

**Town of Montreat
Board of Commissioners
Town Council Meeting
September 11, 2008 – 7:00 p.m.
Kirk Allen Building**

The Montreat Board of Commissioners held their regularly scheduled Town Council Meeting on September 11, 2008 at 7:00 p.m. in the Kirk Allen Building. Present among the Board were Mayor Letta Jean Taylor, Commissioner Ruth Currie, Commissioner Bill Hollins, Commissioner Jack McCaskill and Commissioner O'Neil Tate. Mayor Pro Tem Eric Nichols 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, Officer David Arrant and Officer Jack Staggs. Four 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

Mr. Nalley noted that the meeting agenda had been revised since the previous week to add a Closed Session to discuss real property acquisition as the last item of business. Commissioner Hollins moved to adopt the meeting agenda as presented. Commissioner Currie 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 would hold their Annual Dinner Celebration on October 15, 2008 from 6:00 p.m. until 9:00 p.m. at the Taylor Ranch in Fairview, NC, and the Mountain Ridge and Steep Slope Protection Policy could be accessed online at www.landofsky.org. She also advised that the Board of Commissioners would soon plan a public meeting to discuss and provide public education on rainwater and grey water recycling technologies.

Police Officer Recognition – Susan Taylor Rescue: Mayor Taylor recognized Chief McClintock and Police Officers David Arrant and Jack Staggs with certificate and medals of merit for their assistance with Susan Taylor's recent recovery from the Greybeard Trail area.

Review of the Consent Agenda

Mr. Nalley stated that with the adoption of the Consent Agenda, the Board had approved the minutes of the August 14, 2008 Town Council Meeting.

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.

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NCLM Annual Business Meeting Update: Mr. Nalley reviewed the NCLM Core Municipal Principles, Advocacy Agenda and State and Federal Action Guidance documents to be discussed at their Annual Business Meeting on October 11-14 at the Charlotte Convention Center. He urged any Council members interested in attending this event to notify staff prior to the September 16, 2008 registration deadline.

Preliminary 2007 Municipal Population Estimates: Mr. Nalley advised that he and Mayor Taylor recently met with representatives from Montreat College to discuss the North Carolina Office of State Budget and Management's 2007 Municipal Population Estimate for Montreat of 730 permanent residents. He said that the College would provide information on the number of students living in off-campus housing within the Town limits for use in determining how their enrollment affected Montreat's population counts. Commissioner Currie asked that the College also provide information on the number of students housed in the dormitories.

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 present a draft lease agreement and design criteria for Council's consideration at their October meeting. He also said that the company planned to conduct a balloon test on the following Monday to determine the visual impact the proposed monopole would have on the surrounding viewscape from various points throughout the Town.

Request to Close or Exchange Public Right-of-Way – Robert Sulaski, Chapman Road: Mr. Nalley reported that he had not received any additional information from Mr. Sulaski 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 said that all counter-claims concerning legal action by the Town of Montreat against Brian Sawyer had now been settled.

In other matters, Mr. Nalley also provided the Council with copies of a recent letter from Erskine Clarke for their individual review.

Administrative Reports

Police Chief: Chief McClintock gave his Police Department activity report for the month of August and noted increases in the number of dispatched calls and animal complaints. In response to Commissioner Currie's inquiry, he advised that he had spoken with several national media groups over the telephone concerning Susan Taylor's rescue from the Greybeard Trail area, although none had chosen to visit Montreat in person.

Public Works Director: Mr. Caldwell listed the tonnage amounts of garbage and recyclables collected during the month of August. He also advised that staff would meet on the following Thursday with representatives from McGill Associates to discuss repair options for the Texas Road bridge, and that repairs to the booster pump station roof were now completed. Mr. Caldwell further reported that the Town's well pumps were now only operating between six and eight hours per

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day, and that the repairs to the 24-inch water main near Well B were expected to be completed early the following week. He recommended that the Town resume voluntary water restrictions once Well B was successfully back online and that the doubled water rates associated with mandatory water restrictions not be charged for the month of September. Mr. Nalley referred to a graph indicating the average weekly pumping times over the summer months and said that the high amount of water consumption during the early weeks of July had actually met the threshold for emergency water conservation measures. He thanked the community for their conservation efforts, saying that there had been a significant decrease in consumption in recent weeks. He also appreciated the Public Works Department's extensive efforts to repair the line break and locate any other possible sources of water loss.

