

**Town of Montreat
Board of Commissioners
Agenda Meeting
June 5, 2008 – 7:00 p.m.
Kirk Allen Building**

The Montreat Board of Commissioners held their regularly scheduled Agenda Meeting on June 5, 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, Commissioner Bill Hollins, Commissioner Jack McCaskill and Commissioner O'Neil Tate. Representing Town Staff were Town Administrator Ron Nalley, Chief of Police William B. McClintock, Town Clerk Misty R. Gedlinske, Finance Officer Stefan Stackhouse and Building Inspector/Code Administrator David Currie. Three members of the public were also 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 Taylor noted that consideration of the Town's liability insurance policy would be added as the final item of New Business, and that Council would set a Budget Workshop meeting during discussion of upcoming meeting dates. Commissioner Hollins then moved to adopt the meeting agenda as amended. Commissioner Tate seconded and all voted in favor. The motion carried 5/0.

Public Hearing

2008-2009 Fiscal Year Budget Hearing: Mayor Taylor said that Council would hold a public hearing during next week's meeting to discuss the proposed 2008-2009 Fiscal Year Budget.

Review of the Consent Agenda

Mayor Taylor summarized the items listed on the Consent Agenda, which included the following:

- The March 8, 2008 Board Retreat Minutes
- The April 10, 2008 Town Council Meeting Minutes
- The May 1, 2008 Agenda Meeting Minutes
- The May 8, 2008 Town Council Meeting Minutes
- The May 13, 2008 Budget Workshop Meeting Minutes
- Fiscal Year 2007-2008 Budget Amendment #4 to reflect the continuation of the contract for building inspection services with the Town of Black Mountain through June 30, 2008
- Fiscal Year 2007-2008 Budget Amendment #5 to reflect additional funding for legal services and the final payments for the Comprehensive Plan
- Re-appointment of Charlie Mitchell and Jerone Herring as regular members of the Planning and Zoning Commission for a three-year terms to expire on January 31, 2011

Communications from the Town Administrator

Building Inspection Services Contract Termination – Town of Black Mountain: Mr. Nalley presented copies of his letter to Black Mountain Town Manager Tony Caudle terminating Montreat’s contract for building inspection services effective July 1, 2008.

Citizen Request – Erskine Clarke: Mr. Nalley referred to several items of correspondence from Erskine Clarke accompanying his request that the Town of Montreat reimburse him for half the estimated \$40,000 cost of installing an eight-inch public sewer line in the right-of-way along Providence Terrace. Mr. Nalley pointed out that the Board had previously executed an agreement allowing Mr. Clarke to use the public right-of-way to install a sewer line which complied with Metropolitan Sewerage District at his own expense. During discussion, Commissioner Currie felt that Council should consider how Mr. Clarke’s request might relate to a revised ordinance regulating the construction and financing of public improvements or any other related policy that may be adopted. Commissioner Hollins favored development of a town-wide policy that would apply to both Mr. Clarke and any future property owners with similar circumstances. He did not believe the Town should be responsible for subsidizing the cost of street and utility extensions to undeveloped lots, saying he felt that the owners of these types of properties were aware of the condition of their lots at the time of purchase and had benefited from lower purchase prices and tax bills than the owners of improved property. Mayor Pro Tem Nichols reiterated his prior suggestion of asking Mr. Clarke’s neighboring property owners who may benefit from the new sewer line to share in the cost of its installation. Mr. Nalley replied that the other property owners in the area had already installed private sewer lines and were not interested in participating. Commissioner Currie felt that Mr. Clarke should be advised that Council is working to develop a comprehensive policy that will be used to address both his situation and any similar future requests from other citizens. After further discussion the Council agreed by consensus to respond to Mr. Clarke’s letter and advise him of the Council’s intention to proceed with the revision of the Town’s public utility ordinance and to develop a comprehensive policy for responding to his and other similar requests.

Citizen Request – Sissy Jones: Mr. Nalley referred to a letter from Sissy Jones in which she requested permission to close and re-dedicate portions of public right-of-way on Salem Drive to extend a road meeting Town specifications to her property at her own expense. Ms. Jones was recognized and advised that in conjunction with the requested road improvements she would also install a public sewer line consistent with Metropolitan Sewerage District standards. The Council reviewed the areas proposed for closure and re-dedication on a preliminary survey map which Ms. Jones provided and agreed by consensus to consider a resolution of intent to close the requested sections of right-of-way at its July Town Council meeting.

