

## **Town of Lake Santeetlah**

### **Council Meeting Minutes**

**September 14, 2023**

Mayor Connie Gross called the meeting to order at 5:33PM. Councilmembers Diana Simon, Tina Emerson, and Jim Hager were present for the meeting, Town Clerk Kala Farley and Town Technician Scott Kamps were also present. Councilmember Ralph Mitchell, Town Administrator Kim Matheson, and Attorney Bo Carpenter were available by Zoom.

Scott Kamps offered an Invocation and Ralph Mitchell led the Pledge of Allegiance.

Councilmember Emerson made a motion to open the Council meeting. Councilmember Hager seconded. All approved. The motion passed unanimously.

**Approval of the Agenda:** Councilmember Simon requested to discuss New Business #3 Zito Media first since we had a guest, Daniel Stuckey of Zito Media, present on Zoom and to move items with action needed up, New Business #1 Budget Amendment and New Business #2 Water Shortage Response Plan, to take care of business over reports on social events. Mayor Gross said it would hard since those two things are new business and the others are old business but we'll run through quickly. Mayor Gross stated we are going to move Mr. Stuckey up to the beginning under the Public Comment area and can we just let the motion stay as that to have the agenda. Councilmember Emerson asked which one Mayor Gross was talking about. Mayor Gross stated moving Mr. Daniel Stuckey up to before public comment and the Old Business for the report on the Fireman's event and the report on the G.R.E.A.T dinner is going to be quick but it is Old business so I really can't really move Old Business to New Business. Councilmember Emerson made a motion to accept the agenda with the one change. Mayor Gross seconded. All approved. The motion passed unanimously.

**Approval of the July 13, 2023 Council Meeting Minutes:** Councilmember Simon asked for a correction to be made under Final Public Comment: Jack Gross: where she made a statement in response to his comment regarding the amount donated for the bricks at the Front Entrance. It should say \$36,000 is through the TPOA and \$10,000 is through the Tourism Development Authority. Councilmember Hager made a motion to approve the minutes with the change. Mayor Gross Seconded. All approved. The motion passed unanimously.

**Approval of the August 17, 2023 Special Meeting Minutes:** Councilmember Emerson made a motion to approve the minutes. Councilmember Hager Seconded. All approved. The motion passed unanimously.

**Financial/Tax Report for July and August 2023:** Matheson reported the tax collection for July was \$18,856.79 and August was \$21,954.35. Matheson stated this early in the year there isn't a lot to talk about yet. We have started working on the culverts for the Grant but don't think we've paid anything out. Councilmember Emerson stated just for the financials Scott can tell you he's looked at some new trucks and has ordered one but there might be one that comes in sooner that might be ready. Town technician Scott Kamps said it would be at least 6-7 weeks before he knew more. Mayor Gross stated if its 6-7 weeks then at our next Council Meeting we should have more information. Councilmember Emerson stated we are hoping to get it before the winter so it can be equipped with everything, the salter and the snow pusher, ideally that's what we are hoping for. Scott said he has ordered some of the equipment and just needs to go and pick it up.

Mayor Gross stated that Daniel Stuckey is a representative with Zito Media. Mr. Stuckey introduced himself saying Hello everyone, my name is Daniel, I'm an escalation coordinator with Zito. We work more one on one with customers who have ongoing service issues and work directly with technicians in the area to make sure these issues are resolved so I have worked with a couple of you resolving some of these issues. I am completely open to comments if anybody is having ongoing issues and I will definitely take a look into it. Mayor Gross said how this started was about 3 and half weeks ago we were having such issues with the internet here at the office and I started calling numbers and I ended up reaching the president of Zito. I said to him we are a small town, only like 200 homes, only about 130 of them have internet and we have issue and there are problems, so he was gracious enough to introduce me to Daniel Stuckey who said to let him know what's going on. I had the office send a mass email out telling people please contact the office if you are having issues with Zito. In less than an hour and a half to two hours I got 16 emails from people about their individual issues and I emailed them directly to Mr. Stuckey and he was able to address them individually. Two days later we had two Zito trucks out in Town Hall parking lot wanting to know what they can do to help us. Thank You Mr. Stuckey very much for helping us and sticking with us. Stuckey stated I'm glad we are hearing some positive feedback, that is definitely what we are here for and if anybody has any ongoing issues or your issues aren't resolved yet working with me, we may still be working

