

City of Saluda

Board of Commissioners Meeting Minutes

Board of Commissioners



Date 10/14/2024
Time 07:00 PM
Location Saluda Library Chambers Room

1 - Call to Order

Mayor Morgan called the meeting to order on October 14th, 2024 at 7:00 pm.

2 - Invocation

A moment of silence was observed.

3 - Pledge of Allegiance

The pledge of allegiance was recited.

4 - Roll Call

Attendance was taken, and those present were Mayor Tangie Morgan, Commissioner Walker, Commissioner Marion, Commissioner Oxtoby, Commissioner Talbot, City Manager Steven Orr, Assistant City Manager & Finance Officer Julie Osteen, City Attorney Jana Berg, City Clerk Pam Waters.

5 - Agenda Additions and Deletions

None

6 - Approval of Agenda

Commissioner Marion made a motion to approve the Agenda as Presented Commissioner Walker seconded all were in favor.

7 - Approval or Correction of Minutes

Commissioner Marion made a motion to approve the Both sets of minutes for the September 9th and the September 2024 Strategic planning meeting minutes as Presented Commissioner Walker seconded all were in favor.

8 - Consent Agenda

None

9 - Public Comment

Herbie West 409 Irving St spoke on the Chicken Ordinance and the Air BnB. Mr. West talked about how the community banded together to help come through this recovery. The sad part is after we get through this we go back to things we don't agree upon or work together. We can solve so many problems if we work together on small things where they don't really require legal regulations or rules. I just want to speak on the chicken Ordinance I have already spoken at the Planning and zoning meeting. I have written a letter to the Board I think Steve was kind enough to send it to each of you. I think in that letter I laid out a good logical commonsense approach as how to handle this. I think it is a far reach for our governing board to take some of our rights away such a simple thing as owning chickens controlled by the size of your lot requiring permits putting heavily weighted fines on things that really seem out of the commonsensical way of dealing with things. Six foot fences, six foot shrubbery, building things only in the back yard 20 foot away. We have dogs that run all over the place and their dog houses are kind of of atrocious and they just waste all over the yard and people don't clean it up but we all seem to love our dogs no matter what they do, or how they look. I saw we were going to have another meeting on November 14th I will be out of town and won't be able to be there. Part of the reason I'm here is not for me it's for the community I own property outside the city limits I can have all the Chickens I want and property to build an Air BnB which your trying to push Air BnB's out. So this is not for me on a personal level because I can do all of these things without the city inhibiting me from doing so. I'm here speaking out for the people that aren't aware of what is going on and having their rights taken away because there is a lot of people that don't keep up with things and communications may not be out there. If you need my letter sent back out I will be glad to send it back out. I think it covers a lot of details about both those subjects with a commonsense way of handling it. I just want to urge the Board not to approve the chicken ordinance the way it was presented at the Planning and Zoning Meeting and urge you to make that more public in the terms of verbiage that is going to be in this so all the community can see what is coming about I urge the ones pushing for this ordinance to really think about how easy it is to just talk to your neighbor about the chickens. I understand about the roosters they are noisy I'm fine with no roosters. If you have a hundred chickens they can smell. I think if you have neighbors that have chickens and they are bothering you just talk to them and work together as neighbors and a community and not build more legal ordinances.

Sam Craig 119 Friendly Circle wanted to talk about the curbside storm pickup and if leaves were being picked up because the contractor that was working his area told him they weren't picking up leaves and wants a clarification on the leaves. and when it was going to be picked up? And communication we were all having difficulty individually and as a town I know Mayor Morgan said you were working on somethings I would ask that communications be one of those because I went by city hall a few times and there was nothing there at the same time my wife runs communications for a website and she was having trouble getting things up on the website. When we started getting some stuff it was a link that we couldn't get to because of no internet or power. I hope that will be included in your process of rethinking of how things are going. I was a city attorney for the city of Shelby representing Cleveland County and a number of municipalities and counties in numerous capacities along the way so I understand you have a tough job to do and appreciate what you do.

City Manager Orr answered his question That group is not picking up leaves but there will be leaves being picked up.

James Hrynshyn spoke on the Spectrum lines laying all over the ground and hanging low. Would like city to reach out to them before someone catches one and pulls a power pole down.

10 - Budget and Financial Report

October 14, 2024

Report for September 30, 2024

General Fund:

Property Taxes received of \$648,303

Powell Bill 1st disbursement \$18,077 which is \$1,883 higher than last years distribution

Garbage Collection \$33,535

Coon Dog Day \$12,425

Total Revenues are \$742,188

Expenditures:

Administration:

27% of budgeted expenses. Budget amendment will be presented for Tropical Storm Helene costs anticipated.