Letter of Appreciation – Ellen Ramsey: Mr. Nalley said that Mrs. Ramsey’s letter was one of many letters and other expressions of thanks toward the Town’s Public Works and Police Departments for their assistance during and after a recent windstorm. Commissioner Currie requested that a resolution of appreciation for the Public Works Department be presented for

adoption at next week's meeting. The Council agreed by consensus. Commissioner Hollins also commended Progress Energy's efforts to quickly address repair widespread power outages once the storm had passed.

Administrative Reports

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

Public Works Director: In Mr. Caldwell's absence, Mayor Taylor said he would give his activity report at next week's meeting.

Finance Officer: Mr. Stackhouse presented and reviewed the final April 2008 and preliminary May 2008 Financial Reports. There were no comments or questions from the Council at this time.

Building Inspector/Code Administrator: Mr. Currie presented and reviewed his zoning activity and building inspections report for the month of May. In response to Commissioner Currie's inquiry, he explained the circumstances surrounding a stop work order and a defective building notice issued to two separate properties. Mr. Currie then reported that the Planning and Zoning Commission had spent a considerable amount of time at their May meeting on discussion of a draft steep slope ordinance which staff would revise and present for further consideration in June. He also said that staff had also been directed to compile a list of Town ordinance revisions needed to remove references to specific fee amounts.

Zoning and Building Services Software – ZonePro Systems, Inc.: Mr. Currie advised that after reviewing several zoning and building permitting software options, staff had selected a program from ZonePro Systems, Inc. to replace the inefficient and cumbersome paper-based scheduling and record-keeping methods currently in place. He explained that the ZonePro software would provide an integrated database containing all permitting, code enforcement and property information and would be linked to the Buncombe County Geographical Information System (GIS). Mr. Currie also stated that data conversion, installation, software and training was included the \$2,160 purchase price for this software, along with a \$216 annual contract for technical support and software updates.

Commissioner Hollins asked how institutional inspections beyond Mr. Currie's current certifications would be conducted. Mr. Currie said that these inspections would be provided on an as-needed basis by either Black Mountain Building Inspector Dan Cordell or one of Buncombe County's inspectors.

Commissioner Reports

Mayor Pro Tem Nichols reported that the Black Mountain Center for the Arts was experiencing financial difficulties and asked for donations to assist their operations. He also said that the

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Revenue Source Committee would meet again soon to continue their discussion of permitting and other fee options for new construction and large-scale renovation projects.

Commissioner Currie asked Chief McClintock to research current State regulations to determine whether gravel trucks were required to place covers over their cargo areas to prevent gravel from spilling out onto the roadway. She also asked for Council's approval to allow the Open Space Conservation Committee to proceed with any necessary surveying, title searches or other preliminary steps needed to determine whether a particular lot may be suitable for permanent conservation. After discussion, the Council agreed by consensus.

Commissioner Hollins advised that the Board and Mr. Nalley had been asked to participate in the "Take a Hike" musical at 7:00 p.m. on Saturday, July 12, 2008 in Anderson Auditorium to perform a song called "Waltz Around Taxes With You." After discussion, Council agreed by consensus to participate. Commissioner Hollins also reported that the Audit Committee met on May 14, 2008 to review certain items mentioned in the management letter from the prior fiscal year's audit. He also said that the Committee would schedule a time with Mr. Stackhouse to observe the Town's daily deposit procedures.

Commissioner McCaskill had no report at this time.

Commissioner Tate reported that the minutes of last week's meeting had been e-mailed to the Council for their review.

Public Comment

Mayor Pro Tem Nichols voiced his opposition to a barricade installed by one of the residents at the entrance to Memphis Lane. Mr. Nalley advised that there were several other areas throughout the Town where barricades were used in driveways and cautioned that any policy developed to address physical or visual obstructions within public right-of-way areas should be applied consistently.

Old Business

March 8, 2008 Board Retreat Minutes: The Council agreed by consensus to add the approval of the revised March 8, 2008 Board Retreat minutes to the Consent Agenda for next week's meeting.

2008-2009 Fiscal Year Budget Discussion – Special Meeting: Mayor Taylor stated that Council would consider a motion at next week's meeting to set a special meeting on June 26, 2008 at 7:00 p.m. in Room "A" of the Wayout Building to adopt the 2008-2009 Fiscal Year Budget Ordinance and make any necessary budget amendments to the 2007-2008 Fiscal Year Budget.

New Business

Contract to Audit Accounts – Johnson, Price & Sprinkle, P.A.: Mr. Nalley asked that consideration of this item be postponed until the June 26, 2008 Budget Meeting in order to give the Audit Committee adequate time to review the contract prior to its presentation for formal approval. The Council agreed by consensus.

