

**Town of Montreat  
Board of Commissioners  
Agenda Meeting  
July 1, 2010 – 7:00 p.m.  
Walkup Building**

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The Montreat Board of Commissioners held their regularly scheduled Agenda Meeting on July 1, 2010 in the Walkup Building.

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

Town staff present: Misty R. Gedlinske, Town Clerk  
Stephen Freeman, Public Works Director  
William B. McClintock, Chief of Police  
Stefan Stackhouse, Finance Officer

Three members of the public were also present. Mayor Taylor called the meeting to order at 7:03 p.m., led the group in reciting the Pledge of Allegiance and held a moment of silence.

**Agenda Approval**

Commissioner Tate moved to adopt the meeting agenda as presented. Mayor Pro Tem Nichols seconded and the motion carried 5/0.

**Public Hearing: Proposed Revisions to Montreat General Ordinance  
Chapter J, Article II "Condemnation"**

The Board will hold a Public Hearing on this matter during next week's meeting.

**Communications From the Mayor**

Mountain Retreat Association President Pete Peery announced that he had recently presented the Town with a check totaling approximately \$9700 as a first payment of community service fees. These fees are voluntarily charged on a \$1-per-night, per person basis to conference attendees, up to a maximum fee of \$5. Some conferences will be exempted from these fees until the termination of their current contracts. The MRA Board of Directors has authorized charging the community service fee on a trial basis, and will periodically evaluate its affect on their programs. Additional checks will be submitted to the Town from time to time, although the exact payment dates and amounts are unknown at this time. Fees from the eligible fall and winter conferences are expected to yield approximately \$17,000, but no more than \$30,000 in total fees are to be expected by the end of the current fiscal year.

Mr. Peery acknowledged that, as a non-profit entity, the MRA did not pay ad valorem taxes on many of its properties. He also stated that the operational maintenance costs for the pool, tennis courts, Robert Lake Park, Lake Susan, Currie Craft Center, trail system, and square dance events exceeded revenues collected from conferees by \$105,000. He stated that these facilities were open to the public and were a major contribution to the well-being both to Montreat and the surrounding community. Mr. Peery hoped that the community service fee revenues were beneficial to the Town and expressed his gratitude for the services the Town provided to the MRA.

Commissioner Currie asked whether staff salaries were included in the stated operational costs for the MRA's recreational facilities. Mr. Peery explained that only those staff members whose work was specifically related to those facilities and programs were included in the operational costs. Commissioner Standaert spoke about a recent family birthday party held at Robert Lake Park and thanked the MRA for making public restroom facilities available during weekends. Mayor Pro Tem Nichols praised the MRA for agreeing to collect community service fees, which he said would be a great financial benefit to the Town as well as a positive public relations decision for the MRA.

Mayor Taylor then reported on the following additional items:

- The 2010 Mayors' Cup Raft Race, hosted by the Land-of-Sky Regional Council will be held at 3:30 p.m. on Sunday, August 15 at French Broad River Park in Asheville. Team registration forms will be distributed soon.
- Matt Ashley will coordinate the upcoming Montreat Gait Walk/Run Event scheduled for July 3<sup>rd</sup> at 7:00 a.m. at the Montreat Gate. The Montreat Gait is the only Town-sponsored Independence Day event.
- Equinox Environmental Group will hold a public input meeting for the Assembly Drive Transportation Improvement Plan at 6:30 p.m. on July 6 in the Walkup Building.

#### **Review of the Consent Agenda**

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

- Adoption of the May 24, 2010 Special Meeting minutes
- Adoption of the June 3, 2010 Agenda Meeting minutes
- Adoption of the June 10, 2010 Town Council Meeting minutes

Minor corrections were noted to both the May 24 and June 3 meeting minutes, which will be made prior to next week's meeting.

**Communications From the Town Administrator**

On Mr. Nalley's behalf, Mayor Taylor gave updates on the following items:

- Staff is still awaiting confirmation of possible additional American Recovery and Reinvestment Act of 2009 funding to construct and connect two new well sites on Greybeard Trail to the Town's water system.
- Two property owners requesting public assessment for road, water and sewer line extensions to their lots near Peace Lane have not yet submitted preliminary engineering plans for this project.
- Mr. Nalley will be out of the office on vacation during the last two weeks of July.

