

**Town of Montreat
Board of Commissioners
Town Council Meeting Minutes
March 11, 2010 – 7:00 p.m.
Walkup Building**

The Montreat Board of Commissioners held their regularly scheduled Town Council meeting on March 11, 2010 in the Walkup Building.

Commissioners present: Mayor Letta Jean Taylor
Commissioner Ruth D. Currie
Commissioner Jack McCaskill
Commissioner Mary Standaert
Commissioner O'Neil Tate

Commissioners absent: Mayor Pro Tem Eric Nichols

Town staff present: Ron Nalley, Town Administrator
Stephen Freeman, Public Works Director
Misty R. Gedlinske, Town Clerk
William B. McClintock, Chief of Police
Stefan Stackhouse, Finance Officer
David Currie, Building Inspector/Code Administrator

Six members of the public were also present. Mayor Taylor called the meeting to order at 7:00 p.m. and held a moment of silence.

Agenda Approval

Mayor Taylor noted the following changes to the meeting agenda since the March 4, 2010 Agenda Meeting:

- The February 11, 2010 Town Council Meeting minutes were revised as requested at last week's meeting.
- Additional information concerning the Planning and Inspections Department vehicle purchase will be considered under that item of New Business.
- Adoption of two capital project ordinances for the Phase I Water System Improvements and Automated Meter Reading System funded through the American Recovery and Reinvestment Act of 2009 (ARRA) was added under New Business.
- The list of upcoming meeting dates was revised to reflect the Board's decision to cancel their April 1, 2010 Agenda Meeting in observance of Maundy Thursday.

Commissioner Standaert then moved to adopt the meeting agenda as amended. Commissioner McCaskill seconded and the motion carried 4/0.

Public Hearing: Proposed 2010-2015 Capital Improvements Plan

Mayor Taylor opened the Public Hearing on this matter. Bill Goodwin voiced his opposition to the paving of Providence Terrace, scheduled on the proposed Capital Improvements Plan for the 2010-2011 Fiscal Year. He cited other areas of the country where towns and cities had decided not to pave gravel roads with low traffic volumes due to maintenance costs and various environmental concerns. He also said felt that the project was not an appropriate use of tax revenues at this time. Hearing no further comments from the Council members, staff or public, Mayor Taylor then closed this Public Hearing.

**Public Hearing: Proposed Revisions to Montreat General Ordinance
Chapter D, Article IV "Street Standards"**

Mayor Taylor opened the Public Hearing on this matter. Mr. Currie briefly reviewed minor changes to the ordinance draft that were made as a result of the Board's discussion at last week's meeting. No further comments were heard from the Council members, staff or public, Mayor Taylor then closed this Public Hearing.

Communications From the Mayor

Mayor Taylor reported on the following items:

- A 2010 Census Road Tour event will be held on Saturday, March 13 from 11:00 a.m. until 3:00 p.m. at the WNC Farmer's Market. Census staff will be available to provide copies of sample forms, answer questions and take employment applications for Census job openings. Some census forms received have incorrectly listed a Montreat street address with a Black Mountain town name and ZIP code. Residents are instructed to mark through this and enter the correct town name and ZIP code to help ensure an accurate and complete census count.

During discussion, Commissioner Standaert spoke about finding her Census form in the woods near her house and was concerned that a similar problem could happen at other residences. She also encouraged staff to work with representatives from Montreat College and the Mountain Retreat Association to ensure census participation from their employees who reside within the Town

- Two Clear Water Contractors courses will be held locally on March 13 and 27. These eight-hour sessions will discuss sedimentation, stormwater control, water quality regulations and best management practices and are open to local contractors, developers, equipment operators and land clearing firms.
- Montreat College will receive a new bus in the near future. A representative from the College will present information on the new bus during Public Comment and ask the Council's permission to park the bus in the parking lot near the Montreat Gate.

Review of the Consent Agenda

Mr. Nalley said that with the adoption of the Consent Agenda, the Board had approved the following items:

- January 26, 2010 Special Meeting minutes
- February 11, 2010 Town Council Meeting minutes

Communications From the Town Administrator

Mr. Nalley gave updates on the following items:

American Recovery and Reinvestment Act of 2009 Funding Update: The Town did not receive requested principal forgiveness funding for well construction on Greybeard Trail, but was instead approved for loan funding with an annual interest rate of 2.5%. Staff will review the loan documents and prepare a recommendation for the Board's consideration.

