

**Town of Montreat
Board of Commissioners
Town Council Meeting Minutes
June 10, 2010 – 7:00 p.m.
Walkup Building**

The Montreat Board of Commissioners held their regularly scheduled Town Council Meeting on June 10, 2010 in the Walkup Building.

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

Commissioners absent: Mayor Pro Tem Eric Nichols
Commissioner Jack McCaskill

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
Jack Staggs, Police Officer

Six members of the public were also present. Mayor Taylor called the meeting to order at 7:00 p.m., led the group in reciting the Pledge of Allegiance and held a moment of silence.

Agenda Approval

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

**Public Hearing: Proposed Revisions to Montreat General Ordinance
Chapter C – Fire Protection and Prevention**

Mayor Taylor opened the Public Hearing on this matter. Mr. Currie explained that the suggested changes to this ordinance section would complete the transition of shifting authority and regulatory oversight of fire inspection and permitting services from the Town of Black Mountain Fire Department to Montreat. While Montreat still relies on the Town of Black Mountain Fire Department for fire response and protection services, staff feels that efficient monitoring and oversight of the day-to-day activities within the Town would be best handled locally by staff familiar with the various projects currently under way at any given time. Hearing no further comments from the Council members, staff or public, Mayor Taylor then closed the Public Hearing on this matter.

**Public Hearing: Proposed Revisions to the Town of Montreat Fee Schedule –
Operational and Construction Fire Permits**

Mayor Taylor opened the Public Hearing on this matter. Mr. Currie advised that the North Carolina Fire Prevention Code requires mandatory permits for a number of operational and construction-related activities. Among these are the use, handling, storage or sale of flammable and combustible materials, installation of automatic fire detection, alarm, and extinguishing systems, hazardous materials storage, and erection and operation of tents, canopies and other air-supported structures. As far as Town staff is aware, few if any inspections have been conducted or permits issued in the past for certain of these activities. This proposed Fee Schedule revision would require a \$25 fee for operational and construction-related fire inspection permits, reduced from the \$100 originally proposed in response to direction from the Board at last month's Town Council Meeting.

Gil Campbell was recognized and asked for clarification as the types of tent structures these inspection and permits would apply to. Mr. Currie explained that under current North Carolina Fire Prevention Code, all tents above a certain square footage in size are considered "assembly occupancies" and therefore require certain fire control and safety measures such as fire extinguishers and marked exits.

Hearing no further comments from the Council members, staff or public, Mayor Taylor then closed the Public Hearing on this matter.

**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 said the Town's Fee Schedule currently contains no provisions requiring applicants to pay a review fee for plans to develop within a Special Flood Hazard Area (SFHA). The staff time required to review permit applications for development within a SFHA is comparable, and in many cases exceeds, that required for zoning compliance applications and smaller residential building projects. Staff proposes a \$100 review fee for development applications within the SFHA, increased from the \$50 originally proposed in response to direction from the Board at last month's Town Council Meeting. Hearing no comments 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:

- The Western North Carolina Livable Community Initiative will hold a day-long educational event on June 9 at the Seven Star Factory in Asheville's River Arts District. This event is open to the public with no registration or admission fees. Sessions begin at 9:00 a.m.

- Land-of-Sky Regional Council will hold a Building Energy Code Education Workshop on July 15 at 9:00 a.m. at their regional office on New Leicester Highway in Asheville. This event is open to building code inspectors, elected officials, local government employees and others interested in developing and implementing energy conservation codes.

Review of the Consent Agenda

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

- May 6, 2010 Agenda Meeting minutes
- May 13, 2010 Town Council Meeting minutes
- A call for a Special Meeting on June 24, 2010 at 4:30 p.m. in the Town Services Office to adopt the 2010-2011 Fiscal Year Budget Ordinance and make any necessary amendments to the 2009-2010 Fiscal Year Budget

Communications From the Town Administrator

Mr. Nalley gave updates on the following items:

American Recovery and Reinvestment Act of 2009 Funding Update: The Town was approved for loan funding with an annual interest rate of 2.5% for well site construction on Greybeard Trail. The closing for the property purchases needed for construction of the well site is scheduled for tomorrow, and staff will move forward with this project once the necessary permits are obtained from the North Carolina Department of Environment and Natural Resources – Public Water Supply Section. More details concerning the installation of the automated meter reading system and Greybeard Trail water line extension, as well as construction of the new well site on Harmony Lane will be provided in Public Works Department’s activity report.

