

TOWN OF NEWLAND
12/05/2023
MONTHLY BOARD MEETING



ATTENDING:

MAYOR: Derek Roberts

ALDERMAN: James Johnson, Christie Hughes, Kenan Foxx, Lauren Turbyfill, Gail Haller

GUEST: Teresa Foxx, Kenan Foxx, Christy Ray, Nathan Gittner, Suzannah Gittner, Burt Valarie, Donna Valarie, John Jones, Charles Isaacs, Michaela Sutherland, Buch Hughes, Christian Gardner, Melania McKinney, Mike Tolson, Larry Hoyle, Beverly Hoyle, Faith Lacey, Maria Roberts

STAFF: Town Administrator Bill Bailey, Town Clerk Mackenzie Tipton, Finance Officer Jessica Buchanan, Police Captain Michael Fields, Officer Chris Clark, Public Works Director Gary Lewis, Public Works Rodger Hicks

The mayor called the meeting to order at 6:00 p.m., reminded everyone of ethics awareness, and led the assembly in the Pledge of Allegiance.

The mayor asked if there would be any changes to the agenda. Jamey requested to include Mr. Hughes on the agenda. Bill stated that a motion would be required to include Mr. Hughes on the agenda. Jamey made a motion to add Mr. Hughes to the agenda. It was reached upon consensus that Mr. Hughes would fall under the agenda item reappointments.

MOTION: Jamey made a motion to approve the November minutes. Christie seconded the motion all agreed by show of hands and stating aye.

INSTALLATION OF NEW BOARD MEMBERS

Christie Hughes, Gail Haller, and Kenan Foxx were officially inducted as board members for the Town of Newland after taking their oath.

MOTION: Jamey made a motion to adopt the agenda. Gail seconded the motion. All agreed by a show of hands and stating aye.

AGENDA

MIKE TOLSON

Mike provided the final analysis of the sewer system. Mike stated that approximately one hundred and thirty manholes out of two hundred eighty-three were in poor condition or were inaccessible for inspection. Mike clarified that this report would provide the town with a sense of which projects to initiate once the capital improvement plan is developed. Mike reported that the GIS had been updated and new photographs of the manholes had been added, but the overall condition of the system was rated as poor. Mike stated that the projects detailed in the report are included so that the town can collect information from them; the state will review the report when the town submits grant applications. Lauren asked about the plan's ten-year schedule. Mike explained that since rates could not be raised to initiate all projects simultaneously, the projects would have to be completed as the funds became available. Lauren asked whether Mike's organization was responsible for the plans. Mike clarified that these are merely suggestions for potential town projects, and he would be happy to provide oversight for the projects. Bill announced that the \$3.2 million grant is at the stage to where the town needs to decide on engineering services. He recommended that the board select Mike to carry out the project, given his familiarity with the system. The state informed Bill that no RFP was necessary. Derek requested the board's permission.

MOTION: Gail made a motion to move forward with Mr. Tolson's outfit. Kenan seconded the motion. All agreed by a show of hands and stated aye.

SWEETWATER RANCH ANNEXATION

Burt introduced himself and his wife Donna. Burt stated his intentions to look into additional revenue streams for his elk farm by seeking an annexation into the town, to obtain permission to sell beer and wine as a means of generating additional income. Burt stated he went to get his neighbor's approval and they had concerns about the annexation and did not want to be annexed in as well. Bill stated that the town lacked the authority to forcibly annex and that any annexation would need to be voluntary. Also, the town would be required to provide water, sewer, and police services to the annexed area and the town is currently unable to fulfill those obligations. According to Bill, the procedure outlined in state law involves instructing the clerk to conduct a sufficiency review. The clerk will then provide the study results the following month, after which the town will schedule a hearing for the subsequent month. During this hearing, a thorough discussion takes place, and members of the public are welcome to attend. Derek asked if Burt understood that the town would not be providing him with sewer and water services. Burt stated that he understood that and they already had water and sewer. Considerable discussion followed on the collecting of property taxes after the transfer of the land to the conservation. Charles inquired about the road maintenance and asserted that the road's width is insufficient for two cars to pass simultaneously, leading to excessive traffic. Bill asserted that no restrictions are preventing them from requesting Burt to expand the road during the public hearing. Bill stated that satellite annexations have no impact on the extraterritorial jurisdiction (ETJ). Derek stated that he would ride over and look at the road. Bill indicated that the review might be conducted, followed by a public hearing, after which the board would make a decision. John Jones asked whether Newland would take on responsibility for maintaining the roadways. Bill stated no. John inquired about the use of firearms due to his ownership of a shooting range. Derek stated that the annexation would have no impact on the shooting range.

MOTION: Gail made a motion just to look into the annexation. Kenan seconded the motion. Lauren stated she agreed. Jamey and Christie disagreed. The motion held three to two.

NANCY DAVIS - PLANNING BOARD

Bill stated that Nancy wanted to be added to the planning board.

MOTION: Christie made a motion to appoint Nancy Davis to the planning board. Jamey seconded the motion. All agreed by a show of hands and stating aye.