2010 Census Update: Census forms have been distributed Town-wide. All property owners who reside in Montreat for six months and one day or more are encouraged to complete and submit their forms as soon as possible. Montreat's allocation amounts of many state and federal funding disbursements for the next ten years are based on Census population counts. Beginning on March 22, the Census Bureau will post daily updates of current response percentages on their website, www.uscensus.gov. Montreat's response rate during the 2000 Census was 66%, and staff is hoping for a much higher return for this Census count. A staffed Questionnaire Assistance Center is open Monday through Friday from 2:00 p.m. until 5:00 p.m. in Montreat College's L. Nelson Bell Library to provide copies of census forms and other related materials. Staff's understanding is that the incorrect city and ZIP code information on some census forms will not negatively impact Montreat's count, as population information is derived from responses within a particular census block and tract. Commissioner Standaert was concerned that some Montreat College and Mountain Retreat Association staff members newly residing in Montreat may not be aware of the Census or the importance of their participation. She asked that Town staff coordinate with representatives of both groups to educate and encourage participation.

Administrative Reports

Police Chief: Chief McClintock presented and reviewed his monthly departmental activity report for the month of February.

Public Works Department: Mr. Freeman listed the sanitation and recycling disposal tonnages for the month of February and reported on the following additional items:

- Approximately half of the required piping has been installed for the Greybeard Trail water line extension project. Concrete blocks are being laid to construct the Harmony

Lane well house. Installation of the automated meter reading system is nearly complete, with about 40 residential and eight institutional meters yet to be replaced.

- The Town experienced its third major snow event on February 4. Public Works Department crews worked 12-hour shifts throughout the first 24 hours of the storm to plow the roadways and apply sand.
- High winds on February 10 caused three large trees to fall on Mississippi Road, which were removed by professional tree services crews.
- During a minor snow event on March 2, all roads were plowed by 8:00 p.m.
- February's water loss due to unaccounted usage was 18.7%. Some of this loss is attributed to a water main break on Tennessee Road and ruptured plumbing pipes or meter bases at four residences.
- Local asphalt plants will reopen shortly, which will allow Town crews to begin repairing the multiple potholes and areas of cracked pavement which have occurred over the winter months. The most severe potholes have been filled with gravel as a temporary measure.

Finance Officer: Mr. Stackhouse presented and reviewed the final January 2010 and preliminary February 2010 Financial Statements, as well as a report of the Town's investment earnings as of March 1, 2010. Responses to a Request for Proposals for auditing services are due by April 2 for the Audit Committee's review.

Building Inspector/Code Administrator: Mr. Currie presented and reviewed the zoning activity and building inspections report for the month of February. He reported that the concrete foundation for the cell tower at the South Carolina Home had been constructed, and that staff was still working with TowersXX, LLC representatives on final approval of a revised design plan for the large retaining wall at that site. Mr. Nalley again encouraged any Verizon Wireless customers experiencing cell phone signal disruptions in Montreat to contact the company and request that the company lease space for an antenna on this cell tower. Mr. Currie then stated that the Planning and Zoning Commission was working to finalize a recommendation on Montreat General Ordinance amendments to establish a minimum housing code for the Town and incorporate current statutory condemnation proceedings language.

Commissioner Reports

Mayor Pro Tem Nichols was absent and had no report at this time.

Commissioner Currie had no report at this time.

Commissioner McCaskill had no report at this time.

Commissioner Standaert had no report at this time.

Commissioner Tate said the minutes of the recent Montreat Landcare Committee meeting had been completed and forwarded to the Council members. He also encouraged the Board members

to attend the Swannanoa Valley Flood Damage Reduction Task Force flood risk management presentation on April 8 at 6:00 p.m. at the Swannanoa Valley Museum.

Public Comment

Montreat College representative Rhonda DeVan presented photographs of a 55-passenger bus that the College had purchased and would like to park in the parking area next to the Montreat gate during the spring and fall semesters. The College is working to develop a logo that could be displayed on the exterior of the bus along with logos for the Town and the Montreat Conference Center. She said the bus could be parked at the College's Black Mountain campus, but cited some security concerns with that arrangement. After brief discussion the Board agreed by consensus to consider this request during their April Town Council Meeting.

Charles Marshall summarized his interest and involvement in discussion of the Woodland Road paving project. He stated that as long as his property was not affected, he no longer held any strong opinion about the project as his research indicated that he had no legal means of recourse available to prevent paving in a public right-of-way. He also spoke about what he perceived as a conflict of interest related to this issue, and stated that in his opinion, Commissioner Tate should recuse himself from both discussion and voting on the Woodland Road paving project. Mr. Marshall further stated that his requests for meeting minutes which included discussion for the Woodland Road paving project had not been answered. He referred to a bill to be considered in the upcoming session of the North Carolina General Assembly to require every public body in the state to publish minutes of all public meetings in a timely manner. Staff responded that all requests for meeting minutes and other public records received from Mr. Marshall's attorney had been fulfilled, and that no such requests had been received from Mr. Marshall himself. Mayor Taylor indicated that all meeting minutes from the past two calendar years were posted on the Town's website, and that copies of all meeting minutes would be provided at the Town Service Office upon request.

