



TOWN OF WEBSTER December 7, 2022 Board Meeting Minutes

The Webster Board of Commissioners met at the Southwestern Commission Board Room, located at 125 Bonnie Lane, Sylva, on Wednesday, December 7, 2022, 5:15 p.m. for a Public Hearing for the Vogue Waiver Requests for Cell Tower Construction, Public Hearing for Amendments to the Animal Control Ordinance, and December Commissioners Meeting.

Members/Staff Present: Mayor Tracy Rodes; Vice Mayor Leigh Anne Young, Commissioners Dale Collins, Allen Davis, Kelly Donaldson, and Danell Moses; Town Clerk Debbie Coffey; Town Attorney Will Morgan

Absent: None

Public Present: Pat Troxell-Tant (Vogue CEO) and Michael Sandifer (Vogue Engineer), Mike Poston and John Jeleniewski (Jackson County Planning and Zoning), Scott Baker (SCC), Danny Keever, Brandon Core, Chris Cox, Tonya Basse, Julie VanLeuven, and Diane Schallock

PUBLIC HEARING FOR WAIVER REQUEST FOR CELL TOWER CONSTRUCTION

The Public Hearing was called to order at 5:15 p.m. John Jeleniewski has reviewed all plans and provided an overview of the staff report. The tower will be located on the east side of the 23-acre parcel owned by SCC, PIN 7640-57-9049. Verizon will be the provider, with space for two co-locators. The total height will be 195', with the compound being 50' x 80' and including security fencing and a 5' landscaped buffer, with a fall zone completely located on the SCC property. The 12' gravel access road will connect to a parking lot at SCC. Erosion control and mitigation plan for site grading has been submitted. Power service will be provided by Duke Energy. Jackson County Planning posted notification of the waiver requests along the property and mailed notices to adjoining landowners. The three-fold waiver request is to waive the need for quasi-judicial review, waive the maximum 180' height restriction, and waive the requirement for onsite road maintenance logs. The road is maintained by TWSA.

Letters of support were received from Todd Dillard, JC Emergency Management; Tiffany Henry, JC Office of Economic Development; Dr. Dana Ayers, JC Public Schools; the JC Sheriff's Office; and Western Carolina University's Chancellor, Dr. Kelli Brown. JC Emergency Management intends to add an antenna repeater site to increase coverage and help first responders better serve the county's growing population. Reasons for support included: that this critical location is important for connectivity to serve both public and private sectors; it will enable communication for school staff, parents, and students; provide for telehealth services; and improve emergency response times.

Current cell service coverage maps were shown with an overlay of the improved service area once the tower is operational. Brant Byers, who owns adjacent property, did call the Planning Office to express concern that property values may be affected by the tower. All other public input received prior to the meeting was positive. Comments received during the hearing referenced the need for improved cell coverage in the area, and enhanced safety to Fairview Elementary and Smoky Mountain High School based on the current lack of cell signal. Approval of the waiver requests will expedite construction of the tower by several months. Should the waivers be approved, Vogue officials noted that the tower should be operational by late summer or early fall of 2023.

MOTION: Commissioner Moses moved to adjourn the Public Hearing. Motion carried. The hearing adjourned at 5:45 p.m.



PUBLIC HEARING FOR AMENDMENTS TO THE ANIMAL CONTROL ORDINANCE

Mayor Rodes called the Public Hearing for Animal Control Ordinance amendments to order at 5:46 pm. The draft ordinance was posted on the town website in November and the hearing was appropriately advertised. It was noted that the amendments are minor changes to the existing ordinance, and the amended fines and penalties will comply with NCGS 160A-203.1. All animals are required to have rabies vaccinations “by sufficient age” and must be leashed when not on the owner's property. Fines stipulated within the ordinance provide enforcement validity. Chris Cox, new resident to Webster, pointed out the verbiage in the rabies requirement that vaccines be required by animals of sufficient age was subjective and asked if there would be value in specifying an age for all animals to be vaccinated. The board discussed this and research found that current best practices recommended these vaccinations be administered by four months of age.

***MOTION:** Commissioner Young moved to adjourn the Public Hearing. Motion carried unanimously. The hearing adjourned at 5:50 p.m.*

BOARD OF COMMISSIONERS MEETING

Call to Order/Ethics Statement: Mayor Tracy Rodes called the meeting to order at 5:50 p.m. and read the Ethics Statement. No board member expressed any conflict of interest.

Approval of Agenda:

***MOTION:** Commissioner Moses moved to approve the agenda. Commissioner Young seconded. Motion carried.*

Approval of Minutes: The minutes of the November 2, 2022, meeting were emailed prior to the meeting for review.

***MOTION:** Commissioner Collins moved to approve the minutes of November 2, 2022. Commissioner Davis seconded. Motion carried unanimously.*

PUBLIC COMMENT

None.

CONSENT AGENDA

Financial Report: Financial statements for August, September, and October were emailed prior to the meeting for review. November transactions currently include income of \$6,890.48 and expenses of \$1,734.20. ARPA funds expended as of November 30, 2022 are \$24,744.68. Account balances as of today are:

\$ 245,809.98- First Bank Business Essentials
\$ 85,543.29- First Bank Money Market

***MOTION:** Commissioner Moses moved to approve the Consent Agenda. Commissioner Young seconded. Motion carried unanimously.*

NEW BUSINESS

- 1. Waiver Request for Cell Tower Construction:** Board members expressed their appreciation to Jackson County Planning staff for their assistance with this request.