on some maintenance and repairing different things and replacing something at the pole, it's definitely going to take some time but I'm glad we are seeing some positive feedback from you all. I will definitely be following up with you all, this is not a one and done, I will make sure this is a long term fix. I want to make sure this is a long term fix for everybody, not just a band aid situation. If there are any issues in the future Connie has my email and you guys can email me directly and I'm here Sunday through Thursday 8:00AM to 4:30PM and sometimes a little after that as well. Mayor Gross stated the next part of this is not something Mr. Stuckey isn't really handling, because of one of the letters that came in from somebody in Lakeside, and the question was basically when are we going to get extension here. That email got forwarded from Mr. Stuckey on to Dean Russell, the manager for North Carolina. He came out the next day and I asked Scott to take him around since he was asking where we don't have access to internet. Mr. Russell was taken down by Lakeside, he was familiar with the top of the mountain and familiar with the area out on Thunder Island so he has been working with people out here in the past. He called me about 3 hours ago and said he's not going to be able to be on the meeting tonight but him and the president, Mr. Rigas, are putting together a plan and they will present it to us at our October meeting. Councilmember Emerson asked Mr. Stuckey if there was a way to monitor people that have Zito in our town so you will know there is a problem before we have to call you. Stuckey replied yes we do proactive maintenance. We have a wide monitoring system called Dora. It will show me live if there are any signal issues and I can click and create a maintenance ticket for the maintenance crew to go out there and that's what we try to do is do the proactive maintenance before it causes a bigger issue like the constant outages. That's what we are working on really staying focused on this area and hopefully that will be a long term fix. Councilmember Hager asked if Zito has any plans for Fiber Optics. Stuckey replied as of right now I'm not sure about this specific area but I do know in Robbinsville we are building out to fiber. Mayor Gross stated I do believe we will get a full report from Russell and we would approach it as a Council and everybody would have a chance to see what they hand over to us. Roger Carlton stated he had some questions. One was about what would the requirements be underground. According to the developer the conduit is there and available so if you could report on whether that is usable or whether you would be able to serve Lakeside as an underground facility in October that would be appreciated. There has been no authority from the homeowners association to enter into any kind of negotiation. Second, I believe Zito has received more than 4 million dollars in federal money passed through the state and the county has added

some money too to serve unserved areas. Could you report today or maybe in October if any of that 4 million dollars has been allocated to Santeetlah or is it committed elsewhere in Graham County. Stuckey replied he did not have that information but would take down these questions and get them over to who would. Carlton asked if Mr. Rigas is a descendant of the Rigas who was involved in Aldephia Cable. Stuckey said yes that is his father. Carlton asked was there any legalities that your Mr. Rigas was involved in. Stuckey replied I'm not sure, I'm sorry. Carlton said that the issue should be looked at before the Town enters in to any negotiations. Councilmember Emerson stated the Zito received, for Graham County, about \$480,000. Mayor Gross stated she had wanted Senator Corbin to speak about the specific amounts for each area since he was one of the ones that put it together, but unfortunately he wasn't able to attend the meeting due to traveling. Councilmember Emerson stated she will forward an email from Senator Corbin's office to Roger Carlton. It says they did receive Grant for Internet expansion for District 50 so the district received almost 4 million. For Graham County it says on behalf of the North Carolina Department of Information Technology's Division of Broadband and Digital Equity Zito West Holding LLC has been selected for \$616,916.65 in funding. The required match for this project is \$109,397.06. These funds are intended to expand broadband across the approximately 217 household and businesses with the county.

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

**Ralph Strunk:** Strunk stated that he has been here for over two years and have never received a notice about what is accepted there and if the Town makes any money off of the aluminum cans or anything, so can we get some information about the recycle. Matheson stated there is a sign that tells you what you can put in that trailer and as far as the Town getting money off of it, it's very little, but there is a sign that tells you what you can put in and what you can't.

**Alan Davidson:** Davidson stated he would like to remind Roger and others that when we have corporate partners that are willing to work with us to improve their service, we need to not at the outset automatically out them in a defensive posture. We need to work with them. Zito seems to be trying to right the wrongs in the Town of Lake Santeetlah. My internet is already better, things can always be improved, but let's wait before we put the air of suspicion out there immediately about some nefarious doings until maybe some time passes and it's obvious that we're being ignored or not getting any state funds. I don't appreciate that tone with

a corporate partner willing to fix some of the problems we are having with the Town. That time might come, sure, but I don't think it's appropriate right now.

