

**Town of Montreat  
Board of Commissioners  
Town Council Meeting  
July 2, 2009 – 7:00 p.m.  
Wayout Building, Room “A”**

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The Montreat Board of Commissioners held their regularly scheduled Agenda Meeting on July 2, 2009 at 7:00 p.m. in Room “A” of the Wayout Building. Present among the Board were Mayor Letta Jean Taylor, Mayor Pro Tem Eric Nichols, Commissioner Ruth Currie, and Commissioner Bill Hollins, Commissioner Jack McCaskill and Commissioner O’Neil Tate. Representing Town Staff were Town Administrator Ron Nalley, Public Works Director Charlie Caldwell, Town Clerk Misty R. Gedlinske, Chief of Police William B. McClintock, 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 gave the invocation.

**Agenda Approval**

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

**Public Hearing - Proposed Montreat General Ordinance  
Chapter D, Article IV “Street Standards”**

Mayor Taylor said the Board would hold a public hearing on the most recent revisions to the proposed ordinance text at next week’s meeting.

**Communications From the Mayor**

Mayor Taylor advised that all of the upcoming July 4<sup>th</sup> celebration events were listed in the current “This Week in Montreat” newsletter and pointed out that the Montreat Gait Walk/Run Event beginning at 7:00 a.m. was the only Town-sponsored event. She also reported that the Buncombe County Board of Commissioners would attend the August Town Council meeting to report on current events at the County level and hear any concerns from the Town.

**Review of the Consent Agenda**

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

- May 27, 2009 Special Meeting Minutes
- June 1, 2009 Special Meeting Minutes
- June 4, 2009 Agenda Meeting Minutes
- June 11, 2009 Town Council Meeting Minutes

A minor correction was noted to the May 27, 2009 Special Meeting Minutes for revision prior to next week’s meeting.

**Communications From the Town Administrator**

American Recovery and Reinvestment Act of 2009 Funding Update: Mr. Nalley reported that staff was awaiting formal approval in late July or early August for approximately \$200,000 in funding from the American Recovery and Reinvestment Act of 2009. This funding would be administered through the North Carolina Department of Transportation's State Transportation Plan Distribution Fund and applied to costs related to the Texas Road bridge replacement project. He also said that the Town was being favorably considered for funding for an automated water meter reading system.

Real Property Purchase Update: Mr. Nalley said that the purchase of the hillside lot near the Montreat Gate had been delayed recently due to a disagreement concerning the appropriate deed to be used to transfer the property. He also noted that during title research the Town Attorney had discovered a small possibility of an unresolved claim to partial interest in the property. He said he was expecting additional information from the Town Attorney on this matter which he would forward to the Board as soon as it was received.

Woodland Road Design Review Meeting Update: Mr. Nalley reported that engineers from McGill Associates had presented a preliminary paving design plan for Woodland Road at a neighborhood meeting earlier that afternoon. Several members of the Board and Town staff were in attendance, along with about ten members of the public. Mr. Nalley noted that none of the residents who spoke with Town staff or McGill Associates representatives about the project raised any strong opposition to the proposed design. He said that McGill Associates had prepared a list of the questions and concerns raised during the review of the preliminary paving plan for the Town's review.

Buncombe County Property Tax Revaluation Update: Mr. Nalley presented a copy of a letter from the Buncombe County Board of Commissioners notifying the Town of their recent decision to delay property tax revaluations until economic conditions improved. He explained that Buncombe County normally performed the revaluations on a four-year cycle with the next study originally scheduled for 2010.

Revised Metropolitan Sewerage District Use Ordinance Update: Mr. Nalley presented a letter from the Metropolitan Sewerage District notifying the Town of proposed revisions to its Sewer Use Ordinance that will be considered for adoption on September 16. He noted that any comments on the revised ordinance were due no later than August 3. A full copy of the ordinance text is available in the Town Service Office or online at [www.msdbc.org](http://www.msdbc.org).