TOWN ADMINISTRATOR JOB DESCRIPTION

Jamey stated that the old description is in place. Lauren and Gail stated they weren't at the last meeting, so they wanted to investigate it further.

REAPPOINTMENTS

Jamey made a motion to appoint Mr. Hughes as the town attorney. Gail stated that it was mentioned to her, and she does not agree. Kenan stated that he didn't see anything wrong with Gerald. Lauren stated she wanted to hear from Gerald first. Jamey stated that there needs to be legal advice at every meeting. There was an extensive discussion regarding the town attorney. Jamey stated that it would be just to appoint Mr. Hughes as an interim. Mr. Hughes said he didn't want the job but would do it if the town needed him.

Jamey made a motion to move the reappointments to the end of the agenda. The motion failed due to a lack of seconding.

MOTION: Jamey made a motion to reappoint Mackenzie as the town clerk. Kenan seconded the motion. All agreed by a show of hands and stating aye.

MOTION: Kenan made a motion to reappoint Bill as the town administrator. Gail seconded the motion. Christie and Lauren agreed and stated aye. Jamey stated disagreed and stated nay. The motion held with a four-to-one vote.

MOTION: Gail made a motion to reappoint the chief. Lauren seconded the motion. All agreed by a show of hands and stating aye.

There was a vigorous conversation about the special meeting that was held previously and the social media posts on Facebook.

CAMPING ORDINANCE

Bill stated that before the police can tell the individuals to stop camping Bill must go with them to speak to the individuals and if there was an ordinance that would eliminate that process. Bill explained this would only be enforced on Newland town property and would not affect the campground.

MOTION: Kenan made a motion. Jamey seconded the motion. All agreed by a show of hands and stating aye.

MOTION: Gail made a motion to make Jamey the Mayor Pro Tem. Christie seconded the motion. Lauren agreed and agreed. Kenan did not vote.

THERESA FOXX

N/A

PUBLIC COMMENTS

Larry Hoyle stated he now has a sign and the potholes on his road are fixed.

Christy Ray asked about the reason behind the problem concerning Bill. There was a vigorous discussion about Bill between Christy Ray and Jamey. Jamey reported that the budget did not account for any of the completed labor. Derek indicated that maintenance was required. Jamey said the amount of money Carl has received remains unknown, but he is currently billing at a rate of one hundred seventy-five dollars per hour. Lauren inquired whether Bill believed he had committed any wrongdoing. Bill agreed and expressed his commitment to not repeat the action. His primary objective was to complete the work promptly to avoid a fee imposed by the state, and mentioned that Carl's work would cost \$100,000.00. Bill elucidated the reason behind Carl's continued work and asserted that the pipes had been fixed by the previous administration using street signs. Bill confirmed that the town has received a grant from the COG, and there will be a further grant in the future to assist with expenses. Gary said that the concrete pipes were not assembled. Jamey asked about the completion of Gary's training on the machine. Bill stated he could run the machine, but he needed more experience in the field. There was extensive discussion on the excessive control and supervision of Bill's work.

PUBLIC WORKS REPORT

Gary stated they are going to get the Christmas lights out and the trucks are ready to plow snow. He mentioned he had an electrician come out to fix the streetlights so the riverwalk lights are all working now but there needs to be more lights around the dog park and the pumping station at Ingles almost overflowed because the breaker went out.

FINANCE REPORT

Jessica reported that she had been engaged in the process of revising the health benefits as well as the property and liability insurance. On property insurance, the town attained a savings of roughly 20% this year. Jessica said that she is collaborating with Howard Simon to transition away from ADP, in addition to performing bank reconciliation and revenue entry. Regarding the annual policy of Southern Software, Jessica clarified that the tax conversion was not accounted for in the budget. Jamey requested that Jessica tally the necessary components and provide a final price for Southern software.

POLICE REPORT

Michael Fields provided the police report and stated that the vehicle was replaced. He also mentioned that Officer Stockton had recently completed radar training and that they could begin radaring as soon as they received word from the state. He stated that Officer Ruppard is two hours away from receiving his certification, and Dylan will attend a lidar course the following week as well.

ADMINISTRATORS REPORT

Bill stated that the Durango had been replaced at no cost to the town. Bill reported that Gary is encountering numerous maintenance issues, which will be talked about and incorporated into the forthcoming budget. Additionally, he stated that the \$3.2 million grant will necessitate supplementary funding as well.

COUNCIL COMMENTS

Gary asked if there was an issue with pulling the Christmas float with his vehicle instead of a town vehicle. The board stated that would be fine. Jamey asked about the PO system. Bill stated they've been through demos and it will be brought before the board in January. Lauren asked how much more work Carl was doing. Bill stated he would finish what is started but it shouldn't be too much longer. Bill mentioned that the backhoe was traded straight out for an excavator. Lauren asked about salting. Bill stated they couldn't use the excavator for salt, but they could use the tractor. Jamey asked if everyone in public works was being trained to use the backhoe. Bill stated not at the moment.

ADJOURNMENT

Gail made a motion to adjourn the meeting. Kenan seconded the motion. All agreed by a show of hands and stating aye.

The meeting was adjourned at 8:30 pm

Town Clerk, Mackenzie Tipton

Mayor, Derek Roberts