**Jack Gross:** Gross stated he was asked by a community member to read this letter. It says Dear Mayor Connie, unfortunately I am not able to attend this month's meeting. I would like to commend you for the excellent work done here with Zito Media. Since your intervention our service has been much improved and Zito has been very proactive in making sure our service is on and it's at its best signal. We have had such a major problem with our service, and it is futile to call them as they have been very unresponsive. However, you're contacting the right person has changed all that. They have been monitoring our signal strength and if it is low, they call us. Simply remarkable. Thank you for stepping up and taking this seriously. Even though it is not really a mayoral problem, it demonstrates to us that you are genuine about the well-being of our community. Mike and I very much appreciate that and you. Thank you. Best Regards, Mike and Steph

**Joe Simon:** Simon stated at the last TPOA meeting I commented on the election dates being posted by my wife that Connie removed, and Jack objected to. We fact checked that with Teresa Garland, and she contacted the office and said it is appropriate and posted the dates. It is not a campaign violation. It's public information and just a Facts check.

**Roger Carlton:** Carlton stated after a storm a tree went down and took out some of the communications on this sharp curve over here. They came in and cut up the tree and just left it on the side of the road and it's still there. Is that going to be cleaned up by the Town or what's the expectation. It's been there more than a month. Scott Kamps replied that since it is on the main road that is the State who does that. Carlton asked has the Town requested the State come in and do it. Mayor Gross asked Town Clerk Kala Farley to make a note to ask the state to do that.

**Diana Simon:** Simon stated I would like to apologize for not attending the August 10<sup>th</sup> Council meeting. I was aware that Ralph Mitchell and family were visiting the Lake. I assumed that he would attend the meeting and there would be a quorum. I assumed wrong. I left at 8:30AM to drive to Atlanta for a flight that afternoon, I didn't have any cell service to call Town Hall. Sorry that it made such a big uproar. Second point is you may notice that the sheriff's office is in attendance. Once again, he is here as Mayor Gross's armed bodyguard paid for by the Town resources. His job is to provide security for the Town, not to serve the Mayor. He wasn't required to attend the August special meeting while I was in Canada. Mayor

Gross refused my request to have him not attend tonight. I feel this is a personal intimidation and a political ploy.

**Bette LoBue:** LoBue stated that everybody seems to be cooling it today and let's keep it that way and not insult anybody and when it's their turn to talk to not interrupt.

### **Old Business:**

1. **Certificate of Gratitude from Senator Corbin for Ralph Mitchell:** Mayor Gross has a picture of Senator Corbin signing the certificate and stated the certificate is up in Ohio where Mr. Mitchell is now, his son brought it up and he is holding it. Mayor Gross addressed Ralph and stated you Sir have the privilege of being the oldest elected official in the state of North Carolina and we thank you for your service. Senator Corbin was going to try to call in, he is traveling from Raleigh to Franklin and hasn't been able to connect but sends his Best Regards.
2. **Update on Golden Leaf Grant/Committee:** Scott Kamps reported that we got a culvert in today and I've got to get the gravel tomorrow and then everything will be ready for James (Aldridge of Aldridge Brothers). He's planning on starting the last week of September and it would take 2-3 weeks. Councilmember Simon asked where the culvert was. Kamps replied there are actually two culverts. The one with the Golden Leaf is under Johnny Cochran's driveway and the water just washes over, so being that we are ditching everything it would have just created a huge problem. That was in the Grant application. Then there is a wall that has fallen, Mellissa Manderson and Chris, so being that they are going to have to redo all that, there's 80 feet of culvert under there that was really kind of small, they let us go in there and I replaced 80 feet of culvert for that and they are going to do their wall over that. That will take care of Santeetlah Trail and there are several from the Golden Leaf grant, there's some on Black Bear, two places that will be ditched and then a lot on Snowbird. Councilmember Simon asked if the one by the mailboxes will be addressed. Kamps said that's not part of the Golden Leaf Grant but James has given us several estimates, just of small places here and there, and that is one of them, but it is not part of Golden Leaf. We receive those estimates and then we make a decision whether or not we want them to do those while they are here. That's why its two to three weeks. Councilmember Simon asked if we have it budgeted to do that. Kamps replied Yes.

