

**Town of Montreat
Board of Commissioners
Special Meeting
August 26, 2008 – 7:00 p.m.
Kirk Allen Building**

The Montreat Board of Commissioners held a special meeting on August 26, 2008 at 5:00 p.m. in the Town Services Office. 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, Public Works Director Charlie Caldwell, Safety Officer Stephen Freeman, Town Clerk Misty R. Gedlinske and Building Inspector/Code Administrator David Currie. Two members of the public were also present. Mayor Taylor called the meeting to order and gave the invocation.

Agenda Approval

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

Revised Chapman Road Subdivision Retaining Wall and Stormwater Control System Agreements: Mr. Nalley presented revised Retaining Wall and Stormwater Control System Agreements for the Chapman Road Subdivision and explained that Mr. Sulaski's attorney had requested amendments to both documents to require the Town to provide written notice of any problems with either the retaining wall or stormwater control system and to allow Longmeadow Homes, LLC a 30-day opportunity to cure any default prior to termination of the agreement. After brief discussion, Commissioner Hollins moved to approve revised agreements authorizing Longmeadow Homes, LLC to construct a stacked stone retaining wall and underground stormwater retention system in the public right-of-way and to authorize the Mayor to execute the necessary legal documents. Mayor Pro Tem Nichols seconded and the motion carried 5/0.

Chapman Road Subdivision Improvements Approval:

Mr. Currie presented copies of the following documents:

1. Montreat Subdivision Ordinance Appendix D – Final Plat Checklist dated August 11, 2008;xs
2. Letter dated August 21, 2008 from W. Dennis Campbell, III, PLS, of Blue Ridge Land Surveying, Inc. certifying that the subdivision plat conformed to applicable North Carolina General Statutes;
3. Certificate of Completion and Warranty executed by Robert Sulaski of Longmeadow Homes, LLC on August 13, 2008 certifying that the improvements required under authority of the Montreat Subdivision Ordinance were installed as specified by the Preliminary Plat approved by the Montreat Planning and Zoning Commission on June 19, 2008, and that Longmeadow Homes, LLC knows of no defects and will fully warrant the

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- improvements to be free from defects in material and workmanship for a period of one year;
4. Longmeadow Homes, LLC Unanimous Consent of Members executed on January 1, 2008 by Robert L. Sulaski, Jr. and Charles Michael Tinsley, II;
 5. Offer of Dedication from Longmeadow Homes, LLC to the Town of Montreat for the street and street right-of-way known as Chapman Road as described in the Vista at Montreat Final Plat;
 6. Certificate of Improvements to be signed by Mayor Taylor and Mr. Currie, stating that the road extension, stormwater control system, public potable water line extension and public sewer line extension were constructed to the standards set forth in the Montreat Subdivision Ordinance;
 7. Letter of Completion dated August 21, 2008 from Mike Anderson of Mike Anderson Engineering, P.A. stating that the construction of the roads, stormwater system, public water line extension and public sewer extension were completed within substantial compliance of the design drawings issued by his office, and that based on testing by Kessel Engineering Group, LLC, the road construction and paving were complete within North Carolina Department of Transportation (NCDOT) specifications;
 8. Letter Issuing Final Approval dated August 11, 2008 from Tony C. Chen, P.E., Director of the Public Water Supply Section, Technical Services Branch of the North Carolina Division of Environmental Health;
 9. Operations and Maintenance Agreement for Stormwater Facilities dated August 6, 2008 between Buncombe County and Longmeadow Homes, LLC, recorded in Plat Book 4596, Page 1184-1202 on August 7, 2008; and
 10. Operation and Maintenance Manual for Montreat – Chapman Road Stormwater Facilities prepared by Mike Anderson Engineering, P.A.

Mr. Currie advised that at their August 21, 2008 meeting, the Planning and Zoning Commission had approved Robert Sulaski's final major subdivision plat upon condition that the Montreat Board of Commissioners accepted and approved the Retaining Wall and Stormwater System Agreements and approved all required installed improvements. He also noted that remediation of cold joints visible in the asphalt of the roadway and certain stormwater runoff concerns were listed on the Certificate of Improvements as minor defects that should be addressed by the subdivider. Mr. Caldwell stated that members of the Town's Public Works Department had witnessed the water line extension installation and were satisfied that this was done according to Town standards. Mayor Pro Tem Nichols moved to approve the required improvements of the Chapman Road Subdivision as specified on the preliminary plat approved by the Planning and Zoning Commission on June 19, 2008. Commissioner Hollins seconded and the motion carried 5/0.