Rivers, Trails and Conservation Assistance Program Resolution of Support: Mr. Nalley advised that the Town of Black Mountain was participating in a joint application with Montreat and Buncombe County for grant funding through this program and had asked Montreat to adopt a resolution supporting their request. He said that because the application deadline for this grant would expire before the Board's August meeting, a completed resolution would be added to next week's agenda for the Board's consideration.

Mr. Nalley also reported that the MRA Wilderness Committee had asked to be involved with the final trail selection for the proposed route linking the Towns of Black Mountain and Montreat with the Mount Mitchell trail system. The Committee had also been supportive of efforts toward an agreement with the Mill Creek Wildlife Club to preserve undeveloped land adjoining Montreat's eastern boundary.

Water Agreement Update: Mr. Nalley advised that staff had not had sufficient time to review the Town of Black Mountain's proposed revisions to the water agreement with Montreat prior to the meeting. He asked for the Board's approval to schedule a meeting between Mayor Taylor and Black Mountain Mayor Carl Bartlett to discuss the changes to the proposed agreement before final revisions were presented for consideration at the August Town Council Meeting. The Board agreed by consensus.

Resolution Supporting Preservation of Asheville Transit Route 28 and Mountain Mobility's Black Mountain Trailblazer Community Bus Service: Mr. Nalley advised that Asheville Transit Route 28 and Mountain Mobility's Black Mountain Trailblazer community bus service were being considered for elimination due to lack of State funding. He said the Town of Black Mountain was finalizing a resolution asking that these services be preserved and that the Board may be asked at next week's meeting to adopt a resolution in support of that effort.

Town Administrator Vacation Dates: Mr. Nalley said he would be out of the office on vacation from July 12-15 and from July 25 through August 2.

### **Administrative Reports**

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

Public Works Director: Mr. Caldwell reminded the public that garbage and recyclables would be collected at the regularly scheduled time on Friday, July 3, and that the summer bulk item collection date was scheduled for Tuesday, July 7.

Finance Officer: Mr. Stackhouse presented and reviewed the final May 2009 Financial Statement. The preliminary June 2009 Financial Statement will be finalized and presented at next week's meeting. He also presented copies of a letter and billing notice from the Metropolitan Sewerage District advising its customers of a 3.75% sewer rate increase effective July 1.

Bryan Leak Adjustment Request: Mr. Stackhouse presented copies of the Town internal water billing records, an excerpt from the current Cash Management Policy and correspondence from Dr. and Mrs. James and Elizabeth Bryan related to a water leak at their home. He explained that the Bryans had previously been granted a leak adjustment within the last twelve months and were appealing to the Board to grant an additional adjustment request for this most recent incident. Mr. Nalley said the Bryans had received several leak adjustments from the Town over

the past few years for various problems. Mr. Stackhouse said Public Works Department staff had verified that the meter reading amount was correct, indicating the presence of a water leak as opposed to a billing or other clerical error.

During discussion, Mayor Pro Tem Nichols stated that property owners should be responsible for repairing any problems with their home's plumbing system and that the Bryans should obtain a second opinion from a different plumber if necessary to find the cause of the leak. Commissioner Hollins agreed and said that granting another leak adjustment would not motivate that repair. Commissioner McCaskill asked whether there could be a problem with the water meter for this home. Mr. Caldwell replied that faulty water meters would give progressively lower than accurate readings in his experience. Commissioner Currie pointed out that certain communication problems between staff and the Bryans had occurred which may indicate that the Town should consider granting the requested leak adjustment. Mr. Stackhouse said he had apologized in his letter to the Bryans for not notifying them of the high meter reading before the water bills were sent out and for initially giving misinformation about their eligibility for an adjustment. He also explained the procedures he would take to ensure that neither problem happened again. Mayor Pro Tem Nichols felt that staff's misinformation concerning administrative procedures did not discount the validity of the leak or excuse the Bryans from their responsibility for repairing it.

Building Inspector/Code Administrator: Mr. Currie said he would give his monthly departmental activity report at next week's meeting. He noted that the Planning and Zoning Commission would review Towers XX's conditional use permit for a wireless communication towers on located in the rear of the South Carolina Home property at their July 16 meeting.