**3. Firefighters and First Responders Thank You Dinner:** Mayor Gross stated it was a rainy afternoon but it turned out to be a wonderful day. The thought I had is that these people would come out and respond to us whether it was raining, snowing, hailing, or whatever, so we went and I wanted to be there for them. I think it was quite successful and donations, I think at the table they received a little over \$1600 in just that one gathering. They have their new fire station building up. I saw trucks in it a couple days ago. Scott Kamps stated on behalf of Santeetlah Volunteer Fire Department over \$6000 came in no including what the Town did. We still have to finish the building and have to get the heat and stuff ready for this winter so we still have a little bit too do but on behalf of the whole department Thank You very much we appreciate it.

**4. Report on G.R.E.A.T. annual dinner meeting and Southwestern Commission annual dinner:** Mayor Gross stated she attended both dinners and Councilmember Simon attended the Southwestern Commission dinner. G.R.E.A.T. is a wonderful organization. They are doing so much for local things throughout the county, for school children, Big Brother/Sister programs, feeding people and on down the list. I'll be happy to put that information out. It was a very interesting meeting. I met a lot of people and networked with a lot of people which is always good connections to make. The Southwestern Commission dinner was held in Sylva at a winery and it was a beautiful event. There were a lot of guest speakers and it was really well put on so I really enjoyed socializing with people then. Councilmember Simon said it was very good barbeque from Dillsboro and a lovely event, if anybody needs an event space it was a really nice space. Mayor Gross stated she wanted to thank them both for inviting someone from the Town to attend.

**5. Update on pressure tanks:** Scott Kamps stated one tank is functioning and the other one that wasn't working at all and imploded on itself and was destroyed. All About Plumbing will hopefully be coming this month to replace the tanks. Mayor Gross said this is the first step to keeping water supplying the top of the mountain. Councilmember Emerson said there was money in the budget for the tank replacement.

**6. TPOA end of year party:** Bette LoBue stated she had three items. She had made a comment at the TPOA meeting that if somebody plans to run for Council to send a bio for the newsletter. The TPOA newsletter staff has been advised to avoid printing candidate information in the TPOA newsletter because it may be misinterpreted as a political maneuver. Instead, we will run a Know Your Neighbors column featuring neighbors whose information is on file

and in by our deadline of October 5<sup>th</sup>. Any political information or references will be edited out of the column. Bios submitted can constitute providers agreement to this change. For those who have already submitted their bios and who disagree with this change please notify me by e-mail in order to resend your submission. Bios will be printed in alphabetical order. Please note this change will aid in keeping the TPOA status as a non-political entity. The Know Your Neighbor column can be categorized as News You Can Use. My second item is the bulletin board. This is in regards to the bulletin board at the front entrance, which was purchased and maintained by TPOA as an informational vehicle for both TPOA and town notices. I'm sure it was just an oversight, but TPOA was not informed that our bulletin board locks were changed. We found out when two of our board members attempted to post notices on the right side that was used for both TPOA and town notices, leaving the left side of the board for business cards and an area map. It is our understanding that the town wants the TPOA to use the left side of the board, which means removal of all business cards etcetera so that we have room for our TPOA notices and other postings. Now for the fun part. I want to send out a warm Lake Santeetlah Thank You to the TPOA planning committee for the fantastic end of summer party at Chalet Village. A major player for the event was Becky Block, who made arrangements for the band, including overnight housing. Others who helped pull off this amazing event would keep grill master Greg Connor and chief Canopy set-upper Scott Kamps and the chief organizer, the glue who held everything together, Francis Conner. Over 60 attendees came for the wide variety of tunes provided by the Men Without Memories band particularly entertaining, where the unique dance steps exhibited by Scott Kamps children. Thank you those who helped out in any way. What a great time filled with smiles and hugs and good conversation. Congratulations TPOA Planning Committee for a great event.

### **New Business:**

**1. Budget Amendment for Grant funds (action needed):** Matheson stated the budget amendment, \$72,697, was just to add the Grant funds in to the budget as revenue and as an expense. Councilmember Hager made a motion to approve the amendment with a correction of the Town Clerks name changed from Emily Hooper to Kala Farley. Councilmember Simon seconded. All approved. The motion passed unanimously.