Slightly over budget due to the pre-payment of workers comp and liability insurance premiums in July. No other unusual for the month.

Police:

\$9,709 spent on repairs:

2011 Tahoe \$1,101

2018 Dodge \$4,054

2019 Dodge \$2,366

2010 Explorer \$473

2019 F150 \$136

2023 Silverado \$132

3 distributions have been paid to the Saluda Fire Department for this year's Tax Levy.

29% of budgeted expenditures due to pre-payment of workers comp and liability insurance premiums in July for the year.

Transportation:

Repairs of \$43,484:

Mowing/Maintenance \$12,975

Sidewalk \$19,207

Streets

Parking Lots \$12,323

Henderson \$3,790

ROW cleanup \$5,292

Other supplies/repairs \$83

42% of budget because we have already spent almost 50% of our budget on maintenance.

Sanitation

3 months payment to GFL for Garbage collection has been incurred.

Cultural and Recreation:

Library repairs/maintenance \$6,912 of which is \$4,831 in annual inspection fees for the elevator

Pace Park bathroom items: \$1,407

McCreery Park \$14,159

Clean up (trees removed) \$10,434

Bike Repair station \$1,278

Bradley Landscaping \$600

Debt Service:

3 payments has been made to First Citizens Bank on City Hall.
 Surplus at September 30 \$199,564

Water Fund:

Total revenues received are \$119,603.
 Water purchases thru September total \$70,974
 Revenue/Expenses to be allocated between water and sewer for October
 Anticipated surplus \$23,484

Sewer Fund:

Total revenues \$57,106
 Repairs:
 Pumping \$5,345
 Liftstations \$9,784
 WWTP \$5,231
 Chemicals \$7,000
 Surplus at September 30 is \$5,142
 Budget Amendments attached.

Commissioner Oxtoby made a motion to approve the budget amendment listed below for McCreery Park budget for additional clean-up expenses as presented. Commissioner Talbot seconded all were in favor.

CITY OF SALUDA, NORTH CAROLINA
 BUDGET AMENDMENT - CULTURAL AND RECREATION: ~~600~~ McCreery Park 12,000, 5,000 17,000
 Contingency, 7,700, (5,000), 2,700
 Increase McCreery Park budget for additional clean-up expenses

Commissioner Oxtoby made a motion to approve the budget amendment listed below for Tropical Storm Helene as presented. Commissioner Walker seconded all were in favor.

CITY OF SALUDA, NORTH CAROLINA				
BUDGET AMENDMENT - ADMINISTRATION				
Account	Budget	Amendment		Amended Budget
Tropical Storm: Helene Relief Efforts	\$ -		(5,800)	\$ (5,800)
Tropical Storm: Helene Relief Efforts	-		60,000	60,000
Fund Balance Appropriated	(198,590)		(54,200)	(252,790)
<i>To budget Tropical Storm Helene Expenses and donations received</i>				
			\$ -	

Board of Commissioners will need to determine when and how best to use the monies for short- and longer-terms needs of the local government and the community for the \$5,800 received to date for the efforts

Commissioner Oxtoby made a motion to approve the Resolution for Tropical Storm: Helene Donation Acceptance, Authorization For The City Manager To Use Donations For Helene Relief Efforts Commissioner Marion Seconded all were in favor.

11 - Public Safety Report

Participated: Clay Price

Chief Price went over the September report

Total Miles 6460 Total Events 1774

State citations: 16 City Citations: 1, Warning Tickets: 28, Written Warning 7, Verbal: 21, Expired Registration 5, No Operators License, Drug paraphernalia, Possession of Narcotic/ Alcoholic Beverage, Registration Violation 4, Careless and Reckless Driving: , Speeding, Faulty Equipment 1, Failure to maintain lane, Driving While Impaired 0, Driving while license revoked 2, Inspection Violation 4, Concealed Weapon 0, Stop sign violation 0, No Insurance 2, Open Container 0, Arrest, Warrants Served 1, Order for arrest served, Business Checks: 923, Church Checks: 61, House Checks: 80, Total Monthly Checks: 1064, Written Reports/ Calls answered, Vehicle Accident 2, Larceny: 1, Breaking and Entering, Welfare Check 9, Alarm calls 4, Open Door, Suspicious Person/Vehicle calls 3, Assault 0, Vandalism 3, Fraud 0, Communicating Threats 0, Hit & Run 0, Calls Thru Police Department Phone: 86, Information only 1, Walk In Calls at the Saluda Police Department: 7, Total Monthly Written Reports: 2, Total Patrol Calls 114

