

Town of Hot Springs  
Board of Alderman Meeting  
May 6, 2024

Present:

Mayor Abigail Norton  
Alderman Jeanne Gentry  
Alderman Wendy Stancil  
Alderman Dan Myers  
Attorney Selena King

Fire Department –  
Maintenance – Jeremy Trantham  
Police Department – Chief David Shelton  
Tax Department – Laura Holloway

Mayor Norton called the Town meeting to order at 6:00pm

Mayor Norton went over the public charge. A copy of the public charge was placed in each chair for the meeting attendees to read.

Mayor Norton asked if there was a motion to approve the April meeting minutes. Alderman Stancil made a motion; Alderman Myers seconded the motion; all were in favor.

Mayor Norton asked if there was a motion to approve the April 17, 2024 Special Budget Meeting minutes. Alderman Gentry made a motion; Alderman Myers seconded the motion; all were in favor.

Mayor Norton asked if there was a motion to approve the April 20, 2024 Special Meeting minutes. Alderman Gentry made a motion; Alderman Stancil seconded the motion; all were in favor.

There were no Public Comments.

Mayor Norton introduced the Town's new attorney, Selena King.

Mayor Norton introduced Tom Weaver and Paul Curtain, with the Carolina Mountain Club, with an update of the Appalachian Trail Shelter to be placed at the Welcome Center

Paul Curtain

The Hot Springs Mountain Club folded and gave the Carolina Mountain Club (CMC) the remaining funds in their account. CMC has put together a Trail Crew together. Richard McDaniels will head the crew. The CMC Trail Crew will have an event on June 1<sup>st</sup> in which they expect up to 90 people to attend. The group will work on 3 or 4 different trails and then gather at the Big Pillow Brewery. In appreciation for the crews work on the trails the brewery owner, Chris Donochod, will be buying the first round of beer.

With the funds transferred from the Hot Springs Mountain Club, CMC will purchase tools and equipment to use to clean & repair the trails. The Town of Hot Springs will allow CMC to store the tools and equipment at the Fire Department.

Tom Weaver

The CMC is responsible for 95 miles of the Appalachian Trail. There are 10 shelters within these 95 miles. The Lonely Mountain Shelter was built in 1938. The shelter will be rehomed and set beside the Hot Springs Welcome Center. The pieces will be catalogued and recorded so that the shelter will be put back together exactly as it was originally built. Tourists that come into Hot Springs will be able to see what the shelters look like and learn a little about the trail's history. The TN State Historic Preservation Office (TNSHPO) will need a memorandum of understanding from The Town of Hot Springs and the CMC stating that we will take care of the shelter once it is here in Hot Springs. The Town and CMC signed an agreement last year, but the TNSHPO is requesting a more formal memorandum of understanding. The TNSHPO is putting the formal memorandum together. After the memorandum is reviewed and approved by the Town's Legal Counsel, the formal statement of understanding will be signed by the President of the CMC and The Town of Hot Springs' authorized representative.

Mr. Weaver said that the Town had concerns with overnight use of the shelter when he first presented the project to the Board. To help alleviate the concerns, the shelter will face Bridge Street, there is a streetlight overhead, there is currently a sign indicating no loitering or camping overnight, we have a police department that can help keep an eye out on the shelter. The CMC is open to discuss other thoughts of how to keep the shelter from becoming a nuisance.

Mr. Weaver will need to have a concrete platform poured if we go forward with the project. He has been provided with names, by Jack Daulton, for contractors who could pour the concrete; he needs to get bids for a 16'x16'x4" pad for where the shelter will be placed.

Mayor Norton told the Board she had an application for live music at the Magnolia House for: May 11 from 4:00pm until 10:00pm; May 18 from 4:00pm until 10:00pm; and June 11 from 4:00 until 10:00pm. Mayor Norton asked if the Board approved these dates and times. Alderman Gentry made a motion to approve; Alderman Stancil seconded the motion.

Mayor Norton presented an application for live music at the Hot Springs Resort & Spa for May 18<sup>th</sup> from 9:00am until 6:00pm for the BMW Event and June 15<sup>th</sup> from 10:00am until 6:00pm for Bluff Mountain Festival. Mayor Norton asked for a motion to approve, Alderman Gentry made a motion; Alderman Stancil seconded the motion; all were in favor.

