

TOWN OF ARCADIA LAKES
COUNCIL MINUTES
FEBRUARY 2, 2012

Town Council of Arcadia Lakes met Thursday, February 2nd in the Town Hall Conference Room.

ATTENDING were Mayor Pro Tem Rusty Onley; Council members: Tom Clark, Linda Jackson, and Mark Robertson. Also attending were Town Clerk *Christine Murphy and Barbara Covington*; Town Attorney Charles Cook; Deputy Margaret Fisher and Captain Cole Porter. Town Residents: Rabbi Sandy Marcus; Ruth Marcus, Mark Huguley, Joan Jowers, Peggy and Bill Smith, LE and Mary Helen Spradlin, Fred and Alicia de Myhrer, Bernie Gaudi, Roy, Mary, and Burke Huffman, and Frannie Larsen.

MAYOR PRO TEM RUSTY ONLEY called the meeting to order, in the absence of Mayor Thomas. He reminded the residents that there would be a Question and Comment period for them to speak at the end of the formal council meeting, with a 5 minute limit for each speaker.

DEPUTY'S REPORT: CAT Deputy Margaret Fisher reported that there had been no break-ins or problems in Arcadia Lakes. Deputy Fisher said she had talked with representatives of Waste Management concerning early morning dumpster pickups at 6432 Two Notch Road, behind The Commons. Deputy Fisher was told that there was no way they could empty the dumpsters later because of traffic and other obstacles that would make it hard to get in and out of certain areas. Waste Management representatives told Deputy Fisher that they had tried to adjust their schedules, but did not know what else they could do. The Arcadia Lakes Noise Ordinance was discussed, which is the same as the county ordinance. Captain Porter said the ordinance would not allow them to cite Waste Management for early morning pickup. Bernie Gaudi reported that a car had driven off of Trenholm Road into Steve Brown's yard, and almost into Cary Lake. The Highway Patrol handled the incident, Captain Porter said.

Councilman Robertson told council that in reviewing the Town's section on criminal offenses, it doesn't appear to be defined whether they are misdemeanors or felonies. To charge someone under that ordinance, including the noise ordinance, is not clear how they might be charged, given a citation.

JANUARY 5, 2012 MINUTES: Mayor Pro tem Onley asked if there were any corrections or additions to the January minutes. Councilman Clark moved that the Minutes be approved as received; Council member Jackson seconded the motion, which was approved.

FINANCIAL SPREAD SHEET: Mr. Robertson reported that council has been relying on information from the CPAs for financial reports, which are received about nine months after the period closes that they are reporting on. It is an audited report, which meets the state's standards, but is not useful as a management tool. In order to track the budget closer to the real time, he said he worked on putting together a proposed spread sheet and met with the folks from the office to see if this would be feasible to use. This is a proposed design of the spread sheet, Mr. Robertson said. He said he wasn't sure the first column 2011 budget is needed, which could be deleted. He said this report would be for January, which is the first month of our fiscal year, and would be 8.33%, 1/12th of the budget year. First column lists all Expenditure categories from the budget; Bottom part lists all categories from the income budget. After further explanation and discussion, Mr. Robertson said he would like some feedback and response from council as to whether this would be a useful tool to monitor our finances, so we would see if our income is not meeting expectations, or expenses are going over in areas that we need to monitor or make adjustments to actual expenditures over the course of the twelve month fiscal year.

Council was asked by resident if the financial spreadsheet will be put on the web site. Attorney Cook said that it is a mistake to put numbers that are unaudited on a web site.

Mr. Robertson moved that the Financial Spreadsheet design be used for at least three months: Mayor Pro tem Onley seconded the motion, which was approved.

COG REPORT: Mr. Robertson said council has signed an agreement with Central Midlands Council of Governments to do a study of what the actions of the Town should be on a lot of the things that people have expressed that they want, such as as traffic calming on Trenholm Road; better maintenance of our streets; more timely enforcement of laws. These are things that many people have come to council and asked for in the past year. We have been challenged to think about how prioritize those; how do we carry them out, given the limited resources the Town has. Council contracted with Central Midlands Council of Governments, and many residents attended the meetings in November, to get public input on them. Mayor Thomas met with staff at the COG a couple of weeks ago to let him know where they are. None of the other council members were able to attend that meeting. After discussion, Mr. Clark moved that the COG staff attend the Town Council meeting on March 1st, to give a synopsis of where they've been; where we are; and steps moving forward. Mr. Robertson seconded the motion, which was approved.