**Administrative Reports**

Police Chief: Chief McClintock presented and reviewed his monthly departmental activity report for the month of June. He noted some increased bear activity at the campground, which was attributed to unsecured food items. Chief McClintock also advised that recent incidents involving the discharge of both standard and air-propelled firearms or guns had revealed that the Town's current ordinances did not adequately address these matters. Proposed revision language will be presented later in the meeting as an item of New Business. During discussion, Chief McClintock also reviewed the Police Department's procedures for addressing abandoned vehicles.

Public Works Department: Mr. Freeman reported on the following items:

- Garbage and recycling collection tonnages for the month of June will be available at next week's meeting.
- The summer bulk item and white goods collection date is 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.
- A pre-construction meeting for well site construction on Greybeard Trail was held on June 24. The completion deadline for this project will be 60 days after the Town receives formal approval from the North Carolina Department of Environment and Natural Resources – Public Water Supply Section.
- Silt fencing for the Woodland Road drainage improvements and paving project has been installed. Installation of the underground stormwater control system will begin after the Independence Day holiday.
- C&T Paving has completed the resurfacing of a portion of Tennessee Road, as well as large-scale pothole patching and asphalt repair work throughout the Town. Public Works Department crews will perform smaller-scale patching and curbing repairs over the next few weeks.

- The Providence Terrace water line extension project is underway and progressing well. Residents in this area were notified both in person and in writing concerning the construction schedule, road access and parking arrangements.
- The Town's wells are currently pumping between 12 and 14 hours per day to meet demand, with a small number of residential complaints concerning air in the water lines.
- The Harmony Lane well site is now operational and producing an average of 24 gallons of water per minute. This well is being manually operated and monitored until final connections to the Town's SCADA system are completed.
- Information on water loss due to unaccounted usage for the month of June will be reported at next week's meeting.

Finance Officer: Mr. Stackhouse presented and reviewed the final May 2010 Financial Statement. The preliminary June 2010 Financial Statement will be ready for the Board's review at next week's meeting, along with a cash and investments earnings report for the period ending June 30, 2010.

Building Inspector/Code Administrator: Mr. Currie presented and reviewed the zoning activity and inspections report for the month of June. He also reported on the following additional items:

- At their June meeting, the Planning and Zoning Commission completed their review of noise ordinance regulations. Their recommended revisions will be presented for the Board's consideration later in this meeting as an item of New Business.
- The Board of Adjustment did not meet during the month of June.
- The South Carolina Home cellular communications tower is not yet operational. Staff is still working with AT&T and Towers XX, LLC to resolve an issue involving the installation of equipment cabinets that do not fully comply with the terms of the tower's Conditional Use Permit.

During discussion, Commissioner Standaert spoke about an incident involving a church bus becoming stranded on a steep driveway on John Knox Road. A separate incident involving a private vehicle occurred last year at this same location. She suggested that the Planning and Zoning Commission could be asked to consider developing regulations requiring guard rails along driveways above a certain degree of slope for safety purposes. Public education efforts may also be helpful to make conferees and guests aware that certain driveways may be too steep for larger vehicles.

### Commissioner Reports

Mayor Pro Tem Nichols said he was pleased with the Mountain Retreat Association's willingness to move forward with community service fee disbursement to the Town. He plans to inform the Revenue Source Committee of the MRA's decision and thank the Committee members for their efforts to promote this and other revenue sources not based on ad valorem property taxes. Commissioner Currie suggested that the Revenue Source Committee could also

consider her suggestion to sell t-shirts, sweatshirts and other similar items bearing the Town's seal as a fund-raising opportunity.

Commissioner Currie had no report at this time.

Commissioner McCaskill had no report at this time.

Commissioner Standaert reported on the following items:

- Montreat resident Rusty Frank will be one of five local authors participating in the Brown Bag Literary Series hosted by the Black Mountain Center for the Arts. Dr. Frank will give a reading from his book "On the Road Home: An American Story" on Friday, July 9 at 12:00 p.m.
- The Institutional Parking Study Committee held their first meeting on June 23 and appointed Emory Underwood to serve as Chair. The Committee will meet on the second Wednesday of each month from 9:00 a.m. until 10:00 a.m. in the Andy Andrews Gallery. Commissioner Standaert encouraged the other Board members to contact her with any items they would like her to present to the Committee on their behalf.

Commissioner Tate had no report at this time.

### Public Comment

There were no comments from the public at this time.

### Old Business

Town of Montreat Senior Water Technician: The Board will consider approval of the Senior Water Technician job description and appointment of Barry Creasman to this position at next week's meeting. During discussion, Commissioner Currie expressed her concern that certain aspects of the job description language were very similar to supervisory duties. Mr. Freeman explained that this position would have no disciplinary or performance review authority over any other employee. He acknowledged the difficulty in preparing a job description for this position, but stated that both he and Mr. Nalley were satisfied that no supervisory authority was granted by the description language.

