

**Town of Montreat  
Board of Commissioners  
Agenda Meeting  
September 04, 2008 – 7:00 p.m.  
Kirk Allen Building**

The Montreat Board of Commissioners held their regularly scheduled Agenda Meeting on September 4, 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 Jack McCaskill and Commissioner O'Neil Tate. Commissioner Bill Hollins was absent. 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. Five 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 Pro Tem Nichols moved to adopt the meeting agenda as presented. Commissioner McCaskill seconded and the motion carried 4/0.

**Communications From the Mayor**

Land-of-Sky Regional Council Updates: Mayor Taylor reported that the Land-of-Sky Regional Council's Mountain Ridge and Steep Slope Protection Policy could be accessed online at [www.landofsky.org](http://www.landofsky.org), and their revised Comprehensive Economic Development Strategy was available for public comment through September 27, 2008. She also reported that the 2008 Annual Dinner Celebration would be held on October 15, 2008 from 6:00 p.m. until 9:00 p.m. at the Taylor Ranch in Fairview, NC. Mayor Taylor further advised that Waste Reduction Partners, a group administered by Land-of-Sky Regional Council and working in partnership with the North Carolina Division of Pollution Prevention and Environmental Assistance, could provide water efficiency and demand management assessments for municipal and institutional organizations free of charge.

**Review of the Consent Agenda**

Mayor Taylor asked for any additions or corrections to the August 14, 2008 Town Council Meeting minutes. None were noted.

**Communications from the Town Administrator**

NCLM Green Challenge Response: Mr. Nalley presented copies of a letter from North Carolina League of Municipalities President Susan Burgess thanking Montreat for its participation in the NCLM Green Challenge.

NCLM Annual Business Meeting Update: Mr. Nalley reported that the North Carolina League of Municipalities would hold their 2008 Annual Business Meeting on October 11-14 at the Charlotte Convention Center. He presented copies of the NCLM Core Municipal Principles,

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Advocacy Agenda and State and Federal Action Guidance documents to be discussed at their meeting and asked any Council member interested in attending to notify Town staff.

Preliminary 2007 Municipal Population Estimates: Mr. Nalley presented copies of the North Carolina Office of State Budget and Management's 2007 Municipal Population Estimate for Montreat of 730 permanent residents. He explained that this figure included students housed in Montreat College's dormitories, but not those who resided off-campus within Town limits. Commissioner Currie felt that including the students in the population estimate was misleading, and Mayor Taylor believed off-campus students should be included as part of the College's population count. In response to Mayor Pro Tem Nichols' inquiry, Mr. Nalley explained that population estimates were used to determine the amount of state-shared revenues distributed to municipalities and offered to speak with Montreat College representatives about this matter.

Cell Tower Update: Mr. Nalley reported that the cellular tower company interested in locating a monopole antenna next to the Town's water tank on Appalachian Way would likely present a draft lease agreement and design criteria for Council's consideration at their October meeting. He noted that the proposed height of the tower was 120 feet and said that staff was researching whether variations to the 80-foot height limitation specified in the Town's Ordinance Regulating Wireless Communication Technology should be considered by the Town Council or Board of Adjustment.

Request to Close or Exchange Public Right-of-Way – Robert Sulaski, Chapman Road: Mr. Nalley advised that Mr. Sulaski had not yet submitted any additional information concerning his proposal to construct a driveway along unopened public right-of-way on Chapman Road.

Brian Sawyer v. Town of Montreat Update: Mr. Nalley also advised that all counter-claims concerning legal action by the Town of Montreat against Brian Sawyer had been settled, and that signed settlement documents from Mr. Sawyer's attorney should be received within the next few days.

### **Administrative Reports**

Police Chief: Chief McClintock said he would give his monthly activity report at next week's meeting. He also explained that he would like to present certificates and medals of merit at next week's meeting to the Police Officers involved with Susan Taylor's rescue efforts last month.

Public Works Director: Mr. Caldwell said that with the well pumps operating 17 hours daily, both of the Town's water tanks were currently full without any water received from the Town of Black Mountain. He also reported that a resident had alerted his staff to what proved to be a major leak in a 24-inch water main near Well B and said that this well would be out of operation until Public Works Department crews received replacement parts from out-of-state and completed the necessary repairs. Mr. Caldwell believed that this leak in combination with high usage demand during the summer months were the major factors in the Town's water shortage. He thanked the public for their conservation efforts but did not recommend that mandatory water

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restrictions be rescinded until after the Well B leak was repaired and pumping times successfully reduced. Mr. Nalley advised that the North Carolina Rural Water Association had offered the use of more advanced leak detection equipment at no cost if needed. He also said that staff may consider using a special water meter designed to determine whether air in the lines had any effect on meter readings on some of the Town's largest water consumers once Well B was again operational.

Finance Officer: Mr. Stackhouse presented and reviewed the final July 2008 and preliminary August 2008 Financial Statements.

Building Inspector/Code Administrator: Mr. Currie said he would give his formal building inspection and zoning activity report for the month of August at next week's meeting. He also reported that at their last meeting, the Planning and Zoning Commission granted conditional final plat approval of the Chapman Road subdivision and had begun their review of Stormwater Best Management Practices (BMPs) for lots smaller than one acre in size.

**Commissioner Reports**

Mayor Pro Tem Nichols reminded everyone about the upcoming First Annual Will Kennedy Memorial Golf Tournament on September 23, 2008 beginning at 1:00 p.m. He also asked what the Board would consider as an appropriate means of providing information concerning the Black Mountain Center for the Arts. The Board agreed by consensus to maintain a link to the Center's website from the Town's website.