2010 Census Update: It has been confirmed that Montreat’s estimated housing count included both seasonal and permanent residences, which caused the Town’s Census questionnaire response rate to be much lower than many other local municipalities. Staff is hopeful that once the canvassing process determines how many homes are seasonally occupied, this number will be deducted from the official housing count and the response rate will then improve. Anyone who has not yet completed and submitted a 2010 Census form is encouraged to do so prior to the July 1 deadline.

Assembly Drive Transportation Improvement Plan: A public input meeting for the Assembly Drive Transportation Improvement Plan is scheduled for July 6 at 6:30 p.m. in the Walkup Building. Postcard notifications will be mailed next week to all property owners.

Woodland Road Drainage and Paving Project: There will be a preconstruction meeting on Monday between McGill Associates engineers, JLS Company representatives and Town staff.

Special Meetings: 2010-2011 Fiscal Year Budget Discussion and Adoption: The Board has scheduled two special meetings to discuss the proposed 2010-2011 Fiscal Year Budget. The first is set for June 17 at 4:00 p.m., with the second to be held on June 22 at 5:00 p.m. Both meetings will be held in the Town Services Office. A special meeting to adopt the Budget, as well as any amendments to the current fiscal year's Budget is set for June 24 at 4:30 p.m. in the Town Services Office. Commissioner Tate moved that the time of the June 24 Special Meeting be moved to 4:00 p.m. Commissioner Currie seconded. After brief discussion, the motion carried 3/0.

Administrative Reports

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

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

- The summer bulk item and white goods collection date will be July 6. Household garbage and recycling will also be collected on this date, as the Town Services Office will be closed on July 5 in observance of Independence Day.
- All residential and institutional water meters have been replaced with automated meters. One minor antenna malfunction was noted on a residential meter during the last reading, which has since been corrected. More meter re-setters and backflow prevention devices were needed than originally estimated, resulting in an additional project cost of approximately \$5,000.
- The Harmony Lane well house structure is now complete. Electrical wiring and connection to the Town's SCADA system has been delayed pending delivery of a backordered electrical panel.
- Phase 1 of the Greybeard Trail water line extension project is also completed, and well site construction will begin once the deeds for the purchase of lots along Greybeard Trail have been recorded.
- C&T Paving will perform pothole patching and asphalt repair work throughout the Town over the next few weeks. As C&T's contract only pertains to the most severely damaged areas, Town Public Works crews will be responsible for completing additional, more minor repairs.
- Due to the increasingly large amounts of leaves and yard debris being placed for collection each week, staff will research policies to establish a fee for this service based on the amount of materials placed for disposal. Any policy developed would be recommended to take effect during the 2011-2012 budget year.
- May's water loss due to unaccounted usage was 14.3%.

During discussion, Commissioner Standaert said she had received requests from certain members of the public to allow access to the Town's dumpster facility for a short period on Sunday afternoons. Mr. Nalley advised that due to the staff time necessary to supervise the facility

during this time, there would be additional costs associated with granting this request. After brief discussion, the Board agreed by consensus to consider this matter further as part of their budget deliberations at their June 17 Special Meeting.

Finance Officer: Mr. Stackhouse presented and reviewed the final April 2010 and preliminary May 2010 Financial Statements, as well as a report of the Town's investment earnings as of April 30, 2010.

Building Inspector/Code Administrator: Mr. Currie presented and reviewed the zoning activity and building inspections report for the month of May. The Planning and Zoning Commission completed their work on recommended revisions to Montreat General Ordinance Chapter J, Article II "Condemnation," which will be discussed in more detail under New Business. The Commission also began reconsideration of noise ordinance regulations related to construction and outdoor power equipment usage during early evening hours. Commissioner Currie expressed her appreciation of the Planning and Zoning Commission's willingness to re-examine this issue. She hoped that a final recommendation would be presented to the Council for consideration at their July meeting.

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 was absent and had no report at this time.

Commissioner Standaert reported that updated sanitation and recycling brochures will be mailed out tomorrow to all residents. She also said the Black Mountain Center for the Arts is preparing for its upcoming "Art in Bloom" event on June 17-20.

Commissioner Tate said that last Saturday's National Trails Day event was successful, and thanked Town staff for their assistance. He also reported that The Asheville-Buncombe Flood Damage Reduction Task Force will meet with the Buncombe County Board of Commissioners on July 29 at 8:30 a.m. at the Swannanoa Valley Museum.