Old Business

Proposed 2010-2015 Capital Improvements Plan: Some discussion was heard concerning the status of potential funding for the Texas Road Bridge replacement project through the North Carolina Department of Transportation's Municipal Bridge Fund, as well as the possible appearance, design and cost of the new bridge structure. Commissioner Currie also asked whether the CIP could be revised during the budget adoption process. Mr. Nalley said this was possible if the Board felt it was necessary, but noted that the priorities assigned in the CIP were used to determine which projects would be funded during budget development. After further brief discussion, Commissioner Currie moved to adopt the 2010-2015 Capital Improvements Plan. Commissioner Tate seconded and the motion carried 4/0.

Proposed Revisions to Montreat General Ordinance Chapter D, Article IV "Street Standards": After brief discussion concerning the maintenance of alternate paving surfaces, Commissioner Standaert moved to adopt Ordinance #10-03-0001 Amending Montreat General Ordinance

Chapter D, Article IV “Street Standards.” Commissioner Currie seconded and the motion carried 4/0. A copy of this Ordinance is attached to these minutes and incorporated herein by reference.

Woodland Road Improvements: Mr. Nalley presented a cross-section illustration and sample of the Gravelpave system components considered as part of the Woodland Road paving project. He stated that local examples of Gravelpave in current use were the Lowe’s home improvement store on Tunnel Road and Regional Medical Park on Sweeten Creek Road. Both locations use gravel pave in their parking lot areas. If approved, Gravelpave will be used to provide a 12”-wide hard shoulder surface on each side of the asphalt portion of the roadway to allow emergency services equipment or other large vehicles to pass each other safely. McGill Associates staff is continuing possible price reduction negotiations with the Gravelpave vendor for use of this material on a public street. During discussion, Commissioner Currie reiterated her concerns about the number of trees which may need to be removed if Woodland Road were paved to a 14’-wide consistent, rather than average width. Mr. Nalley advised that while a certain number of trees would need to be removed at the intersection with Virginia Road, the majority of the paved area would fit within the current roadway boundaries using a consistent 14’ pavement width. He again stated that staff strongly recommended a consistent 14’-wide pavement width throughout for safety reasons.

Commissioner Currie then moved to approve the installation of an underground stormwater control system along Woodland Road, asphalt paving of the entire roadway to a consistent width of 14’ and installation of a 12”-wide shoulder area on each of the roadway to be surfaced with Gravelpave. Commissioner McCaskill seconded. During further discussion, Commissioner Standaert spoke about her review of past consideration of this matter and felt that the proposed stormwater control system and paving design were appropriate means of addressing the drainage and paving concerns on Woodland Road in a way that also maintains the appearance and character of the area. She also felt that the use of Gravelpave as an alternative road surface on Woodland Road was innovative and may serve as a test for its suitability in other areas in the future. The motion then carried 4/0.

New Business

Disaster Assistance Agreement: North Carolina Department of Crime Control and Public Safety – Division of Emergency Management: Mayor Taylor explained that action to approve a Disaster Assistance Agreement with the North Carolina Department of Crime Control and Public Safety – Division of Emergency Management and to adopt Resolution #10-03-0001 – Designation of Applicant’s Agent was taken at the March 4, 2010 Agenda Meeting due to response deadlines imposed by outside agencies.

Proposed Revisions to Montreat General Ordinance Chapter E, Article II “Water Conservation Ordinance: Mr. Nalley said the North Carolina Department of Environment and Natural Resources (NCDENR) had requested additional revisions to the Town’s Water Shortage Response Plan shortly after its April 10, 2008 adoption date, but had only recently confirmed

with Town staff that the resubmitted Plan met all necessary statutory criteria. Because this Plan is set forth within the Town's General Ordinances, the Board is asked to call for a Public Hearing to discuss the requested changes prior to their formal adoption. Commissioner Currie then moved to call for a Public Hearing on April 8, 2010 at 7:00 p.m. or as soon thereafter as possible to discuss proposed revisions to Montreat General Ordinance Chapter E, Article II "Water Conservation Ordinance. Commissioner McCaskill seconded and the motion carried 4/0.

