

**Town of Montreat
Board of Commissioners
Agenda Meeting
April 3, 2008 – 7:00 p.m.
Kirk Allen Building**

The Montreat Board of Commissioners held their regularly scheduled Agenda Meeting on April 3, 2008 at 7:00 p.m. in the Kirk Allen Building. Present among the Board were Mayor Letta Jean Taylor, Mayor Pro Tem Eric Nichols, Commissioner Ruth Currie, and Commissioner O'Neil Tate. Commissioner Jack McCaskill arrived at 7:05 p.m. Commissioner Bill Hollins was absent. Representing Town Staff were Town Administrator Ron Nalley, Public Works Director Charles Caldwell, Chief of Police William B. McClintock, Town Clerk Misty R. Gedlinske, Finance Officer Stefan Stackhouse and Building Inspector/Code Administrator David Currie. No members of the public were present. After calling the meeting to order, Mayor Taylor led the group in reciting the Pledge of Allegiance and gave the invocation.

Agenda Approval

Mayor Pro Tem Nichols moved to adopt the meeting agenda as presented. Commissioner Tate seconded and all voted in favor. The motion carried 3/0.

Public Hearing – Montreat Comprehensive Plan and Implementation Matrix

Mayor Taylor advised that the Council would hold a Public Hearing at next week's meeting to discuss the Montreat Comprehensive Plan and Implementation Matrix.

Communications From the Mayor

Mayor Taylor stated that she would present a Proclamation designating May 1, 2008 as a National Day of Prayer in Montreat at next week's meeting, and would also administer Building Inspector/Code Administrator David Currie's Oath of Office.

Review of the Consent Agenda

Mr. Nalley summarized the items listed on the Consent Agenda, which included the minutes of the March 6, 2008 Agenda Meeting and March 13, 2008 Town Council Meeting, as well as appointment of Joseph Standaert to the Montreat Parks and Recreation Committee.

Communications From the Town Administrator

Zoning Activity Report: Mr. Nalley reported that two projects had received Certificates of Zoning Compliance during March and that Building Inspection fees totaled \$486.00 for the month with six permits approved and thirty-six inspections.

Planning and Zoning Commission Update: Mr. Nalley advised that the Planning and Zoning Commission reviewed the status of their research on Conservation District sign regulations, conservation subdivisions and steep slope ordinance development. He also advised that staff

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would prepare a list of the short-term Comprehensive Plan Implementation Matrix goals assigned to the Commission for completion within one year.

Board of Adjustment Update: Mr. Nalley stated that because the applicants were not present at the hearing, the Board of Adjustment postponed their consideration of Walter Bartlett's variance application until their April 24, 2008 meeting.

French Broad River MPO Memorandum: Mr. Nalley presented a memorandum from Chuck McGrady, Chair of the Transportation Advisory Committee (TAC) for the French Broad River Metropolitan Planning Organization (MPO) advising that the TAC had voted at their last meeting to transition staffing duties from the City of Asheville to Land-of-Sky Regional Council. Mr. Nalley noted that each MPO member government would also be asked to approve an updated Memorandum of Understanding concerning this change.

Citizen Request - Rental Property Fire and Safety Inspection Standards: Mr. Nalley presented copies of a letter from Charles Clegg requesting that Montreat's rental ordinance be amended to change the categories of rental properties to those intended to sleep sixteen and below and those intended to sleep seventeen or more pursuant to the regulations of NFPA 72. He explained that the Planning and Zoning Commission had referred to the NFPA 72 guidelines when drafting the rental ordinance, and may have set the threshold for dormitory standards at sixteen and above through an oversight that was not discovered until now. He pointed out that the State guidelines were a minimum standard and that local governments were allowed to enact more restrictive standards if they so chose. He also suggested that any revisions the Board may choose to make to the rental ordinance should become effective at the end of the current three-year inspection period to avoid unnecessary confusion for the property owners who were currently submitting their applications for fire and safety code compliance certificates.