Mayor Norton referred the Board to their copy of the NPDES Permit [Mayor Norton intended to say the eDMR report]. This is the February 2024 report. The sewer moratorium was initially for 6-months ... this needs to be extended. Mayor Norton asked Attorney King if we need to have an ordinance. Ms. King advised that we need to create an ordinance for the extension of the moratorium. Ms. King will work on creating an ordinance before the June meeting.

The extension of the moratorium is due to the fact that our wastewater treatment plant is an 80,000-gallon, per day, treatment plant. The State allows use 80% of that amount, 64,000-gallons per day. In February 2024: 1<sup>st</sup> we had 155,000-gallons of wastewater; 2<sup>nd</sup> we had 138,000-gallons of wastewater; the 3<sup>rd</sup> we had 119,000-gallons. The only day we didn't go over the allowed amount was on February 9<sup>th</sup>, when we had 60,000-gallons. With these numbers in mind, Mayor Norton suggests that the moratorium remain in place until December 31, 2026. The Town should have a new water plant by that time and the new wastewater treatment plant will be a 250,000-gallon, per day, treatment plant.



Mayor Norton clarified there will be no new sewer taps. If property is purchased without water/sewer line, there will not be a sewer tap put in for the property. ADUs (accessory dwelling units) will also not be allowed.

Mayor Norton referred the Board to their copies of the water/sewer service application and their copies of Ordinance for the Municipal Water System. Mayor Norton referred the Board to section 2E of the ordinance: The Town will not provide water/sewer service outside of the Town limits unless the property owner requests annexation. The County has allowed Hot Springs to extend the water service to the Fairview Community water system so section 2E needs to be revised. Section 5G will need some work to bring in line with the application. Mayor Norton asks that everyone send in ideas for policy updates, by email.

Public attendee Andy Fulton asked the Board what caused us to use so much more water than what the system was designed to use. Mayor Norton responded that sewer usage is what had been so high. He wanted to know what was causing the sewer usage to be so high. The Board responded that the numbers have been high for approximately 2 years. Alderman Myers told Mr. Fulton that the usage is continuing to grow. Mr. Fulton asked if the population is growing. Alderman Stancil advised that tourism is growing. Alderman Gentry explained that the rainwater also contributes to the higher sewage use. She also reminded everyone that the water runs down from the mountains into our sewage system.

Mayor Norton noted that Henderson Dr. needed to be scrapped. She asked the Board if we still had a contract for this type of work. Alderman Gentry indicated that we don't. Mr. Trantham said the Maintenance can scrape the road; he also indicated that they may need to add gravel in a few places. He told the Board that he'd let them know if additional gravel was needed.

Mayor Norton asked the Board if they wanted to come up with an abandoned vehicle policy; Alderman Gentry said she would like to have a policy put in place. She said that she spoke with the Police Chief about having such a policy in place. Alderman Myers agrees it would be good thing to have a policy in place. Mayor Norton told Attorney King that we don't currently have an abandoned vehicle policy in place and asked Ms. King if she would prepare an abandoned vehicle policy for the Town. The Board agreed that the policy should indicate that abandoned vehicle will be a vehicle that has been parked in the same place for more than 30-days. Alderman Myers requested that we contact Gary Wills for any towing needs; Alderman Gentry noted that Mr. Wills is the local towing service in Hot Springs.

Mayor Norton told the Board that River Road is scheduled to be repaired next month, June 2024. She has been working on getting the repair done for about 3-years. Mr. Trantham let everyone know that stop lights will be in place during the repair. The repairs may take up to a month.

Mayor Norton presented Resolution 05062024: Intent to change the Town's Method of Conducting Elections. The resolution will extend the terms of office to 4-years. The terms will be staggered. In the 2025 election, the two Board members who receives the highest votes will receive a 4-year term. The two Board members with the lowest votes will have a 2-year term. This will allow the Town to always have two Board members with Municipal Law and Municipality experience.

A public hearing will be held on May 29, 2024 at 6:00pm at The Town of Hot Springs Town Hall to allow public input. Mayor Norton read the resolution. Notice of the meeting will be published in the Newspaper. Alderman Myers made a motion to approve the

scheduling of the May 29<sup>th</sup> meeting; Alderman Stancil seconded the motion; all were in favor.