**2. Water Shortage Response Plan (WSRP) Resolution (action needed):** The Water Shortage Response Plan was sent for renewal by Lamar Williams, contract water operator. It must be renewed every five years. There were no changes made to the plan other than the date and the Mayor's contact information to include the current Mayor's name and email. The Town Clerk submitted the updated information to the NCDEQ, who then approved it and requested a signed resolution be submitted once the Council had adopted the updated WSRP. Councilmember Hager made a motion to approve. Councilmember Simon seconded. All approved. The motion passed unanimously.

Mayor Gross stated she had a few announcements, we have a new mail carrier and the lady is trying her best so let's make every effort to make her job easier. Also, there was a tree that had gone down a while back and took some lines down. Duke has said just to wait until they come before you try to cut a tree like that because you never know if a wire is still live or not. The Planning Board is having a meeting September 20, 2023 at 1:00PM at Town Hall and via Zoom. The new water billing is coming up so be sure to pay any balance so you don't get a late fee.

**Final Public Comment:**

**Jack Gross:** Gross stated I want to thank Officer Lovin for his attendance at these meetings. One of the biggest things his being here has done has mannerized the people sitting out here. The sly comments and silly remarks and rebuttals, and this that have gone way down, and I think it's because the man sits there professional as he is, and he's doing a good job and I thank you for it Sir.

**Martha Lane:** Martha stated she wanted to thank Officer Lovin for being present and patrolling in Town when she had an accident where she had fallen into a ravine. Her family didn't have to call 911 because Officer Lovin was there and able to aid them and get her the help she needed to get out of that ravine.

**Tina Emerson:** Emerson wanted to make a comment as a citizen and not as an elected official in regards to the new zoning she and Alan Davidson had proposed. They had petitioned the government to look at it and according to North Carolina statutes, the Planning Board should make a statement about it within 30 days and it would go forward to the Town Council. Emerson had a printout available with the comparison of the current zoning to the proposed zoning. Emerson stated that basically it's to bring all of our homes more into conformity.

**Alan Davidson:** Davidson stated that the current zoning had many flaws and he wanted to write something that made sense for the Town. The current zoning ordinance was reviewed by a lawyer and there are a lot of things in the ordinance that do not line up with North Carolina law and many things that aren't enforceable based on how the town developed. A much simpler common sense ordinance is needed. Davidson requested that his neighbors and fellow community members to just consider it, read it and think about it and see what you think.

**Roger Carlton:** Carlton stated I can't fathom how you can be a citizen proposing this ordinance and then be a member of this Council and vote on it. He feels it is a blatant conflict and you should be one or the other, but not both. Carlton stated I think what was said today by the two proponents is extraordinarily prejudicial without any response from anybody relative to this proposal. Two advocates for the proposal have just given 5 minute speeches, each about why it's a good thing. That is inappropriate, and I would hope your attorney would ask that that be stricken from the record, as prejudicial towards what will happen when there is a true public hearing on this. I'm asking whether the town attorney finds that to be an appropriate series of comments and how he differentiates between a commissioner as a citizen and a commissioner who has to vote.

**Ralph Strunk:** Strunk stated he was disappointed that the Town doesn't have an ordinance covering extremely dangerous dead trees that may fall on roadways and other properties.

**Jim Hager:** Hager stated that he had previously asked about getting the website corrected and up to date because it is very outdated.

### **Discussion:**

**1. Brookfield Contact Numbers:** The up to date, current Brookfield numbers have been put on the Town website.

**2. Water Billing Update:** The new bill will go out soon so if anyone has issues trying to pay online, please contact the office for assistance. You can still pay by a check through the mail or drop it by Town Hall.

### **Announcements:**

- The next regular scheduled Council Meeting will be held October 12, 2023 at 5:30PM. This meeting will be held at Town Hall and by Zoom.

### **Motion to Adjourn.**

Councilmember Hager made a motion to adjourn the meeting. Councilmember Emerson seconded. The meeting was adjourned at 6:41PM.

Diana G Simon

~~Connie Gross, Mayor~~

Diana Simon

Kala Farley  
Kala Farley, Town Clerk