### **Commissioner Reports**

Mayor Pro Tem Nichols had no report at this time.

Commissioner Currie suggested creating a 2010 Town of Montreat calendar featuring photographs of open space areas for public sale. She also said she had forwarded her research on the status of proposed revisions to the Board of Adjustment's bylaws to Town staff for further review.

Commissioner Hollins reported that the Local Government Commission had approved the Town's audit services contract with Johnson, Price & Sprinkle, P.A.

Commissioner McCaskill had no report at this time.

Commissioner Tate had no report at this time.

### **Public Comment**

There were no comments from the public at this time.

**Old Business**

Proposed Montreat General Ordinance Chapter D, Article IV “Street Standards”: Mayor Taylor confirmed the Board would be prepared to vote on the proposed ordinance text at next week’s meeting.

**New Business**

Updated Municipal Records Retention and Disposition Schedule: Mr. Nalley advised that the North Carolina Municipal Records Retention and Disposition Schedule ensured compliance with the Open Records Law and North Carolina General Statutes Chapters 121-5 and 132 by defining public records and creating an official retention schedule to regulate their disposal. He said the North Carolina Department of Cultural Resources – Local Records Branch provided several updates to this schedule over the past few years and had now issued a comprehensive revision incorporating these and other revisions into an updated document which the Board will be asked to approve at next week’s meeting.

Proposed Revisions to Town of Montreat Subdivision Ordinance: Mr. Currie said that in accordance with the short-term goals established in the Comprehensive Plan Implementation Matrix, staff had been working with the Planning and Zoning Commission to revise the Montreat Subdivision Ordinance to allow conservation subdivisions as a development design option. The Commission completed their final recommendations at their June meeting, but because the decision to forward the proposed language was not unanimous Mr. Currie said he would not recommend any action on this matter at next week’s meeting. He explained that issues related to the minimum parcel size for conservation subdivisions and how to establish a permanent means of maintaining any dedicated open space areas without invoking a Homeowner’s Association or obligating the Town to accept responsibility had not been fully addressed. Mr. Nalley said staff would ask the Board to decide how these issues should be resolved

During discussion, Commissioner Currie said she understood that the Open Space Conservation Plan’s purpose was to provide a means of permanently maintaining any lands dedicated to the Town for conservation. Mr. Nalley explained that the Plan granted the Board Commissioners final authority to accept or decline a parcel for permanent conservation on a case-by-case basis, and that the Planning and Zoning Commission did not want to create a conflicting ordinance that removed this discretion. Commissioner Currie also noted that the current Subdivision Ordinance language granted final plat approval authority to the Planning and Zoning Commission and suggested that the Board may want to reconsider this.

**Public Comment**

There were no comments from the public at this time.

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**Meeting Dates**

Summer Bulk Item Sanitation Collection Date: July 7, 2009

July Montreat Landcare Committee Meeting: July 7, 9:00 a.m.,  
Outdoor Education Classroom

July Town Council Meeting: July 8, 2009, 7:00 p.m.,  
Kirk Allen Building

July Planning & Zoning Commission Meeting: July 16, 2009, 7:00 p.m.,  
Kirk Allen Building

Agenda Items Due: July 31, 2009, 4:30 p.m.,  
Town Services Office

Agenda Packets Available: August 4, 2009

August Montreat Landcare Committee Meeting: August 4, 9:00 a.m.,  
Outdoor Education Classroom

August Agenda Meeting: August 6, 2009, 7:00 p.m.,  
Kirk Allen Building

August Town Council Meeting: August 13, 2009, 7:00 p.m.,  
Kirk Allen Building

August Planning and Zoning Commission Meeting: August 20, 2009, 7:00 p.m.,  
Kirk Allen Building

August Board of Adjustment Meeting (tentative): August 27, 2009, 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 8:05 p.m.

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Letta Jean Taylor, Mayor

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Misty R. Gedlinske, Town Clerk