10-82 Stranded Motorist	15	911 Hang up 4
Accident	2	Animal Call 2
Animal Complaint	3	Arrest 1
Assist County Henderson	4	Assist County Polk 14
Assist Highway Patrol	10	Assist Tryon PD 1
Autumn Care Check	79	BOLO for Wanted Suspect 1
Business Check	923	Call by Phone 86
Cemetery Check	35	Checkpoint/License Check 3
Church Security Check	61	City Property Check- Laurel Dr 42
City Property Check- Waste Treatment	24	City Property McCreary Park / Bathrooms 15
Community Contact	10	Courtesy Escort for Intoxicated Person
Domestic/ disturbance Call	1	Fire Dept. Assist 5
Follow Up Investigation	7	Foot Patrol 6
Health & Well Being Check	8	Incident Report
Investigation		Juvenile Contact
Office Duties	1	Other 1
Paperwork	1	Radar Operation 69
Residence Check	80	School Check 10
Stationary Area Watch	75	Suicide 1
Suspicious Vehicle	3	Suspicious Persons 1
Talk to Officer	2	Traffic Control 1
Traffic or Criminal Court		Training/ Field 4
Training/ School	1	Trespassing 1
Unlock Car	2	Vandalism/Destruction of Property 3

Vehicle Maintenance	1	Vehicle Patrol 26
Vehicle Stop-Citation/Arrest	26	Vehicle Stop-Verbal Warning 28
Vehicle Stop-Written Warning	7	Verbal Dispute 1
Walk in at PD	7	Warrant 1
Welfare/R U ok Check	9	
Total Number Of Events: 1,272		

12 - Outside Resources and Funds

Foothills Regional Commission- FEMA Discussion on TS Helene Relief Information

City Manager Orr spoke on the recovery and how it may take up to two years to recover the funds and infrastructure required to put us back whole. It will require Patience, Diligent and attention to detail which will be frustrating to a lot of people. I will turn it over to Penny and Charlotte.

We have been in contact with Steve and Julie since the storm started we aren't FEMA experts but my prior role before coming to the Commission is doing disaster preparedness that was both in New York and here in North Carolina. She went over ways to help with filing for assistance as a town and as an individual. NC emergency management will be the grantee from FEMA then they will send out program delivery managers. That hasn't occurred at all. We are trying to get the original request for public assistance in to FEMA. FEMA is overwhelmed right now as it is NC, SC, FL, TN, GA and VA that they are having to assist. They usually give 30 days to get your request in but that hasn't even been determined yet. Then it is usually a 60 day turnaround time to get all the damage assessments and documentation to get into the the program delivery Manager. They will sent out and work with y'all. This hasn't occurred yet. It's going to be okay every three days something better that has occurred that is a positive thing. Power coming back on in a two week time frame it is doing so much better between the Army Core of Engineers, National Guard, and all the assistance from the power companies across the Country and Canada. It's been very impressive. If we can hang on at first everyone was panicking we were getting calls from all the entities in the Foothills in our council of government for four counties. It's going to be okay. Put your application in and keep all the documentation and document all you can what's public utilities doing, what are you doing. We have FEMA forms we also have incident command forms so if an one has done anything with emergency management there is a lot of Planning, logistic, operation and finance. It's going to take a while to get your reimbursement. If they see you have all the documentation how much overtime they are going to say these folks have it together they will expedite your request. I hope I have explained that on a basic level. There is tip sheets in the binder which you have been doing for the last two weeks. Get your stuff into your insurance FEMA isn't going to reimburse double. Insurance won't pay for overtime, police and supplies so get that into FEMA for the 1st two weeks as long as it's for emergency as long as it documented for hazardous prevention, safety, public health all of that. There is more in the binder there is a small business association, USDA farm and algaculture information in there as well. The bottom line is keep documenting while we wait for them to give us a program delivery manager. I urge you to go on line and put in for your individual assistance and the town for public assistance. I will be talking to Steve about that a little bit down the road on to help you get some funding for future preparedness. For anyone else On October 23rd from 4 to 6 it will be at ICC in Spindale will be a representative there out of DC that is our Western region area.

Commissioner Marion I have two questions how are Air BnB and short term rentals how is that look at would it be a second home or a business what if it was in a LLC. And would it be beneficial to go to the meeting at ICC?

If it a business it will be different. As far as Air BnB I will look into that I don't want to give you the wrong information. I would say it would be a second home it ask on the applications if this is your primary home or secondary home. There is so many pieces. It's worth putting in for. Yes go to the meeting.