In response to Commissioner Currie's inquiry, Mr. Nalley replied that the September edition of the Town newsletter had already been sent for printing, and that staff would distribute postcards to all water customers notifying them about the return of voluntary conservation measures and the decision not to impose doubled water rate fees. Commissioner Currie emphasized the need to commend the public for their efforts to reduce their water consumption, and Mayor Taylor added that continued conservation was still needed due to the persistent drought conditions. Commissioner Hollins asked whether monthly comparison reports could be done to document any significant discrepancies between well production amounts and the amount of water consumption billed as means of alerting staff to potential water leaks. Mr. Nalley replied that staff had been using these types of reports for several months in an effort to both detect leaks and determine whether air in the water lines was distorting well output readings.

Finance Officer: Mr. Stackhouse presented and reviewed the final July 2008 and preliminary August 2008 Financial Statements. He also noted that he would begin providing property tax revenue reports on a quarterly basis, and that the Town's annual audit was tentatively scheduled to begin the following week.

Building Inspector/Code Administrator: Mr. Currie's presented and reviewed the zoning activity and building inspections report for the month of August. 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 was absent.

Commissioner Currie reported that the Warren Wilson College student she had spoken with about giving a presentation on rain water harvesting was available at the Council's convenience and could also include information on secondary or "gray" water recycling if needed.

Commissioner Hollins reported that the Audit Committee met on August 18, 2008 to discuss preparations for the upcoming annual audit. He also said that he would begin providing written reports of the Audit Committee's recommendations to the Council for their review.

Commissioner McCaskill said he had attended the recent Buncombe County Greenways Commission meeting and would take part in next week's French Broad River Metropolitan Planning Organization (MPO) meeting on Mayor Taylor's behalf.

Commissioner Tate reported that the Parks and Recreation Committee was now referred to as the "Montreat LandCare Committee" and said that minutes of their last meeting had been e-mailed to the Council members for their review.

Public Comment

Skip Taylor was recognized and suggested that several mildewed and dirty Stop signs throughout the Town could be cleaned and refurbished as a public service project by local community or volunteer groups. Wade Burns asked if anyone knew the names of young women who had done hand-painted rocks with street names at several intersections throughout Montreat. Commissioner Currie suggested that "Dead End" signs throughout Town be changed to "No Outlet" signs.

Old Business

Proposed Revisions to the Ordinance Regulating the Construction and Financing of Public Improvements: Mr. Nalley referred to the initial draft of revisions to the Ordinance Regulating the Construction and Financing of Public Improvements and asked for the Council's input to identify its strengths and weaknesses and confirm that the draft accurately reflected the Board's intent. After discussion, the Council agreed by consensus to set a workshop during the announcement of upcoming meeting dates to examine the draft ordinance revisions in more detail.

New Business

Montreat General Ordinance Chapter K "Environment," Article IV – Hillside Development: Mr. Currie commended the Planning and Zoning Commission for their diligence in preparing their recommended draft Hillside Development Ordinance. He noted that the draft ordinance had generated a significant amount of interest and questions from members of the community, some of which staff felt merited further discussion. He also advised that the Land-of-Sky Regional Council's Mountain Ridge and Steep Slope Protection Policy was published just as final revisions to the draft were being made. Mr. Currie summarized the findings detailed in Land-of-Sky's document which corresponded to items addressed in the draft ordinance, as well as observations from members of the public which staff felt merited additional discussion. He recommended further evaluation of current data available from the Land-of-Sky Regional Council, the North Carolina Division of Land Resources – Geotechnical Survey and other

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experts in the fields of geological and engineering services, and also to allow an opportunity for public input and education as part of the development of this ordinance. After brief discussion, Commissioner Hollins moved to authorize staff to schedule 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 with the goal of providing the best available information to the Board and public in consideration of adopting a Hillside Development Ordinance. Commissioner Currie seconded and the motion carried 4/0.

