



**TOWN OF WEBSTER
MINUTES**

Wednesday, July 5, 2017 at 5:10 p.m.

Call to Order

The public hearing was called to order at 5:10 p.m. by Mayor Rodes for the purpose of receiving public comment on the Duke Franchise Agreement renewal.

Members in Attendance: Mayor Tracy Rodes, Billie Jo Bryson, Danell Moses, and Larry Phillips.

Members Absent: Leigh Anne Young.

Others in attendance: Will Morgan (Smith & Morgan), Lisa Leatherman (Duke Energy), Joyce Pope (Webster Town Clerk).

Comments By Public

No members of the public were present. The public hearing was adjourned at 5:14pm.

Call to Order

The Town Meeting was called to order at 5:15 p.m. by Mayor Rodes.

Members in Attendance: The same members were in attendance as those present at the preceding Public Hearing, with the addition of Allan Grant who arrived at 5:45pm.

Approval of Agenda

Mayor Rodes made a request to amend the agenda to include: 1) Webster Town Clerk being on vacation the first week of August, and absent for the August meeting; 2) Establishing a procedure for recognition of departing board members. We need to develop a way to show "appreciation for outgoing board members and employees."; and 3) Mayor's duties and responsibilities.

MOTION: Larry Phillips moved to approve the agenda as amended. Danell Moses seconded. Motion carried.

Approval of June 14, 2017 Minutes

The board discussed the June 14 minutes. It was noted that Board member Bryson had mentioned a problem yard in Webster and this was not included in the minutes. Mayor Rodes has tried repeatedly to contact the person and has not been successful. Bryson indicated that some of the yard has been cleaned up but there is more to do. Additionally, an untagged vehicle has remained parked there, which is against the town ordinances.

MOTION: Phillips moved to approve the minutes as amended. Moses seconded. Motion carried.

Informal Comments by Public - none

Consent Agenda

Finance Report – Joyce Pope

The Town financial statement and current budget were presented to the Board. The Town checking account starting balance on June 1, 2017 was \$80,136.20, with an ending balance of \$84,859.11.

It was noted that the “Last Amended Date” at the top of the budget report was out of date. The Town Clerk will correct it. The last budget amendment was earlier this year. The current report will have the “last amended date” struck for approval.

MOTION: Phillips moved to accept the financial report as amended. Moses seconded. Motion carried.

Administrative Reports

Mayor’s Report

- Mayor Rodes spoke with John Ogburn regarding some Town Hall maintenance, such as putting up the new blinds, and repairing windows. He gave a \$350 maximum quote for pressure washing Town Hall. This quote did not include cleaning the outdoor trash cans (which the Mayor has already done).
- There are three open seats on the council: Young, Moses, and Grant. The Board of Election’s Filing period is from noon July 7 to noon July 21. To run again, a member must file and pay the \$5 filing fee.
- There was a good turnout at Miss Lucy’s picnic. The music, food, hospitality, and fellowship was appreciated and enjoyed. Mayor Rodes picked up & brought the fried chicken, and according to tradition, read The Declaration of Independence. Commissioner Billie Bryson also attended. It was decided that next year Commissioner Bryson will order & pick up the fried chicken from a place of her own choosing.
- A rental lease has been signed with the new tenants: one tenant for one year and a second tenant through the end of the year. Mayor Rodes suggested replacing the apartment curtains and sheers in the apartment’s large, west-facing picture window. Light-blocking curtains would provide more insulation, and help in lowering the Town’s utility costs.
- Rose Bauguess will be present at the next Town meeting to ask the Town to adopt the Jackson County Comprehensive Transportation plan. The Mayor asked the Board to review the Plan prior to the next meeting.
- The newspapers requested information on who is planning to run for the Town Board in the November 2017 elections. All commissioners have been contacted, and the Rodes sent a reply email with the compiled information that was requested.
- Legal costs associated with the SCC variance were substantial, at \$2,135. It is common for towns to charge a fee to those who file a variance petition, which could help to offset legal costs. The Town of Webster does not have an ordinance requiring such a fee. The fee could be set for any amount under the actual estimated legal fees. Mayor Rodes asked the Board members to consider adding a fee to the Town Ordinances when the next ordinance review is done.

Council Member’s Reports

No council reports were given.