Proposed Revisions to Montreat General Ordinance Chapter, Article II "Condemnation": Mayor Taylor said that the Board would hold a Public Hearing to discuss this matter at next week's meeting, but would not take any official action at that time. Mr. Currie explained that adopting a minimum housing code would provide specific standards for evaluating the condition of a structure, as well as procedures for repairing or demolishing dilapidated structures. He also stated that the condemnation language included in the proposed revisions was taken directly from current North Carolina General Statutes. In response to Commissioner Currie's inquiry, Mr. Currie confirmed that staff had received complaints about the condition of a number of

properties. The property owners have been notified about the deficiencies in the condition of these homes. Mr. Currie also noted that there was still some uncertainty as to what degree the proposed revisions should be applied to existing homes, and that recent comments from the Town Attorney would also need to be included in the Board's deliberations. Commissioner Standaert asked whether the heating requirements listed in Section 5 of the proposed revisions were based on current North Carolina State Building Code or General Statutes. Mr. Currie stated that these heating requirements were set forth in the General Statutes, but only required for municipalities with populations of 200,000 or greater. Mayor Taylor stated that staff would be asked to make additional revisions to the proposed ordinance draft based on comments heard at next week's public hearing and advice from the Town Attorney. One or more special meetings to discuss these changes may be scheduled as needed, and the Board will hold a second Public Hearing before any final revisions are adopted.

### **New Business**

Proposed Revisions to Montreat General Ordinance Chapter I, Article II "Noise Control": As requested by Commissioners Currie and Tate, the Planning and Zoning Commission has recently re-examined the noise control regulations currently provided in Montreat's General Ordinances. A suggested revision was prepared which would remove a provision allowing the operation of noise-generating equipment during Daylight Saving Time and replacing it with a year-round deadline of 7:00 p.m. The Board is asked to call for a Public Hearing to discuss the proposed revisions during their August Town Council Meeting. Commissioner Currie felt that extending the evening deadline to 7:00 p.m. year-round was a fair and consistent compromise. She encouraged the Police Department to be more proactive in their handling of noise-related complaints, stating that residents are often hesitant to lodge complaints about their neighbors. She also thanked the Planning and Zoning Commission for their willingness to reconsider this issue.

Proposed Revisions to Montreat General Ordinance Chapter I, Article V "Firearms": The Board will be asked at next week's meeting to call for a Public Hearing to discuss proposed revisions to Montreat General Ordinance Chapter I – Disorderly Conduct at their August 12 Town Council Meeting. Staff is recommending creation of Article V "Firearms" within this Chapter to prohibit the discharge of several classes of firearms, guns and other weapons within the Town limits, except in specific, limited circumstances. Mayor Taylor referred to a letter to the Board from Bryant McEntire requesting that regulations for BB guns also be specifically addressed within any new ordinance language adopted. Commissioner Currie asked that further clarification be provided concerning municipal statutory authority within Montreat's Extra-Territorial Jurisdiction (ETJ) area, as well as the Police Department's response to violations of this ordinance in those areas.

### **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 announced following additional upcoming meeting dates:

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

Summer Bulk Item Collection Date: July 6, 2010

Rescheduled Independence Day Sanitation  
Collection Date: July 6, 2010

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 Institutional Parking Study Committee  
Meeting: July 14, 2010, 9:00 a.m.,  
Andy Andrews Gallery

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

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

August Montreat Landcare Committee  
Meeting: August 3, 2010, 9:30 a.m.,  
Outdoor Education Classroom

Agenda Packets Available: August 3, 2010  
Town Services Office

August Agenda Meeting: August 5, 2010, 7:00 p.m.,  
Walkup Building

August Institutional Parking Study Committee  
Meeting: August 11, 2010, 9:00 a.m.,  
Andy Andrews Gallery

August Town Council Meeting: August 12, 2010, 7:00 p.m.,  
Walkup Building

**Montreat Board of Commissioners  
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July 1, 2010**

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August Planning and Zoning Commission  
Meeting:

August 17, 2010, 7:00 p.m.,  
Walkup Building

**Adjournment**

There being no further business to discuss, Mayor Pro Tem Nichols moved to adjourn the Agenda Meeting. Commissioner McCaskill seconded. The motion carried 5/0 and the meeting was adjourned at 8:16 p.m.

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Letta Jean Taylor, Mayor

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Misty R. Gedlinske, Town Clerk