Public Comment

Martha Campbell spoke about misinformation she had heard at two local Verizon Wireless stores concerning whether Verizon intended or would be permitted to install an antenna on the South Carolina Home cellular communications tower. Mr. Currie and Mr. Nalley verified that the South Carolina Home cell tower was designed to accommodate up to six cellular service providers, and that Verizon was welcome to negotiate a lease agreement with Towers XX, LLC and South Carolina Home for antenna space. Commissioners Currie and Standaert asked Town

staff to facilitate communication between Verizon and Towers XX, LLC to correct this misinformation and encourage Verizon to consider leasing antenna space on the tower.

Gil Campbell suggested that this issue could be mentioned at the next Montreat Cottagers Association Meeting to encourage residents and guest to contact Verizon to further request an antenna on the South Carolina Home cell tower.

Old Business

Town of Montreat Police Captain: Mr. Nalley presented and reviewed the proposed job description for the Police Captain's position, which he described as a combination of supervisory and regular patrol duties and responsibilities. He stated that staff was requesting the Board to re-establish this position after its discontinuation several years ago. Chief McClintock spoke briefly about the history of the Captain's position, as well as Officer Staggs' experience in the Montreat Police Department. Commissioner Tate then moved to approve the job description for a Captain position in the Town of Montreat Police Department. Commissioner Standaert seconded and the motion carried 3/0. Commissioner Currie then moved to appoint Officer Jack Staggs to the position of Captain in the Town of Montreat Police Department effective June 14, 2010. Commissioner Tate seconded and the motion carried 3/0. Chief McClintock presented Officer Staggs with military Captain's bars to be worn on his uniform to indicate his new rank. Officer Staggs thanked the Council and Chief McClintock for the opportunity to serve in this capacity.

Town of Montreat Senior Water Technician: Mr. Nalley presented and reviewed the proposed Senior Water Technician job description. Commissioner Standaert asked to delay consideration of both the job description and position appointment until the July Town Council Meeting, in order to allow the absent Commissioners the chance to review these items and participate in any discussion. The Board agreed by consensus, and directed staff to proceed with employment advertising for a Utility Maintenance Technician/Treatment Operator as soon as possible.

Proposed Revisions to Montreat General Ordinance Chapter C – Fire Protection and Prevention: Commissioner Standaert moved to adopt Ordinance #10-06-0001 Amending Montreat General Ordinance Chapter C – Fire Protection and Prevention. Commissioner Currie seconded. Brief discussion as heard concerning the advantages of having fire inspection services performed by a trained, full-time employee of the Town. The motion then carried 3/0. A copy of this Ordinance is attached to these minutes and incorporated herein by reference.

Proposed Revisions to the Town of Montreat Fee Schedule: Commissioner Standaert moved to adopt proposed revisions to the Town of Montreat Fee Schedule related to operational and construction fire permits. Commissioner Tate seconded and the motion carried 3/0. Commissioner Standaert then moved to adopt proposed revisions to the Town of Montreat Fee Schedule related to Flood Hazard Area Development permits. Commissioner Currie seconded and the motion carried 3/0.

New Business

Employee Health Insurance Benefit Contract: Three years ago the Board asked staff to seek proposals from other healthcare insurance providers in an attempt to lower our insurance costs. It was decided then that phased over the next few years, additional changes would be made to our health insurance plan in order to bring costs in line with other local governments our size. Renewals of the Town's Blue Cross/Blue Shield employee health insurance coverage without change would cost about fifteen percent (15%) more as compared with last fiscal year. This is a considerably larger increase than the 2% we experienced last year. Commissioner Tate, Mr. Nalley and Mr. Stackhouse met recently with the Town's insurance representative, and after reviewing several proposals recommend Option 3, Quote 3124495. This plan retains the 80/20% coinsurance of the existing plan, along with the office visit and prescription co-pays, but increases the individual deductible from \$500 to \$1000, and the individual maximum coinsurance from \$1000 to \$3000. Staff also recommends that the Town reimburse employees for the last \$500 of the \$1000 deductible. This would decrease the financial impact on those few employees who may reach the full deductible amount while still lowering premium costs for the Town.

Commissioner Tate moved to authorize the Town Administrator and Finance Officer to execute a contract for "Option 3, Quote 3124495" with BlueCross BlueShield effective July 1, 2010 for employee benefit health insurance for Fiscal Year 2010-2011 and for the Town to reimburse employees for the last \$500.00 of the \$1000.00 deductible. Commissioner Currie seconded and the motion carried 3/0.

