

TOWN OF WEBSTER

Minutes for February 7, 2017 Board Meeting



The Board of Commissioners for the Town of Webster met for a regularly scheduled meeting at Town Hall, 1411 Webster Road. Mayor Tracy Rodes called the meeting to order at 5:15 p.m.

MEMBERS PRESENT: Commissioner Billie Bryson, Commissioner Danell Moses, Commissioner Allan Grant, Commissioner Rick Fulton, Commissioner Leigh Anne Young, and Mayor Tracy Rodes

MEMBERS ABSENT: none

OTHERS PRESENT: Will Morgan, Smith & Morgan Law

GENERAL MEETING

Approval of Agenda

MOTION: Commissioner Grant made a motion to approve the minutes as amended. Commissioner Young seconded.

Approval of Minutes

Minutes for the January council meeting were presented for review.

MOTION: Commissioner Fulton moved to approve minutes. Commissioner Grant seconded. Motion carried.

Informal Comments by Public - none

CONSENT AGENDA

Financial Report

Joyce Pope presented the end-of-month detailed and summary reconciliation reports and the up-to-date budget report for January 2018:

Beginning town fund balance per December report:	\$ 138,775.37
Expenses	3,134.35
Deposits	11,000.82
Macon CD 12	25,163.12
Macon CD 48	37,681.14
Ending Town fund balance	\$153,674.35

In the Liability Insurance line item, \$1,300 was budgeted but the bill paid was \$1,720.47. The amount of \$420.47 will need to be moved. An additional adjustment needs to be made to the Bonding Fees line item to reflect the renewals that were paid this year (\$340 + \$250=\$590). The funds will come from Miscellaneous.

MOTION: Commissioner Fulton made a motion to approve the budget as amended, included the line item transfers, and the financial report. Commissioner Young seconded. Motion passed.

ADMINISTRATIVE REPORTS

Mayors Rodes' Report

- **Apartment update:** There was another leak in sink of the Town Apartment. It was repaired at a cost of \$96.
- **Verizon Partnership request for a proposed Cell Tower in Webster:** The Town was asked to consider their application for consideration of a special use permit without having the attached Structural Report. After research, Mayor Rodes sent Verizon a letter indicating that the Town would consider their application complete without this report because it is required by Jackson County before any building permit will be issued. Webster has adopted Jackson County's Wireless Communications Ordinance and has an Interlocal agreement with the County to handle zoning for the Town. The review of the required structural reports falls under the County's purview. Once a special use permit application is received, the governing board would hold a public hearing to allow citizens to comment. The Town Board would then consider the application, evidence presented by citizens, and make a quasi-judicial finding in the case by majority vote. The Mayor has developed an updated Special Use Permit Application for the Town to review. The board would like the Town Attorney to provide training.



- **Broadband structure update:** The Mountain West Partnership and the Southwestern Commission received about 5,000 responses their survey and will be holding a meeting sometime in February to determine next steps to increase broadband access in the region.
- **Net Neutrality:** On February 2, the FCC informed the Senate of its plans to repeal net neutrality rules. Mayor Rodes asked the board to consider a resolution against Net Neutrality Repeal.

Council Member's Reports - none

NEW BUSINESS

1. **Update Special Use Permit/Conditional Use Application:** Mayor Rodes present a revised special use permit for the board's consideration. This revision was based on the permit applications currently in use by neighboring towns and the specific needs of Webster. Rodes highlighted area number 9 for discussion. The application provides for a fee to be paid to the Town of Webster. Moses asked if the Town of Webster fee schedule needs to be revised. The board discussed removing the number 9 from the application, as it does not seem to be applicable. Rather than having the numeral 9 there, the statement that follows should be bolded. The logo and title should be placed together. A space needs to be removed under 8a. Application signature line disclaimer should be changed to read: "Signature indicates applicant has read and understands ...". A comma should be added after the word property under item 3. Morgan suggested we make the language match the statute.
MOTION: Commissioner Moses made a motion to approve the Special Use Permit/Conditional Use Application as amended. Commissioner Young seconded. Motion carried.
2. **Resolution to Adopt Updated Smoky Mountain Hazard Mitigation Plan:** Commissioners were emailed the 1,000-page plan and reviewed it prior to the meeting. The board reviewed the resolution and agreed to put today's date on it. Under item 5, the brackets need to be replaced with "Town of Webster." Under item 6, 'and' should be added. Under item 7, a semi-colon should go at the end. Under number 2 there is a misalignment. The board agreed that the plan would be acceptable with the suggested changes.
MOTION: Commissioner Fulton made a motion that the Town of Webster adopt the Updated Smoky Mountain Hazard Mitigation Plan as amended. Commissioner Young seconded. Motion passed.
3. **Set date for Planning Session:** Commissioners discussed available dates for the annual planning session. Topics to be covered include the budget, priorities for the upcoming year, potential projects for the Town, delegation of projects, the status of the planning board, and more. Young suggested using the "We Love Webster" event as a recruiting tool to get more residents active in Town projects and boards. The board also discussed adding to the agenda discussion of the status of Webster as a separate municipality. The annual planning session was set for Friday, April 20th from 12:15-3:15 pm, to be held at the Town Hall. Lunch will be provided by the Town. Commissioner Moses will take care of the catering arrangements.
4. **Quasi-Judicial Procedure Review:** Mayor Rodes provided the board with a handout summarizing key differences between Legislative and Quasi-Judicial Decisions. The special use permit application process falls under the quasi-judicial decision guidelines. The Town Attorney has offered to train the board in those proceedings. In a quasi-judicial proceeding, notice of a hearing is mailed to the party initiating the hearing, to the land owner, and to abutting owners; and is posted on site. An evidentiary hearing is held, at which witnesses may present testimony under oath. Evidence must be substantial, competent, and material. Findings must be in the form of a written decision signed by the chair of the board, clearly determining contested facts. In this hearing, the Mayor gets a vote, so a tie vote is possible with 6 persons voting. If the application is denied, the initiating party can appeal to the Superior Court.

OLD BUSINESS

1. **Develop Questionnaire for We Love Webster Event (April 11, 2018):** the board members were asked if they had questions to put on the questionnaire. No one had questions to contribute. The Mayor asked if the board would like to keep the event on April 11 or reschedule. Moses suggested holding the event in the fall, calling it



“Fall in love with Webster.” Young felt it would be best to hold the event after the board’s planning meeting. The board agreed to postpone the event until after the planning session takes place.

MOTION: Moses made a motion to postpone the We Love Webster Event. Young seconded. Motion carried.

2. **Budget Amendment for Website Update:** Mayor Rodes brought to the attention of the board that the website needs to be updated to improve navigation and make the pictures and information more current and relevant. Newer pictures are needed, which might require input from citizens. Fulton asked if analytics are available for website traffic. The board agreed to table discussion until the planning meeting.

Next Meeting

The next Town of Webster Board Meeting will take place on Wednesday, March 7, 2018 at 5:15pm.

ADJOURNMENT:

MOTION: Commissioner Moses motioned to adjourn. Commissioner Grant seconded. Motion passed. The meeting adjourned at 7:05 p.m.

Tracy Rodes, Mayor

Joyce Pope, Town Clerk