Commissioner Currie had no report at this time.

Commissioner Hollins was absent.

Commissioner McCaskill had no report at this time.

Commissioner Tate reported that the Parks and Recreation Committee would meet on the following Tuesday.

**Public Comment**

Wade Burns was recognized and said that Bob Wynne and Henry Copeland had located the leak near the Town's well house.

**Old Business**

Proposed Revisions to the Ordinance Regulating the Construction and Financing of Public Improvements: Mr. Nalley referred to the preliminary draft of proposed revisions to the Ordinance Regulating the Construction and Financing of Public Improvements and said he would ask the Board for their guidance at next week's meeting to confirm whether the proposed

draft adequately reflected direction given during previous discussions of this matter. Commissioner Currie requested a workshop to discuss the proposed revisions in more detail, which Mayor Taylor said could be scheduled at next week's meeting.

### **New Business**

Montreat General Ordinance Chapter K "Environment," Article IV – Hillside Development: Mr. Nalley said he would ask Mr. Currie to give a brief presentation a next week's meeting to review and explain the Planning and Zoning Commission's recommended draft Hillside Development Ordinance. He noted that the draft ordinance had generated a significant amount of interest and comment both locally and regionally, and said that Land-of-Sky Regional Council's recently distributed Mountain Ridge and Steep Slope Development Strategies document contained recommendations that may be valuable to consider as hillside development regulations were developed. He explained that staff recommended scheduling an educational workshop involving presenters from Land-of-Sky Regional Council, the North Carolina Division of Land Resources – Geotechnical Survey and other local geotechnical engineering firms prior to formal adoption of the proposed ordinance. During discussion, Commissioner McCaskill recommended also consulting with representatives from the North Carolina Department of Environment and Natural Resources (NCDENR). Mr. Currie said he had spoken with local NCDENR representative Rick Wooten, who indicated he was willing to take part in a presentation to the Board.

Open Space Program Donation: Commissioner Currie presented an application from William and Ann Whitworth to the Open Space Conservation Committee for donation of their 0.23-acre lot on John Knox Road. She said the lot was a portion of property that had been previously divided between the Chesnutt and Whitworth families, and that the Chesnutts had already donated their portion to the Mountain Retreat Association for conservation purposes. She explained that the lot had a high resource value for conservation because of its location, lying across from Town greenspace and contiguous to the MRA Conservation Easement, and also as a means of preserving a nearby stream and other natural vegetation. She noted that the property would be well-suited as a future connection between Town greenspace and Conservation Easement lands, and said that the lot's development as a residential property would be difficult, if not impossible, due to its steep topography and small size. Commissioner McCaskill said that the property's donation into permanent conservation would reduce the Town's property tax revenues. Commissioner Currie explained that this decrease would not have a significant impact and would be offset by the property's conservation value. She also noted the possibility that the MRA may be interested in donating their adjoining lot to the Open Space Conservation Program and felt this should be encouraged. Mayor Pro Tem Nichols asked why there was a discrepancy between the estimated and appraised values of the lot. Commissioner Currie explained that the estimated lot value reflected what the owners believed the property to be worth and said that this amount would be verified by appraisal prior to the closing.

Proposed Services for Evaluating Alternatives for a Town Hall and Public Works Facility – McGill Associates: Mr. Nalley presented a draft scope of services from Dennie Martin of McGill Associates for development of a new Town Hall and Public Works facility. He asked the

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Council to review the document for further consideration at next week's meeting. Commissioner McCaskill asked for an estimated cost of the items included in the draft. Commissioner Currie agreed and asked for an itemized cost estimate which would allow each item in the scope of services to be considered individually.

Assistant Public Works Director Job Description: Mr. Nalley said that further revisions were needed to the proposed Assistant Public Works Director job description and a revised draft would be e-mailed to the Council for their review.

**Public Comment**

There were no comments from the public at this time.

**Meeting Dates**

Mayor Taylor announced the following upcoming meeting dates:

<u>Parks &amp; Recreation Committee Meeting:</u>	September 9, 2008, 9:00 a.m., Andy Andrews Gallery
<u>Town Council Meeting:</u>	September 11, 2008, 7:00 p.m., Kirk Allen Building
<u>Planning &amp; Zoning Commission Meeting:</u>	September 18, 2008, 7:00 p.m., Kirk Allen Building
<u>Board of Adjustment Meeting (if needed)</u>	September 25, 2008, 7:00 p.m., Kirk Allen Building
<u>Agenda Items Due:</u>	September 26, 2008, 4:30 p.m. Town Services Office
<u>Agenda Packets Available:</u>	September 30, 2008 Town Services Office
<u>October Agenda Meeting</u>	October 2, 2008, 7:00 p.m., Kirk Allen Building
<u>October Town Council Meeting</u>	October 9, 2008, 7:00 p.m., Kirk Allen Building
<u>October Planning &amp; Zoning Commission Meeting</u>	October 16, 2008, 7:00 p.m., Kirk Allen Building

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**Adjournment**

There being no further business to discuss, Mayor Pro Tem Nichols moved to adjourn the Agenda Meeting. Commissioner McCaskill seconded. The motion carried 4/0 and the meeting was adjourned at 7:50 p.m.

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Letta Jean Taylor, Mayor

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Misty R. Gedlinske, Town Clerk