## DEPARTMENTS

### Andy Fulton – For the Love of Hot Springs Committee (LHS)

There are three sub-committees within the group. The Affordable Housing Committee is one he and Ike Lassiter work on. They are wanting to hold an Affordable Housing Event in Hot Springs on June 24<sup>th</sup>, 6:30pm – 8:00pm, at the community center. This will be an educational event with a panel of experts. The experts will include Melanie Prater/Housing, Cindy & Steve Debose/Real Estate Brokers, a contractor, someone from the State Employees Credit Union to discuss grants for first time home buyers, someone from the Town, Brad Guth and Ben Houser/zoning. They will get everything firmed up and begin promoting the event the week of May 13<sup>th</sup>. They are in hopes of having a survey regarding affordable housing available within the next 10-days: what size families are looking for a home in Hot Springs; their income levels; how long have they been looking; etcetera. The collected information will be shared with the Board.

One of the other LHS sub-committees is to make sure the Town is using all assets in the best way possible. One asset is the Public Parking lot. They are wondering what the cost would be to grate, clean up, and make lines which could allow for more parking spaces.

Mayor Norton added that the signage for public parking needs to be moved and made larger. New people aren't able to recognize the public parking lot.

Alderman Gentry mentioned to Mr. Fulton that during the LHS Affordable Housing Event that people may mention overnight rentals. She suggests having someone from Land of Sky also attend. She recommends that Ben Houser be on the panel to answer questions as he is familiar with the state's policies for overnight rentals.

Mr. Fulton said that the LHS Committee will, at some point, open a 501C3. They will hold some fund raisers and can help pay for things such as parking lot signs.

### Jeremy Trantham – Maintenance

Justin Wood has got his C-Well; he will soon complete his C-Distribution for drinking water; and will test at the end of May. Justin will have to maintain this for 12-months.

Maintenance will have to call for some pumping at the sewer plant and the sand filter.

Mr. Trantham said he spoke with Keith Webb [with McGill] about the sand filter. Mr. Webb will be requesting bids to work on the sand filter. He will also start working on the sewer line under the bridge – the two projects may be worked on at the same time. Mr. Webb will have the information back to the state, regarding things the state requested to be changed, within the week. Mr. Webb has received approval from the state, but he had to adjust something on the plan and send it back to the state. Current plans are to have these projects completed by summer – however, things will depend on how busy contractors are. Mayor Norton said the process for this type of contract bid is one which will need to be advertised. If only one bid is received, the project will be



advertised a second time, and the bidding process could take a month. Alderman Myers felt that since the work being on the creek may require a specific type of contractor.

#### Laura Holloway – Tax Collector

The 2023 Tax Scroll included a personal property tax for a bus owned by a Hot Springs resident who passed away in 2008. This is the first time this tax has been on the scroll at least since 2021. Ms. Holloway has talked to the County and the DMV and advised both that the person who owned the bus passed away; the DMV knew the owner passed away but said whoever took the bus has not had the title transferred. The taxes on the bus will remain in the deceased owner's name until the title is transferred. Ms. Holloway asked the Board if she could release the taxes. Alderman Gentry said we could not legally release the taxes; Mayor Norton said we could only release the interest. Mayor Norton asked Ms. King if she would check on this matter for us. Alderman Gentry said whoever is responsible for the deceased's estate is responsible for paying the taxes.

The 2023 Tax Scroll included the North Carolina State Highway and Public Works Commission for a piece of property, in Silvermine, they purchased for the new bridge. We have billed the State according to the information on the scroll. Alderman Gentry asked why we are billing the State for the newly acquired property as we do not bill the State for the property they currently own. Ms. Holloway contacted the county and was told that the billing information on the scroll was incorrect and the Town should not bill the State for the property. Ms. Holloway requested to release the property taxes that have been billed to the State. Alderman Gentry made a motion to release the taxed amount; Alderman Myers seconded the motion; all were in favor.