Citizen Request - Dumpster Gates: Mr. Nalley also presented a letter from Perry Sprawls asking that the large drive-through gate behind the Town Services Office be open from 10:00 a.m. until 2:00 p.m. on weekdays to allow drive-up access to the Town dumpsters. Mr. Nalley said that although he understood some residents felt that using the smaller, walk-through gate was inconvenient, staff recommended leaving the large gate closed as it had proven to be a very effective means of controlling illegal dumping.

Chapman Road Subdivision Update: Mr. Nalley reported that a meeting was scheduled for the following day with McGill Associates engineers and the contractors involved with the Chapman Road subdivision project to discuss several issues including the steepness of the entrance, drainage issues, and holes located around the site. He explained that the large amount of fill dirt at the site was being moved down to the entrance to the subdivision to reduce the road grade in that area, the affected water lines and meter sets would be raised, and that a nearby electrical pole would also be relocated. He said that the holes around the site had been left open to allow for installation of the stormwater control system and that these areas would later be filled and landscaped. He also noted that gravel had been spread to help alleviate drainage problems. Mr. Nalley further advised that the revisions to the original road entrance plan to reduce the entrance

slope by lowering the retaining wall on one side and increase the amount of fill on the other were approved by McGill Associates engineers. He also said that guard rails and other long-term safety measures would likely be needed in this area.

During discussion, Commissioner Currie asked whether Mr. Caldwell had received verification that the entrance road was being constructed according to Town Subdivision Ordinance standards. Mr. Caldwell replied that copies of the compaction testing report would be forwarded to him once completed. Commissioner McCaskill commented that guard rails and other safety measures should be indicated on the construction plans and made a permanent part of the project. Mayor Pro Tem Nichols asked how the work was being monitored. Mr. Nalley said that this matter would also be discussed during the next day's meeting and said that much of the recent confusion was caused by the lack of a pre-construction conference prior to the utility construction. Commissioner McCaskill felt that communication should have been clearer as to the degree of involvement and oversight expected from both McGill Associates and Town staff. In response to Commissioner Currie's inquiry, Mr. Nalley stated that if the new road did not meet the necessary compaction requirements the developer would be required to remove and reinstall the work. During discussion of penalty options for any substandard work, Mayor Taylor asked Mr. Nalley to instruct the Planning and Zoning Commission to revise the relevant Town ordinance sections so that the costs for permit applications and penalty fees were removed and set forth in a separate fee schedule that could be more easily revised as part of the annual budget process.

Administrative Reports

Police Chief: Chief McClintock stated he would give his monthly departmental activity report at next week's meeting.

Public Works Director:

Sanitation Update: Mr. Caldwell said that he would have exact garbage as recycling collection totals available by next week's meeting.

Streets Update: Mr. Caldwell reported that Public Works crews were busy with street cleaning projects, especially in the area around Greybeard Trail.

Commissioner Currie asked what could be done to prevent the number of semi-trucks entering Montreat because the drivers became lost while looking for the Ingles warehouse facility on U.S. 70. Mr. Caldwell said that placement of directional signs outside of Montreat would need to be coordinated with the NCDOT, Town of Black Mountain and local police. The Council agreed by consensus for Mr. Nalley to contact NCDOT representatives and Black Mountain Town Manager Tony Caudle to discuss this matter.

Finance Officer:

Financial Reports: Mr. Stackhouse presented and reviewed the final February 2008 and preliminary March 2008 Financial Reports. In response to Commissioner Currie's inquiry, he explained that more than 100% of the budgeted amount for property tax revenues had been received to date, and that he expected around a 99% collection rate for this fiscal year.

Mr. Stackhouse also reported that at their recent meeting, the Audit Committee had appointed Commissioner Hollins as Chair and Commissioner Currie as Vice Chair. He said that the Committee would hold its next meeting in May and would also meet with representatives from Johnson, Price & Sprinkle, P.A. before the field work for the 2007-2008 Audit begins this summer.

Mr. Stackhouse further advised that a Request For Proposals (RFP) for banking services had been issued and that First Charter, First Citizens and SunTrust each intended to submit responses according to a recent pre-bid conference. He said that staff would review these responses and prepare a recommendation for Council's review at their May meeting.