ROPER POND: Mr. Robertson said that several months ago Mayor Thomas asked him to serve as council's liaison with our attorney in the Roper Pond litigation. The lead Attorney at the S. C. Environmental Law Project is Amy Armstrong. She said she has received notice from the Court of Appeals, inquiring about her availability during the April, 2012 term of that court, in order to schedule oral arguments on the Roper Pond Litigation. The court does not have to hold oral arguments, but her guess is that they will in this case. Ms. Armstrong said she is sending a letter to the court, advising them that they don't have any conflicts that take precedence over the Court of Appeals. She is waiting to hear back from the Court of Appeals on the actual day or dates, when they will schedule oral arguments in the Roper Pond Litigation. Mr. Robertson said he emailed her back, asking her what this means as to when there might be a decision by the court. She replied that it is nearly impossible to tell when the court will issue a decision within three or four months, or well over a year. Ms. Armstrong said that given her experience, we could expect a decision from the court anywhere between July, 2012 and July, 2013, if it is argued in April. Mrs. Jackson, as one of the lead plaintiffs for the individuals, has regular contact with Ms. Armstrong, so we will know very soon when a date is set for the oral arguments, Mr. Robertson said.

Mrs. Jackson reported that she has been alerting Amy Armstrong to everything that has been going on with the Roper Pond Development. Back in September, when copious water was going into Cary Lake through the Clowney's yard and in January, after a heavy rain, Amy was notified. Ms. Armstrong had e-mailed the attorneys with DHEC to let them know how serious the flooding was, and that Mr. Clowney said that the copious water flowing through his yard had been muddy ever since the developer started clearing the land. Mrs. Jackson encouraged residents to attend court, if there is an oral argument.

Mr. Bernie Gaudi reported that he had observed, after a recent heavy rain, that muddy water was running down the alley behind the Town Hall, over the storm drain, that is stopped up, and down Trenholm Road. A lot of the mud is coming from adjacent land. Mr. Gaudi said that if we lose the appeal with Roper Pond, that the owners could come down hard on the Town and the other plaintiffs. Mrs. Jackson said that there is a pipe that runs from the pond, under Trenholm Road, and to Mr. Clowney's property. The pond is a mud hole, she said.

TOWN PICNIC: Christine reported that the Town Picnic is scheduled for Sunday, May 20th from 4:00 'til 7:00 PM. Confirmation for food and music will be decided at the next meeting.

CARY LAKE: Mrs. Jackson asked Cary Lake President, Steve Brown, what was going on with the Lake. Mr. Brown said that the lake is lowered every year, so property owners can clean up or repair/build their docks.

NOISE ORDINANCE: Mr. Clark said that Deputy Fisher said the County had no kind of enforcement of the Town's ordinances. Mrs. Jackson said that the last paragraph in the Town's noise ordinance states that noises audible in public streets or public places that violate the standards of this Article are hereby declared to be public nuisances that may be abated by any law officer. She said they need to talk to the deputies about that.

RAIN GARDEN SIGN: Christine reported that the new Rain Garden sign at the Tree of Life had been purchased from Fast Signs for \$250.00; compared to \$549.00 quoted by another company.

RADAR SIGN: Mr. Clark said that the radar sign discussed for Trenholm Road is information that can be brought up to COG as one of the issues to be looked at by them. Calming traffic on Trenholm Road is a high priority by many residents, Mr. Robertson said.

Mr. Gaudi said it appears that the traffic priorities have shifted to Trenholm Road. He said he is still having problems with traffic speeding on Arcadia Lakes Drive. Discussion was held.

ARCADIA LAKES DRIVE & TRENHOLM INTERSECTION:

Mrs. Jackson told Mrs. Peggy Smith that she had forwarded her letter to Mr. Maddox with Department of Transportation, concerning the danger to walkers at the intersection. She sent the letter on January 20th, but has not had a response yet. Mrs. Jackson said she will follow up on the letter.

WEB SITE: Mr. Brown said the Town's web site has not changed in 16 years, and he feels the information on there is inadequate. He said it is a tool that is needed and used by everyone, and should be updated. He said he feels it also needs a calendar of events. Discussion was held.

There being no further business, the meeting was adjourned.


Christine Murphy, Town Clerk