Contract for Focus Group Meeting Facilitation and Pedestrian Planning- Equinox Environmental Consultation and Design, Inc.: Commissioner Tate moved to approve the contract with Equinox Environmental Consultation and Design, Inc. in the amount of \$5,000 for focus group meeting facilitation and pedestrian planning for a Trails and Walkability Plan. Commissioner Currie seconded. During discussion, staff clarified the difference in scope between this contract and the contract for the Transportation Improvement Plan for the Assembly Drive resurfacing project. Commissioner McCaskill felt that this contract was not necessary and would be largely included in the Transportation Improvement Plan. Commissioner Standaert asked that the Trails and Walkability Plan contract be amended to include additional alternative trail types other than concrete sidewalks and greenways. Commissioner Currie agreed. Staff indicated that this could be communicated with Equinox without an amendment to the contract document. The motion carried 3/1, with Commissioner McCaskill voting in opposition.

Commissioner Standaert then moved to approve the contract with Equinox Environmental Consultation and Design, Inc. in the amount of \$12,715 for a Transportation Improvement Plan for the Assembly Drive resurfacing project. Commissioner Tate seconded. Discussion was heard concerning the public process options included in the costs of the contract. Mr. Nalley confirmed that the stated contract price included the public process approach listed under Task 4a of the proposal and explained that Task 4b was simply included as a cost-reducing option which the Board could consider. The Board agreed by consensus that the approach listed under Task 4a was preferred. After further brief discussion, the motion carried 4/0.

Inspections Vehicle Purchase: Mr. Currie said that staff had researched the non-hybrid Ford Escape suggested during last week's agenda meeting and discovered that, based on the bids received to date, the purchase price for this vehicle was lower than for the Jeep Patriot with comparable fuel economy and consumer ratings. He suggested that because of the lower purchase price, it may be possible to consider a hybrid version of the vehicle if Council so chose. During discussion, Commissioner Currie suggested that in the absence of final bid information the Board could consider a motion to approve purchase of a 2010 Ford Escape for an amount not to exceed \$20,000 or a hybrid version of the vehicle for purchase price of up to \$25,000. Commissioner McCaskill expressed his concern that a hybrid vehicle would not produce enough fuel savings due to Montreat's terrain to justify the additional purchase price for the vehicle. He also encouraged staff to test drive any vehicle selected before final purchase arrangements were made. After further discussion, action on this item was deferred until the April Town Council Meeting.

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Capital Project Ordinances – Phase I Water System Improvements and Automated Meter Reading System: Mayor Taylor explained that the Board must adopt capital project ordinances for both of these projects as a requirement to receive funding through the American Recovery and Reinvestment Act of 2009 (ARRA). Commissioner Currie moved to adopt Ordinance #10-03-0002 authorizing the construction of Phase I Water System Improvements (H-ARRA-09-1290A). Commissioner McCaskill seconded and the motion carried 4/0. A copy of this Ordinance is attached to these minutes and incorporated herein by reference. Commissioner Standaert then moved to adopt Ordinance #10-03-0003 authorizing the construction of an Automated Meter Reading System (H-ARRA-09-1289). Commissioner Tate seconded and the motion carried 4/0. A copy of this Ordinance is also attached to these minutes and incorporated herein by reference.

Public Comment

There were no comments from the public at this time.

Meeting Dates

Mayor Taylor reviewed the following upcoming meeting dates:

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| <u>March Planning and Zoning Commission Meeting:</u> | March 18, 2010, 7:00 p.m., Kirk Allen Building |
| <u>Agenda Item Deadline:</u> | March 26, 2010, 4:30 p.m., Town Services Office |
| <u>Town Services Office Closed:</u> | April 2, 2010 Good Friday Holiday |
| <u>April Montreat Landcare Committee Meeting:</u> | April 6, 2010, 9:30 a.m., Andy Andrews Gallery |
| <u>Agenda Packets Available:</u> | April 6, 2010 Town Services Office |
| <u>Swannanoa Valley Flood Damage Reduction Task Force Presentation:</u> | April 8, 2010, 6:00 p.m., Swannanoa Valley Museum 223 W. State Street, Black Mountain, NC |
| <u>April Town Council Meeting:</u> | April 8, 2010, 7:00 p.m., Walkup Building |
| <u>April Planning and Zoning Commission Meeting:</u> | April 15, 2010, 7:00 p.m., Kirk Allen Building |

Adjournment

There being no further business to discuss, Commissioner Tate moved to adjourn the Town Council Meeting. Commissioner McCaskill seconded. The motion carried 4/0 and the meeting was adjourned at 8:40 p.m.

Letta Jean Taylor, Mayor

Misty R. Gedlinske, Town Clerk