Commissioner Reports

Mayor Pro Tem Nichols reported that the Black Mountain Center for the Arts would hold a ribbon cutting ceremony for the pottery building located behind the main facility on April 11, 2008 at 4:30 p.m., followed by an exhibit of work done by local area artists. He also asked anyone who may be interested in donating original works to a community auction at the end of the month to contact the Center.

Commissioner Currie reported that her recent presentation on the Open Space Conservation Committee's work at the Mountain Retreat Association's Board of Directors meeting received a positive response and that several members of the community had shown interest in receiving more information after the meeting.

Commissioner Hollins was absent and had no report at this time.

Commissioner McCaskill asked whether the Revenue Source Committee would review the Town's Ordinance Regulating the Financing of Public Improvements. Mayor Pro Tem Nichols replied that the Committee would include this matter in their discussions.

Commissioner Tate reported that the 1st annual Black Mountain Greenway Challenge would be held on Saturday, April 5, 2008 at 2:00 p.m. starting at the Pisgah Brewing Company to raise funds for the Black Mountain Greenway Committee and invited everyone to attend.

Public Comment

There were no comments from the public at this time.

Old Business

Water Shortage Response Plan: Mr. Nalley presented the most recent draft of the Water Shortage Response Plan, which included revisions made by Town Attorney Susan Taylor Rash. He also pointed out that the water rationing language on page 5 of the document would be amended so that the amount of water allowed to each household would be determined by the number of current, as opposed to permanent, residents.

New Business

Montreat Comprehensive Plan and Implementation Matrix: Mayor Taylor stated that there would be a public hearing to discuss the Montreat Comprehensive Plan and Implementation Matrix at the beginning of next week's meeting. Mr. Nalley noted that the Implementation Matrix had been revised to reflect the changes made at the March 10, 2008 continued meeting.

Resolution Establishing a Policy for Disposal of Surplus Property of Minimal Value: Mr. Nalley advised that in July 1997, the General Assembly enacted a change in General Statute §160A-266(c), increasing the value of personal property that may be disposed of under an approved Town Council policy. He presented a resolution that would authorize the Town Administrator to declare as surplus and sell or dispose of any item of personal property reported in writing as such by a department head and with an estimated value of less than \$5,000. He explained that under this policy, public disposition notices were no longer required and that the Town Administrator would instead keep a written record of any property sold or disposed of including its description, date of sale or disposal, to whom it was sold and the amount received for the item. He also pointed out that these procedures would not apply to real property. Mr. Nalley continued by stating that disposals may be made by public and private sales and exchanges, and that any personal property that was determined to have no value, remains unsold or unclaimed after the Town has exhausted efforts to sell the property using any applicable procedure under the General Statutes or poses a potential threat to the public health or safety may be discarded. He also said that this policy would serve to prevent an accumulation of surplus items and subsequent storage problems, eliminate excessive formal procedures and enable the town to more effectively negotiate with individuals on the value and disposal of surplus property.

Public Comment

There were no comments from the public at this time.

Meeting Dates

Mayor Taylor announced the following upcoming meeting dates:

April Town Council Meeting:

April 10, 2008, 7:00 p.m.,
Kirk Allen Building

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April Planning & Zoning Commission Meeting: April 17, 2008, 7:00 p.m.,
Kirk Allen Building

April Board of Adjustment Meeting: April 24, 2008, 7:00 p.m.,
Kirk Allen Building

Agenda Items Due: April 25, 2008, 4:30 p.m.,
Town Services Office

Agenda Packets Available: April 29, 2008
Town Services Office

May Agenda Meeting: May 1, 2008, 7:00 p.m.
Kirk Allen Building

May Parks & Recreation Commission Meeting: May 6, 2008, 9:00 a.m.,
Andy Andrews Gallery

May Town Council Meeting: May 8, 2008, 7:00 p.m.,
Kirk Allen Building

May Planning & Zoning Commission Meeting: May 15, 2008, 7:00 p.m.,
Kirk Allen Building

Adjournment

There being no further business to discuss, Commissioner Tate moved to adjourn the Agenda Meeting. Commissioner McCaskill seconded. The motion carried 5/0 and the meeting was adjourned at 7:55 p.m.

Letta Jean Taylor, Mayor

Misty R. Gedlinske, Town Clerk