New Business:

1. **The Town Clerk being on vacation the first week of August, and absent for the August meeting:** it was agreed that when the Town Clerk pins down the exact dates of her vacation, a plan will be devised to ensure financial reports will be available for the August meeting. The Clerk will have more details about July 12th. Danell Moses offered to set up the recorder, and keep notes for the August 2nd meeting minutes.
2. **Appreciation for outgoing board members and employees:** Mayor Rodes suggested that formal appreciation be instituted for town commissioners or employees who are leaving their positions. On many boards, at the meeting following an announcement someone is leaving, a resolution is passed thanking them for their service. Morgan stated that no formal ordinance would be needed; the board could just agree on a process.

MOTION: Bryson made a motion to create a process to recognize board members and employees who are leaving the Town of Webster with a letter of appreciation. Grant seconded. Motion carried.

3. **Mayor duties:** Rodes suggested creating a list, similar to a job description, for the Mayor's duties. The starting point would be the responsibilities required by law (as outlined by the UNC School of Government), along with the informal duties that are specific to the Town of Webster. Rodes asked the board members to take a moment to write down things that they feel are important for the Mayor to do, and the board will gather those comments at the next meeting. Rodes suggested a display board be created showing the duties of the Board, the Mayor, the Clerk, etc. to have available for the public to see when visiting the Town Hall. The display board would specify the scope of each of the three Town Boards (Town Council, Planning, and Board of Adjustment). The display could also be a recruitment tool for volunteers, and as an educational visual aid for new representatives and employees.

Phillips asked the board to consider reducing the town board from six members to four members, with each member having greater responsibilities than they do currently. The members would support the Mayor, attending meetings when the Mayor cannot, and partnering together to handle the Town responsibilities. Phillips indicated that one reason he is stepping down is because he does not have the stamina needed to perform all the duties he feels a member should do. A member should be active, and not just someone who simply attends a monthly meeting. Each member would be assigned specific responsibilities. The board was asked if they know of anyone who would be willing to serve. Rodes stated that she welcomes people with various skill sets to contribute to the Town and to the board. Ms. Leatherman suggested additional notices being placed around town to increase public interest in open board positions. Pope will create signs to local bulletin boards and put something on the Town website. Notice will be placed on the Facebook page as well.

Old Business:

- **Review and Adopt Duke Franchise Agreement.** Board members reviewed the Duke Franchise Agreement. It was reviewed in June and was reviewed a second time at this meeting. Mayor Rodes expressed a concern about future road widening projects incurring a cost to the Town to move power poles. If the county or the state does the project, they incur the costs. The question was asked if any additional liability is incurred by the Town if it approves the new Jackson County Transportation Plan. Phillips pointed out that the Town does not own any of Webster's Roads. Lisa Leatherman stated that Franchise Agreement renewals have been completed for the Town of Dillsboro and the Town of Sylva. Leatherman added that other towns who are in the process of approving the Franchise Agreement have asked similar questions about item 2.4. Leatherman indicated that a formal

reading of the contract is not required. She then asked if item 2.5 is agreeable to the Board; the Board indicated that it is. Leatherman will change the dates where she has indicated (on the copies distributed to the Board for review), as well as change the "Board of Alderman" verbiage in item 2.6 to read "Board of Commissioners." On page 5, they will strike through "Clerk of the Town" and it will read "Clerk of Town". Ms. Leatherman stated that she will make the indicated changes and bring three copies to the Town Hall on Tuesday. After the Town executes the documents, Ms. Leatherman will submit it to be fully executed. An executed copy will be returned to the Town of Webster, one will remain in Duke's Franklin office, and the third will be sent to Raleigh.

MOTION: Phillips made a motion to adopt the Duke Franchise Agreement for the Town of Webster. Bryson seconded. Motion carried unanimously.

(Moses was ill and left the meeting at 5:45pm.)

- **Review and Adopt Liability Release Form for Contracted Work:** Mayor Rodes presented a "Contract for Liability Release for Independent Work Done" document to be used when the Town subcontracts work. This contract provides some protection to the Town as a hold-harmless indemnification agreement. Phillips mentioned that proof of insurance is usually required for contractors and asked if that will be required. Morgan stated that proof of insurance will be required in addition to the release.

MOTION: Phillips moved to approve the "Independent Contractors Agreement." Grant seconded. Motion carried.

- **Community Table Volunteer Project Date:** Rodes indicated that she would email board members to arrange a date since we had several absent board members at this meeting.

Adjournment

Phillips made a motion to adjourn the meeting. The meeting was adjourned at 6:23pm.

Reminders: Next Meeting: Wednesday, August 2, 2017, at 5:15pm

Date Approved:

Mayor Tracy Rodes

Clerk Joyce Pope