Open Space Program Donation: Commissioner Currie moved to accept the donation of real property from William and Ann Whitworth as part of the Open Space Conservation program, to authorize Mayor Letta Jean Taylor and Commissioner Ruth Currie to execute the necessary legal documents to assist in the donation and to lend its support to the Mountain Retreat Association's consideration of donation of the adjoining lot. Commissioner Tate seconded. During discussion, Commissioner Currie referred to a survey to clarify the location of the subject lot and that of the neighboring lot previously donated to the Mountain Retreat Association for conservation purposes. The motion carried 4/0.

Proposed Services for Evaluating Alternatives for a Town Hall and Public Works Facility – McGill Associates: Mr. Nalley presented an updated draft scope of services from Dennie Martin of McGill Associates for construction of a new Town Hall and Public Works Facility. The revised draft divided the scope of services into preliminary project qualification and due diligence phases. Mr. Nalley pointed out that the total estimated cost of \$15,600 was below the amount budgeted for this project and would be billed on a monthly basis. Commissioner Currie moved to accept the draft scope of services from McGill Associates and request that a final scope of services be developed for consideration by the Board of Commissioner. Commissioner Hollins seconded and asked what additional site selection and space needs information McGill Associates could provide in addition to what staff had already provided. Mr. Nalley replied that much of staff's existing research would be incorporated into the final scope of services, along with additional financial planning information and assistance. He also advised that each phase of work was expected to last between four and six weeks, depending on the amount of public involvement and whether Council chose to appoint a steering committee for the project. After further brief discussion, the motion carried 4/0.

Assistant Public Works Director Job Description: Mr. Nalley provided the Council with copies of the draft Assistant Public Works Director job description and asked that consideration of this matter be delayed until the following month. He advised that a salary recommendation for the position would also be made at that time.

Public Comment

Wade Burns commented on the Town's ability to set funds aside for Open Space conservation and said that Council should also consider paying the monthly water billing charges for the drinking fountain near Welch Field requested at last month's meeting. Mayor Taylor explained that the Town had agreed to waive the meter tap fee for installing the water fountain, but could

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not assume any liability, maintenance responsibility or monthly water usage costs associated a water fountain or other structure built on property owned by another party.

Meeting Dates

After discussion, the Board agreed by consensus to hold a workshop to discuss proposed revisions to the Ordinance Regulating the Construction and Financing of Public Improvements on Wednesday, September 24, 2008 at 5:00 p.m. in the Town Services Office. Mayor Taylor then announced the following upcoming meeting dates:

Planning & Zoning Commission Meeting: September 18, 2008, 7:00 p.m.,
Kirk Allen Building

Agenda Items Due: September 26, 2008, 4:30 p.m.
Town Services Office

Agenda Packets Available: September 30, 2008
Town Services Office

October Agenda Meeting October 2, 2008, 7:00 p.m.,
Kirk Allen Building

October Town Council Meeting October 9, 2008, 7:00 p.m.,
Kirk Allen Building

October Planning & Zoning Commission Meeting October 16, 2008, 7:00 p.m.,
Kirk Allen Building

Closed Session

Commissioner Hollins moved that Council enter into Closed Session in accordance with North Carolina General Statutes §143-318.11(5) to discuss proposed acquisition of real property. Commissioner Currie seconded and the motion carried 4/0.

Adjournment

Upon returning to open session, Commissioner Tate moved to adjourn the Town Council Meeting. Commissioner Currie seconded. The motion carried 4/0 and the meeting was adjourned at 8:45 p.m.

Letta Jean Taylor, Mayor

Misty R. Gedlinske, Town Clerk