Mr. Nalley reviewed a map of the subdivision and noted the locations of Chapman Road Extension and the remaining portions of the former roadway. He stated that the Town would continue to maintain the first 100 feet of a section of the former roadway which had now become driveway access to several homes. Commissioner McCaskill recommended adding a sign in this area to indicate the point where public maintenance of the roadway ended. Commissioner Hollins then moved to accept the Offer of Dedication from Longmeadow Homes, LLC for the street and street right-of-way extension of Chapman Road and installation of a potable water system. Commissioner McCaskill seconded and the motion carried 5/0. Mr. Nalley clarified that while the Town had accepted the street and street right-of-way extensions and public water line extensions at this meeting, the subdivision's stormwater system would not be accepted into Town maintenance for a period of two years pursuant to terms of the Stormwater Control System Agreement.

Water Shortage Response Discussion: Mr. Nalley reported that while water tank levels had recently begun to stabilize due to a gradual reduction in consumption, the Town's well pumps were still operating between eighteen and twenty hours per day and well yields were still down by about 25%. He stated that Public Works Department crews had not located any leaks in the water system despite extensive detection efforts. He also noted a 30% discrepancy between the amount of gallons pumped from the wells and the amount of water consumption billed, and said that a special water meter had been ordered to be installed alongside the regular well meters to test whether air in the wells was distorting these readings. Mr. Nalley also stated that recent storms had not provided enough rainfall to increase well yields and said that staff would likely not recommend rescinding mandatory water restrictions for some time. He explained that the doubled water rates would begin with the September billing cycle and would only affect the water consumption portion of the bills. He gave an example of a water customer using 5,000 gallons of water per month and said that if that individual were able to reduce their water consumption by 25% their bill would only increase by about \$11 for the month.

Commissioner Currie said she had been asked at a recent Montreat Cottagers Association meeting about the possibility of the Town purchasing water from the Town of Black Mountain. Mr. Nalley replied that this was only being done in emergency cases. He explained that Black Mountain was now receiving about 75% of their water from the City of Asheville in order to meet their own demand, and cautioned that a heavy reliance on Black Mountain for water could result in a serious supply emergency if Black Mountain's connection with Asheville were compromised. Mr. Nalley continued by stating that if well yields did not increase before early next year the Board would have to decide whether to attempt to drill an additional well in hopes of regaining former production levels or to purchase water from Black Mountain at an additional consumer cost. He also cautioned that bringing a new well online with a 60-gallon per minute output would meet current demand levels but would not help prepare the Town for any increase in water usage.

Mayor Pro Tem Nichols asked if water could be diverted from Montreat's creeks and streams to replenish the well aquifers. Mr. Nalley replied while such activities were permissible with certain restrictions, more research into water impoundment regulations would be needed to determine whether this would be a viable option for the Town. Mr. Caldwell added that water

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from these sources was considered “surface water” under current State law and would require additional filtration and treatment to make it suitable for public consumption. He also said that he and Mr. Nalley planned to meet with representatives from the North Carolina Rural Water Association to review the Town’s water shortage response procedures and determine what further conservation options were available or should be considered.

Mayor Pro Tem Nichols then asked if staff was aware of any potential well sites other than the Greybeard Trail area. Mr. Nalley replied that the right-hand side of Lookout Road may provide some sites, and advised that staff was working with Town Attorney Susan Taylor Rash on a draft proposal for well site access to be presented to the Mountain Retreat Association and Southern Appalachian Highlands Conservancy for their review. He also noted that a site on Harmony Lane had provided a yield of approximately 20 gallons per minute at one time. Commissioner Currie asked about the possibility of a well site in the Chapman Road area. Mr. Nalley replied that staff had examined this area and determined that any potential sites would be very steep and difficult to access.

Mayor Taylor advised that she had recently attended the Southern Energy and Environment Expo at the WNC Agricultural Center and had received information and offers for presentations to Council on several secondary water recycling and rainwater technologies. Commissioner Currie mentioned that she knew a Warren Wilson College student who had recently completed a project on rain water harvesting and would also be willing to give a presentation. Commissioner McCaskill suggested encouraging the College and Conference Center to collect rain water from their rooftops for landscaping and other secondary purposes. In response to Mayor Pro Tem Nichols’ inquiry, Mr. Nalley advised that Montreat College President Dan Struble had apologized for the nearly 200,000 gallons of water used at the ball field during the past month, saying he had incorrectly been told that the College had a separate water system for irrigation purposes. Mr. Nalley also noted that the College had significantly reduced their water usage over the past two weeks and were implementing conservation incentives such as water-reduction competitions between dormitories.

Public Comment

Gordon Neville was recognized and thanked the Commissioners and staff for their efforts.

Adjournment

There being no further items of business to discuss, Commissioner Hollins moved to adjourn the meeting. Commissioner Currie seconded. The motion carried 5/0 and the meeting was adjourned at 5:55 p.m.

Letta Jean Taylor, Mayor

Misty R. Gedlinske, Town Clerk