Commissioner Marion I heard today that the 750.00 is a loan and you will have to pay it back

I don't think so.

13 - Zoning and Planning Department Report

Nothing to report

14 - Administration Department Report

City Manager Orr went over

-State of City Services after TS Helene

-Claims Filed for Storm Damage to City Property and Facilities to NCLM

-Good of the City to the Police Department, City Maintenance Personnel, Volunteers, City Staff, BOC

We are dealing with an issue with our pump system down on Hwy 176 both pumps are down. They were damaged in the storm one pump is in Greenville being repaired. We are working off the pressure off the Hendersonville line which is keeping the tank full with pressure. Juds peak is getting water because they have power and the small pump is working. Our waste water treatment plant is operational we had a little issue with trees falling on the bar screen we have had some control Panel issues we have an electrician coming tomorrow because of the power surges and loss of power so we will repairs at the waste water treatment plant. We know there are issues on roads and streets that will have to be dealt with. We are trying to get basic services straightened out before we address some of the road situation. We have had on Chisolm street a wet weather spring that hasn't been active for years which created a soft spot that we had to dig out and put in a French drain system. We are dealing with some other issues like drainage the storm water management we will continue to get debris. They are picking up and grinding the leafy debris we will come back around with Chris Bradley's vacuum and pick up the leaves. GFL starts tomorrow coming around picking up storm damage that can be white goods, construction debris, carpets, any of those things that was damaged by flooding or a tree hitting the home. It has to be within 10 feet of the curb side. We sent out the FEMA documentation as what we can accept. We hope that will help people out. The county is going to help pick up leafy debris on most state roads. Tonight Jana is going to be working with us on an inter local agreement that polk county is going to be arriving with that I don't know the time frame I hope Jana can help us with that. I will answer any questions that I can answer we normally don't do this but I will answer if I can.

A gentleman in the audience asked if the water tank issue could mean a water distribution issue for the town.

City manager Orr No because it is elevated and receives pressure and stays ¾ full.

A lady asked they will be taking construction material?

City Manager Orr, Yes they have a grapple hook on the truck and will pick it up.

Assistant City Manager & Finance Officer Julie Osteen according to GFL they will make two passes around one for debris and one for White goods.

City Manager Orr we also have good of the city the police department, our city Maintenance personal for the incredible amount of over time. We had a lot of volunteers, our city staff and our board of commissioners. I want to mention Tim Anderson and Shane Varnadore deserve a lot of your kudos when you see them. Those two guys are two local contractors we rely on they helped getting things opened up fairly quickly let them know they did a phenomenal job they did some dangerous work to get things opened up.

15 - Update On The Status Of Sale Of .23 Acres By Upset Bid Process.

City Attorney Berg gave an update on the .23 Property they Williams wanted to purchase. I'm happy to advise you that we have received the initial bid on the .23 acres submitted by Mr. & Mrs. Williams has been accepted we didn't receive any further bids. I have advised the attorney for Williams that their bid has been accepted. We are going to close on the .10 and the .23 acer not sure of the closing date yet.

16 - SDF Report

Nothing

17 - Coon Dog Day Festival

The Committee has decided that July 12th will be Coon Dog Day this year I the Board approves that. Coon Dog Day is July 12th 2025. We need volunteers.

18 - Local Emergency Ordinance / Proclamation of a City of Saluda State of Emergency

Jana went over the draft local emergency Ordinance of what happens when there is a state of emergency it explains what happens when there is an emergency who declares the state of emergency, purchases are made and thing of that nature. The chain of command is with respect of declaration of state of emergency is the Mayor, in the event the Mayor is not here then the mayor pro tem if neither of those two are available then it goes to the full board of commissioners to do the declaration of state of emergency. There are limited powers some of those are to prohibit the sale of alcohol, to put in a curfew and when people can be out and things of that nature. Those are the powers that the Mayor has, the Mayor Pro Tem and the Board of Commissioners. This is pretty much what everyone else does. The powers are written in the statues and they do list all the powers that you do have.

Commissioner Walker read a part that said a in the absent of the Mayor and the Mayor pro Tem a quorum of the board of commissioners must be present so how many would that be we only have three left.

Attorney Berg a majority so all three Commissioners would have to be Present.

Commissioner oxtoby made a motion to approve the Local Emergency Ordinance as written Commissioner Talbot seconded all were in favor.

19 - Schedule a Public Hearing for a Text Amendment to the Animal Control Ordinance for November 12th, 2024, 7:00 pm Saluda Public Library

City Manager Orr read the ordinance to schedule a public hearing.