Health Insurance: Mr. Nalley advised that renewing the Town's existing Blue Cross/Blue Shield employee health insurance policy would result in an (18%) increase in premium costs. He stated that staff had reviewed a number of alternative Blue Cross/Blue Shield plans and was recommending a plan that began incorporating some cost sharing with employees effective with this renewal. He explained that the plan presented for Council's review increased employee deductibles from zero to \$250.00 per year, increased employee coinsurance from zero to 10% and increased the coinsurance annual maximum to \$1,000.00, with an increase in annual premiums for the Town of approximately 7%.

Revised LandCare Memorandum of Understanding (MOU): Mr. Nalley said that the Memorandum of Understanding (MOU) Council had previously executed with Land-of-Sky Regional Council for reimbursement of up to \$1,500 of expenses for the Montreat LandCare Team had expired on May 31, 2008 with \$1,000 unspent. He advised that Land-of-Sky recommended the MOU be revised and extended until July 31, 2007, which would allow negotiation of a final grant funding amount available for LandCare projects and a list of acceptable expenditures.

Proposed Revisions to the Ordinance Regulating the Construction and Financing of Public Improvements: Mr. Nalley advised that the Board had asked the Town Attorney and Town Administrator to propose several revisions to the Ordinance Regulating the Construction and Financing of Public Improvements. He explained that these revisions would ensure that the ordinance language complied with current statutory guidelines, extended public infrastructure to undeveloped lots within a distance yet to be determined and allowed the payment for those extensions to be assessed or shared by property owners in the area that would directly benefit from such extensions. He referred to copies of the Metropolitan Sewerage District's Policy and Procedures for Extension of Service as well as the City of Raleigh's ordinances governing street and sidewalk improvements and utility system extensions. He asked the Council to review these documents as possible templates for developing an updated public improvements ordinance for Montreat and forward their comments to him over the coming week.

Proposed Revisions to the Montreat Board of Commissioners Rules and Procedures, Montreat General Ordinances, Montreat Zoning Ordinance, Ordinance Regulating Wireless Communication Technology, and Ordinance Regulating the Construction and Financing of Public Improvements in Order to Adopt a Fee Schedule for the Town of Montreat: Mr. Nalley advised that staff was preparing a fee schedule for Town services that could be easily revised and updated if necessary and then adopted with the budget each fiscal year, and that several Town ordinances would need revision to remove references to specific fee amounts. He also noted that

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increases in certain fees may be recommended as part of the budget approval process. The Board agreed by consensus to add a motion to call for a public hearing on this matter to the Consent Agenda for next week's meeting.

Liability Insurance: Mr. Nalley said that he had just received renewal information for the Town's property and liability insurance and advised that approval must take place before July 1, 2008. The Council agreed by consensus to add consideration of this matter to next week's agenda as an item of New Business. At Mayor Pro Tem Nichols' request, Mr. Nalley also said he would ask the Town's insurance representative to research comparison quotes from other insurance companies in preparation for next week's meeting.

Public Comment

There were no comments from the public at this time.

Meeting Dates

After discussion, the Council agreed by consensus to hold a Budget Workshop Meeting on June 10, 2008 at 4:30 p.m. in the Town Services Office. Commissioner Tate also noted that the Parks and Recreation Committee had cancelled their July meeting. Mayor Taylor then announced the following upcoming meeting dates:

Budget Workshop Meeting: June 10, 2008, 4:30 p.m.,
Town Services Office

Town Council Meeting: June 12, 2008, 7:00 p.m.,
Kirk Allen Building

Revenue Source Committee Meeting: June 13, 2008, 4:30 p.m.,
Town Services Office

June Planning & Zoning Commission Meeting: June 19, 2008, 7:00 p.m.,
Wayout Building, Room "A"

2008-2006 Fiscal Year Budget Adoption Date: June 26, 2008, 7:00 p.m.,
Wayout Building, Room "A"

Agenda Items Due: June 27, 2008, 4:30 p.m.,
Town Services Office

Agenda Packets Available July 1, 2008
Town Services Office

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Town Services Office Closed: Friday, July 4, 2008
Independence Day Holiday

Independence Day Sanitation Collection Date: Saturday, July 5, 2008

Summer Bulk Item Collection Date: Tuesday, July 8, 2008

Combined Agenda and Town Council Meeting: July 10, 2008, 7:00 p.m.,
Kirk Allen Building

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

Adjournment

There being no further business to discuss, Commissioner Tate moved to adjourn the Agenda Meeting. Mayor Pro Tem Nichols seconded. The motion carried 5/0 and the meeting was adjourned at 8:30 p.m.

Letta Jean Taylor, Mayor

Misty R. Gedlinske, Town Clerk