***MOTION:** Commissioner Moses moved to approve the three waivers requested regarding quasi-jurisdictional procedures, tower height, and on-site maintenance logs on the condition that Vogue Towers receive approval from Jackson County Planning and Zoning Department and*



comply with the Jackson County Cell Tower Ordinance. Commissioner Collins seconded. Motion carried unanimously.

- 2. Amendments to the Animal Control Ordinance:** Based on the subjective age of the vaccination verbiage, it was the consensus of the board to change the wording to require rabies vaccinations by four months of age.

MOTION: Commissioner Young moved to approve the amendments to the Animal Control Ordinance, with rabies vaccinations be required of all animals by four months of age. Commissioner Davis seconded. Motion carried unanimously.

- 3. Adoption of Jackson County Emergency Operation Plan:** The town is required to adopt the Jackson County Operations Plan or develop a plan of our own. This plan is updated every five to seven years. Copies of the plan were provided prior to the meeting for review.

MOTION: Commissioner Moses moved to adopt the Jackson County Emergency Operations Plan. Commissioner Davis seconded. Motion carried unanimously.

- 4. Resolution to Adopt Smoky Mountain Hazard Mitigation Plan:** This is a regional resolution and was provided prior to the meeting for review.

MOTION: Commissioner Moses moved to adopt the Smoky Mountain Hazard Mitigation Plan. Commissioner Young seconded. Motion carried unanimously.

- 5. Certificate of Appreciation of Service for Commissioner Kelly Donaldson:** Commissioner Donaldson was presented a Certificate of Appreciation and a letter of appreciation for four years of service to the town.

- 6. Town Commissioner Seat Vacancy:** An appointment to the Board is necessary to fulfill Commissioner Donaldson's term.

MOTION: Commissioner Davis moved to open the floor for nominations for the vacant commissioner's seat. Commissioner Moses seconded. Motion carried.

Commissioner Moses nominated Brandon Core to fulfill the vacancy.

MOTION: Commissioner Young moved to close the floor to nominations. Commissioner Davis seconded. Motion carried.

MOTION: Commissioner Donaldson moved to appoint Brandon Core to the Webster Board of Commissioners. Commissioner Collins seconded. Motion carried unanimously.

- 7. County Grant 2023:** The Jackson County Municipal Grant Application has been completed and must be submitted by January 5, 2023. In-person presentations of grant applications are required at the January 10, 2023 County Commissioners' Work Session. This year's grant funds will be used to purchase park equipment including trash and recycling cans, an 8' bench, and mounting hardware. The quote from Park Warehouse includes a discount that is only valid for fifteen days, therefore the estimate is subject to change.

MOTION: Commissioner Moses moved to approve the 2023 County Grant Proposal. Commissioner Collins seconded. Motion carried unanimously.

OLD BUSINESS

- 1. Traffic Committee Appointment:** The Traffic Committee is being formed to address the concerns of speeding in Webster. The Committee would review data from the speed sign and patrol reports submitted by JCSO deputies working for the town. The town currently pays for 24 hours of coverage per month. Commissioner Collins expressed his concern that, based on



November numbers, 35% of people were traveling at 11 plus miles per hour over the speed limit. This is equivalent to 9,000 vehicles speeding on Webster Road. Mayor Rodes suggested that best practices would be to have no more than two Board Members on the Committee. Attorney Morgan did note that once the Committee is formed, all meetings should be sent to the Sunshine List and noticed in the Sylva Herald in compliance with open meetings law of North Carolina. Commissioner Young provided a list of people who are willing to serve on the committee, including Dale Collins, Danell Moses, Tonya Basse, Rick and Janna Fulton. Other potential committee members are Cassie McAbee and Opal Core.

***MOTION:** Commissioner Davis moved to appoint Dale Collins, Danell Moses, Tonya Basse, Rick and Jana Fulton to the Traffic Committee. Commissioner Young seconded. Motion carried.*

ADMINISTRATIVE REPORTS

Mayor's Report:

- Mayor Rodes provided a written report prior to the meeting for review. She noted that DOT has added signage for the sharp curve on Webster Road warning motorists to reduce speed. The pavement markings were also re-painted.
- The clerk has submitted her resignation, and will be available through February to assist with the transition and training the new clerk. It was the consensus of the board to advertise the position and set the hourly wage at \$20 per hour for candidates without governmental experience and \$22 for candidates with governmental experience. Mayor Rodes has reviewed the job description, noting that it will require 24 - 30 hours per month. A candidate with governmental experience has expressed an interest in the position and will meet with Mayor Rodes, Commissioners Young, and Moses next week. Consensus was to proceed with hiring on a trial basis if the interview goes well.
- Bronwyn Burleson will present the 2021-2022 Audit Report at the January meeting.
- Covid numbers are going down again according to wastewater reporting.
- The new heating system did not pass the second inspection. Mayor Rodes has contacted Wards to schedule an appointment to fix the areas that were non-compliant.

Council Members' and Clerk's Report:

Commissioner Young noted that the Planning Board will cancel their December meeting and plan a longer work session for January for discussions on STRs. A joint meeting with the Board of Commissioners will be tentatively scheduled for March. Commissioner Young also suggested that the town consider recognition of Joe Rhinehart with a proclamation honoring his service and dedication to Webster.

ADJOURNMENT

***MOTION:** Commissioner Collins moved to adjourn. Motion carried. The meeting adjourned at 7:10 p.m.*

Next Meeting:

January 4, 2023, at 5:15 p.m.

Tracy Rodes, Mayor

Debbie Coffey, Town Clerk