Commissioner Marion made a motion to Schedule a Public Hearing for a Text Amendment to the Animal Control Ordinance for November 12th, 2024, 7:00 pm Saluda Public Library Commissioner Talbot seconded all were in favor.

20 - Saluda Historic Committee

Martin Anderson Spoke in Reference to the Pace Park Art Mural Description of all the wonderful people it will be 64x16 we went over how to describe these six people that helped to define Saluda History Dr. D. Lesesne Smith, Lola Ward, Charlie Ward, Phoebia Sullivan, Robert Pace and William "Billy" Morris. We were asking the city to cover they cost \$212.96 but Bruce James and his wife Sara have offered to pay for said sign which is very gracious and wonderful. We still ask the city to give permission to have the sign posted. Whenever it is convenient to the city to do so. It would require the small pace park sign to be moved.

Commissioner Marion made a motion to approve the permission of putting up the sign 64 x 16 Commissioner Talbot seconded all were in favor.

21 - Inter-local Agreement with Polk County, NC for Vegetative Storm Debris Removal

Attorney Berg went over the Inter-Local Agreement for Vegetative storm debris removal the county through the states Emergency Management division is piggy backing onto a state contract for debris removal and monitoring of debris removal. The state issued a invitation for bids back in 2019 two contractors we successful bidders for our region which is region 12 then it goes westward from here the county has issued a notice to proceeded to those two contractors so I presume they are doing what they need to do to get prepared to start hauling out debris. I assume

that the county will let the townships know the dates to have the debris ready for pick up. This has been a fast evolving process this evening right before I came here I was advised that you have in your packet from the FEMA people it in respect to the US Army Core of Engineers doing some debris pickup so rather than paying for debris removal then applying for reimbursement the US Army Core of Engineers doing it their selves. There's no need to pass through. I don't know if this is going to supplant the contracts that are in effect or in addition to or how that works just yet how ever I prepared where the city of Saluda is giving the County permission to operate in the city limits that would be the two contractors I put in a copy of the two contracts for you to review they are lengthy, they are state contracts and you can't do anything to modify them. In light of the fact that the Army Core of Engineers may undertake some of the effort I have proposed some modification to it. This came to me after five today I do have some proposed language if you will look at the letter dated October 9th signed by Steve Orr what I propose to change about that letter is for the seconded paragraph substitute this in addition we further understand Polk County is presently working with the US Army Core of Engineers to enable Polk County to become one of the beneficiaries of a contract issued by US Army Core of Engineers for additional debris removal services. New paragraph please accept this letter as conformation as the City authorizing Polk Counties contractor and should Polk County become a beneficiary of the US Army Core of Engineers contract for additional debris removal service, for the US Army Core of Engineers contractor to operate within the Cities corporate limits. Then it goes one to say that I will be the point of contact for the city regarding these contracts. Please advise of any additional coordination or assistance that may be required of the City. So I modified that a little bit to include the US Army Core of Engineers where if that comes to tuition you have expressively granted them permission to preform debris removal services in the city without a need for a pass through less paperwork.

Assistant City Manager & Finance Officer Julie Osteen said that she has also reached out Henderson county to for their Henderson County residents.

Commissioner Marion made a motion to approve the Inter-Local Agreement as presented with the changes that were made during the meeting Commissioner Walker seconded all were in favor.

22 - Closed session

Commissioner Oxtoby made a motion to enter closed session Commissioner Talbot seconded all were in favor

In closed session personnel discussions and williams property closing

Time entered closed session 8:11

Commissioner Oxtoby made a motion to enter back into regular session Commissioner Walker seconded all were in favor

Time back into regular session 8:21

23 - Adjourn

Back in regular session at 8:21 after closed session

Commissioner Walker made a motion to put together a Subcommittee for disaster analysis containing Police, Fire, Staff, Commissioners, citizen in the community. Commissioner Marion seconded all were in favor, Commissioner Walker made a motion to make an exception to the Personnel Policy due to staffing issues Merit for public works for the total of 2526.58 Commissioner Marion seconded all were in favor.

Commissioner Oxtoby made a motion of a vote of confidence in the City Manager Commissioner Walker seconded all were in favor.

With no further business to discuss,

Commissioner Oxtoby made a motion to adjourn the meeting Commissioner Walker seconded and all were in favor.

The meeting adjourned at 8:37 October 14th, 2024.

Respectfully submitted by Pamela Waters, City Clerk. Adopted this day of 20.




Pamela Waters, City Clerk