously.

The last order of business was the Approval of the October 29, 2020 Special Meeting Minutes. Councilmember Predmore made a motion, Councilmember Simon seconded. All others were polled. The motion passed four to one. Councilmember Carlton opposed.

Financial Report/Tax Report: Town Administrator Kim Matheson presented reports as of October 31, 2020. The general account balance is \$50, 896.55; the water operating account balance is \$28,456.36. The tax collection in October was \$13,201.73. The largest bill amount we had was to Craig Justus for all pending litigation and that amount was \$38,288.45. If another budget amendment needs to be done, another line item will need to be added for all pending litigation.

Request for Public Comment:

Councilmember Keith Predmore made a comment regarding the date on the balance sheet. The date/ time is incorrect and should be updated if possible.

Jack Gross made a comment regarding the September minutes being posted online.

Jack Gross also wanted to know why the Town is paying \$2,300 for Jim Hager's legal fees. Kim Matheson stated that has been paid out for this month rather than in October.

Jack Gross also wanted to know if we had received a rough estimate from Craig Justus regarding his reviewing of the Zoning application.

Jack Gross also wanted to know if the Town has received a response between the County of Graham & The Town of Lake Santeetlah regarding the draft cooperation agreement. Mayor Jim Hager told this would be presented with Old business.

Old Business:

- 1. Water System Repair and Upgrades/Loan and LGC Status:** This is currently underway. Town Administrator Kim Matheson has he received attorney opinion, but Kim will have to redo the loan application because of the new numbers provided.
- 2. Cooperation Agreement between the County of Graham & The Town of Lake Santeetlah:** Becky Garland stated this would be sent to their attorney for review. Kim Matheson has not received a response as of November 12, 2020 at 10:18AM.
- 3. Reaffirmation of Audit:** Councilmember Roger Carlton's emails from Joe Turchetti regarding the audit should be a part of the council meeting minutes. Councilmember Predmore made a motion to approve the audit, councilmember Diana Simon seconded. The council was polled. The motion passed unanimously. Attached will be Council Member Carltons response to the Audit.

New Business:

- 1. Appoint Glenn Barnett as an alternative member for Planning Board:** Councilmember Kevin Haag made a motion to approve and councilmember Predmore seconded. All council members were polled. The motion passed unanimously. Mayor Jim Hager asked Kim Matheson to send Glenn an email regarding the councils' decision today.
- 2. Review of Zoning Application Fee Schedule:** Councilmember Predmore made a comment regarding the re-inspection due to the fact that the Town does not do life safety inspections. Councilmember Carlton advised this was just a wording issue and Councilmember Predmore needs clarification because the town does in fact do certain inspections which have to do with zoning rather than inspection within the town. Attorney Gulden stated that these schedules could be adopted as part of the new zoning ordinances. Gulden also suggested we are charging too much for the Permit/Certificate of Zoning Compliance for Residential/Commercial and not enough for the Variance Application. Also, the Town Council will not hear Variance Appeals except in a PUD; this could be taken off the Proposed Zoning Application Fee Schedule since it is not needed. Councilmember Carlton suggested the wording be changed to Administrative Appeal and councilmember Predmore agreed.
- 3. Review of Penalty Schedule:** Councilmember Predmore made a comment and does not think that the continuing violations 30-day time period is able to be enforced. Attorney

Brian Gulden copied this from the statute but can be changed if that is what the Town Council prefers. The idea is to bring people into compliance. Councilmember Simon asked about referencing the statute into Continuing Violations. Councilmember Carlton suggested that an extension should be involved if they are making a good faith effort. Some issues cannot always be resolved in 30 days theoretically. Councilmember Carlton would like the town to consider this as an option. Attorney Brian Gulden stated he would discuss an ETA for the legal comments on the Zoning Code.

4. **Budget Amendment: Well Water Lease from Forest Service:** In regard to the well houses, the Town has been paying \$4-500.00 per year. Last month, the Town received a bill for over \$1,500 for that well water lease. Town Administrator Kim Matheson called, and they stated that they have been audited and have been billing us wrong because the amount is determined per acre and the town has 6 acres for that lease. The new lease amount will be \$1,500 per year starting this year. Councilmember Haag made a motion to approve, Councilmember Predmore seconded. All others were polled. The vote was unanimous.
5. **Budget Amendment: Jim Hager Legal Fees:** The invoice has been paid up to the amount that he had up to the line item which was \$2,300.00 and this should be the last one. Councilmember Predmore made a motion to approve. Council member Haag seconded. All others were polled. Mayor Hager was excused from voting due to this being his Legal fees. All others approved.
6. **Budget Amendment: Santeetlah Fire Department:** The station contribution of \$3,000.00 for the current fiscal year which will be moved from line item Transfer to General Reserves. Councilmember Haag made a motion to approve, Councilmember Predmore seconded. All others were polled. The vote was unanimous.

Public Comment:

None were made at this time.

Discussion:

1. **Kudzu Update:** Councilmember Carlton gave an update and stated this should be kept as a volunteer program until the next growing season when the effectiveness of a voluntary program can be evaluated.
2. **Status of Lakeside Fire Hydrant Repair:** Mayor Jim Hager discussed this with Eric Hayes, and he is scheduling to have this removed and discussing with the Town of Robbinsville Water Department as well. Councilmember Carlton stated this should be a priority and suggested that the mayor for the Town of Robbinsville be contacted and Mayor Jim Hager is going to contact him and see what can be done about this as soon as possible.

Councilmember Haag suggested if this duty is assigned to Eric, he should have a checklist to show what has been done and what dates this was done on because this should be done monthly to ensure they are all in good standing to prevent future issues.

3. **Lakeside Variance Update:** Jose joined the meeting to discuss updates regarding Lakeside Variance. Councilmember Predmore wanted an update on the formation of the property owner's association. Jose stated that work was progressing on a new association. On December 11th, Jose asked that the town open the ballots for the HOA if they were able to send the ballots into Town Hall to be opened and counted by the Town Clerk. There was no objection to the Town Clerk opening and counting the votes. Councilmember Carlton asked Jose a timeline to expect the requirements for the variance for the condominium variance. Councilmember Haag asked if Jose anticipated traffic in and out of Lake Santeetlah as being an issue with the ongoing construction. Jose stated the construction will take place away from the road and would expect that this would only occur with bringing equipment in and out of the construction site and this should not create any issues also with water and sewer this should not be an issue.

4. **Planning Board Update on Legal Review:** This has already been discussed with New Business #3 & #4.

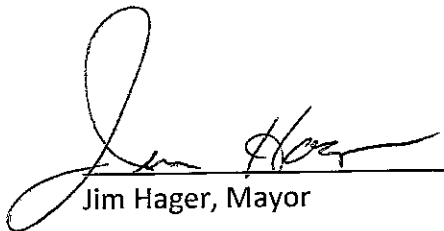
Motion for Closed Session

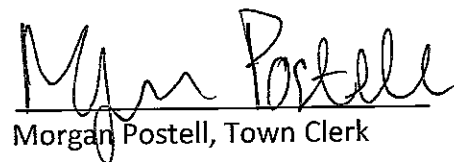
Announcements:

The next Town Council Meeting will be December 10, 2020 at 10AM. The meeting will be held by Zoom unless otherwise notified.

With no further business necessary Councilmember Keith Predmore made a motion to close the meeting. Councilmember Diana Predmore seconded. All others were polled. The meeting was adjourned at 12:00PM.

Meeting Adjourned


Jim Hager, Mayor


Morgan Postell, Town Clerk