Ms. Holloway said she contacted Randall Perry for past due taxes from 2021 to current. She requested that Mr. Perry contact the County and notify them that he no longer operates out of Hot Springs. Mr. Perry said that he had contacted the County. In review of the County's website, Ms. Holloway was able to see that the county had released the taxes from 2021 to current. Ms. Holloway asked that the Board if she could release the Town's taxed amounts of \$323.65. Alderman Gentry made a motion to approve the request; Alderman Stancil seconded the motion; all were in favor.

Ms. Holloway had provided handouts to the Board providing the information she will forward to the newspaper regarding the delinquent 2023 taxes. The advertisements will cost \$250.00. Ms. Holloway explained that advertising personal properties is something new. She contacted the School of Government and found out that personal property can be advertised. The ads will be forwarded to the newspaper on May 7<sup>th</sup> and will appear in the May 15<sup>th</sup> edition.

The Town has currently collected 97.62% of the real property taxes. \$609.00 has been received in interest due to delinquent tax payments.

## **BUSINESS**

#### Mayor Norton

Mayor Norton referred the Board to a handout regarding NCLM announcement that Hot Springs has been selected as a participant in the launch of the North Carolina League of Municipalities Accounting, Instruction, and Mentorship Program. She announced that Alderman Stancil has already attended one of the events.

An email was distributed to the Board regarding a temp to hire company. Just a fyi.

#### Alderman Stancil

In regard to the above mentioned NCLM program, the program provides a grant consultant to assist in writing grants. Alderman Stancil and Mayor Norton have met with the consultant. They discussed writing a grant for the Community Center (CC) and connecting the CC with the jailhouse. This would enlarge the CC quite a bit.

Alderman Stancil has created a shared Google community calendar. Hopefully, this will eliminate several events from occurring at the same time. Alderman Stancil asked if the calendar could be added to the Public Events section of the Town's website.

The Events Committee will be meeting, within the next week, to discuss the July 4<sup>th</sup> events. They will invite the Fire Chief to attend.

#### Alderman Myers

A copy of the Backflow Ordinance has been provided to the Board. Currently the Ordinance does not required certifications for the person who will ensure businesses have a functioning backflow system. Alderman Myers said that he added the wording 'Designated Representative' so that when certification of a person is required, the ordinance will not have to be changed. This is different from a person who installs or inspects a back flow system. Most businesses have a backflow system. The only business that may not currently have a backflow system would be the plant. Alderman Myers expressed the importance of the plant having a backflow system due to the chemicals they use in conjunction with the town water – should the chemicals backflow into our water system it would be a toxic situation. Alderman Myers will get with Mr. Trantham and they can visit the plant to see if they do have a backflow system or if they need to put a system in place. Mayor Norton would like for Ms. King to review the ordinance before it is accepted.

Alderman Myers asked about the firetrucks that had been auctioned off. He is wondering when they will be picked up. Alderman Gentry and Mayor Norton told him that there was some title work that needed to be done. Mayor Norton said she would contact the buyer.

#### Mayor Norton

Has a certificate of appreciation for the prior Town Attorney, Ron Moore. She asks that each of the Board members sign. She asks that a \$150.00 restaurant gift certificate be approved to be given to Mr. Moore. Alderman Gentry made a motion to approve; Alderman Stancil seconded the motion; all were in favor.

At 7:13pm Alderman Gentry made a motion to go into Executive Session; Alderman Myers seconded the motion; all were in favor.

At 8:11pm, the Board returned from Executive Session. Alderman Gentry made a motion to return to the regular session; Alderman Myers seconded the motion; all were in favor.

Mayor Norton announced a gift of a piece of property, to the town, was discussed in the closed session. She asked for a motion to approve having a survey done on the property. Alderman Gentry made a motion to approve the survey; Alderman Myers seconded the motion; all were in favor.

Employee insurance was discussed in the closed session. No decision has been made at this time. Mayor Norton will poll the Board after they have time to review the different policies.

The 2024-2025 Town Budget was discussed in the closed session. No decisions will be made until June 2024.

Since there is no other business to discuss, Alderman Gentry made a motion to adjourn, Alderman Stancil seconded the motion; all were in favor. Meeting adjourned at 8:12pm.

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Approved  
*Abigail Norton*  
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Mayor Abigail Norton

6-3-24  
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Date  
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Other