Property and Liability Insurance Renewal – White Insurance Agency: As a result of last year's Request for Proposal process, staff reviewed quotes from several companies for property and liability insurance. The Town's current provider, White Insurance Agency, has submitted a proposal in the amount of \$15,281 for property and liability insurance coverage identical to policies approved over the past several years. Staff apologized for the late receipt of renewal quote information, and stated that staffing changes at White Insurance may have been the cause of this delay. After brief discussion, Commissioner Tate moved to approve the Property and Liability Insurance Proposal from White Insurance Agency and Millennium in the amount of \$15,281 and to authorize the Town Administrator and Finance Officer to execute the necessary contract documents. Commissioner Standaert seconded and the motion carried 3/0.

Public Utility Extensions Request – Lots Above Peace Lane: Staff has not received preliminary engineering reports from two property owners interested in public assessment for road, water and sewer service extensions in this area. Discussion of this matter was postponed until the July Town Council Meeting.

Proposed Revisions to Montreat General Ordinance Chapter J – Building Codes, Article II "Condemnation": At the Board's request, the Planning and Zoning Commission spent several months reviewing this ordinance section to develop minimum housing regulations based on health and life safety issues, as well as more explicit enforcement language for condemnation

proceedings. Many municipalities incorporate condemnation proceedings within the context of their minimum housing codes for evaluating and requiring maintenance of existing homes, and dilapidated building abatement. The Commission debated several topics during their discussion of the proposed revisions, including

- Whether rental properties should be regulated in a similar fashion as owner-occupied homes
- At what point, and to what degree, an older home should be required to make electrical, heating and plumbing system upgraded if they are currently deficient
- Definition of and standards for declaring a dwelling “unfit for human habitation”
- Appropriate triggers for investigation of potentially non-compliant dwellings based on the Inspector’s observations or complaints from Town residents

Mr. Currie said that although the Town of Black Mountain applied their minimum housing standards only to rental properties, Montreat’s Planning and Zoning Commission chose to regulate rental and owner-occupied dwellings similarly with an exception for certain Ground Fault Circuit Interrupter (GFCI) outlet requirements for rental properties for fire safety reasons.

After further discussion, Commissioner Standaert moved to call for a Public Hearing on July 8, 2010 at 7:00 p.m. or as soon thereafter as possible to discuss proposed revisions to Montreat General Ordinance Chapter J – Building Codes, Article II “Condemnation.” Commissioner Currie seconded and the motion carried 3/0.

Public Comment

Montreat Conference Center Vice President for Youth & Young Adult Ministry Bob Tuttle thanked the Commissioners and Town staff for their efforts.

Meeting Dates

Mayor Taylor reviewed the following upcoming meeting dates:

<u>Special Meeting – Proposed 2010-2011 Fiscal Year Budget Discussion:</u>	June 17, 2010, 4:00 p.m., Town Services Office
<u>June Planning and Zoning Commission Meeting:</u>	June 17, 2010, 7:00 p.m., Walkup Building
<u>Special Meeting – Proposed 2010-2011 Fiscal Year Budget Discussion:</u>	June 22, 2010, 5:00 p.m., Town Services Office
<u>Special Meeting - Fiscal Year 2010-2011 Budget Adoption:</u>	June 24, 2010, 4:00 p.m., Town Services Office

**Montreat Board of Commissioners
Town Council Meeting Minutes
June 10, 2010**

Agenda Items Due: June 25, 2010, 4:30 p.m.,
Town Services Office

Agenda Packets Available: June 29, 2010
Town Services Office

July Agenda Meeting: July 1, 2010, 7:00 p.m.,
Walkup Building

Town Services Office Closed: July 5, 2010
Independence Day Holiday

Summer Bulk Item Collection Date: July 6, 2010

Rescheduled Garbage and Recycling
Collection Date: July 6, 2010, 8:00 a.m.

July Montreat Landcare Committee Meeting: July 6, 2010, 9:30 a.m.,
Outdoor Education Classroom

Public Information Session – Assembly Drive
Transportation Improvement Plan: July 6, 2010, 6:30 p.m.,
Walkup Building

July Town Council Meeting: July 8, 2010, 7:00 p.m.,
Walkup Building

July Planning and Zoning Commission
Meeting: July 15, 2010, 7:00 p.m.,
Walkup Building

Adjournment

There being no further business to discuss, Commissioner Tate moved to adjourn the Town Council Meeting. Commissioner Currie seconded. The motion carried 3/0 and the meeting was adjourned at 8:25 p.m.

Letta Jean Taylor, Mayor

Misty R. Gedlinske, Town Clerk