

**Town of Montreat
Board of Commissioners
Agenda Meeting
October 02, 2008 – 7:00 p.m.
Kirk Allen Building**

The Montreat Board of Commissioners held their regularly scheduled Agenda Meeting on October 2, 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, and Commissioner Bill Hollins. Commissioner Jack McCaskill and Commissioner O'Neil Tate were 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. One member of the public was 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

Commissioner Hollins moved to adopt the meeting agenda as presented. Commissioner Currie seconded and the motion carried 3/0.

Communications From the Mayor

Mayor Taylor invited the Council members to attend the upcoming Land-of-Sky Regional Council Annual Dinner at 6:00 p.m. on October 15, 2008 at the Taylor Ranch.

Review of the Consent Agenda

Mayor Taylor summarized the items listed on the Consent Agenda, which included the minutes of the August 26, 2008 Special Meeting, September 4, 2008 Agenda Meeting and September 11, 2008 Town Council Meeting.

Communications from the Town Administrator

Well Site Lease Agreement Update – Mountain Retreat Association: Mr. Nalley said that the Mountain Retreat Association and Southern Appalachian Highlands Conservancy had both agreed in concept to the well site lease agreement he and Town Attorney Susan Taylor Rash had prepared. He explained that the agreement would give the Town the right to access certain lots on Harmony Lane and Greybeard Trail for well site exploration purposes and that the parties would proceed with a separate agreement to transfer property to the Town if a water source is found.

Public Improvements Ordinance Revision Update: Mr. Nalley said that a revised draft of the Public Improvements Ordinance would be forwarded to the Council for their review by the end of the following week.

FEMA Flood Plain Mapping Appeals and Protest Petition Response Update: Mr. Nalley reported that FEMA had approved the Town's two flood plain mapping appeals and was still considering the protest petitions.

Administrative Reports

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

Public Works Director: Mr. Caldwell listed the tonnage amounts of garbage and recyclables collected during the month of September. He reported that Mayor Taylor had rescinded mandatory water restrictions on Monday, and that doubled water billing rates would not be charged for the month of September. He also advised that the Town's well pumps were only operating for about four hours each day and that well yields were beginning to slowly improve. Mr. Nalley said staff would have a report comparing water usage in September 2008 to August's usage and to the same time period in 2007 ready for next week's meeting. Commissioner Currie asked that the College and Conference Center be officially notified about the end of mandatory restrictions and thanked for their conservation efforts. Mayor Pro Tem Nichols suggested also providing both groups with information on how much water they were able to save compared to the previous year. He also asked how long staff thought the 24-inch water main near Well B had been leaking and whether this was the cause of the water shortage. Mr. Caldwell estimated that the line may have begun leaking as early as June and said that both the leak and the unusually high amount of consumption over the summer months likely contributed equally to the water shortage. Mayor Taylor noted the importance of continuing to encourage voluntary conservation measures over the winter months to prevent potential water shortages next year.

Finance Officer: Mr. Stackhouse presented and reviewed the final August and preliminary September 2008 Financial Statements. He also reported that the annual audit field work had been delayed until the following week.

Building Inspector/Code Administrator: Mr. Currie said he would give his monthly activity report at next week's meeting. He reported that the Planning and Zoning Commission continued their review of stormwater regulations for lots smaller than one acre in size at their September meeting.

Commissioner Reports

Mayor Pro Tem Nichols reported that the First Annual Will Kennedy Memorial Golf Tournament had raised approximately \$4300 in donations for the Black Mountain Center for the Arts. He mentioned several upcoming events at the Center, including an artist exhibit by Gingko Tree Gallery co-owner Joy Arden Durham on October 10, a dry-stack stone wall exhibit and workshop on October 25 and David LaMotte's final local concert at The Watershed on October 24.

Commissioner Currie verified that the upcoming bulk item asked about bulk item collection day would be publicized in the Post Office and on the Town's website.

Commissioner Hollins reported that the Audit Committee did not plan to meet during October.

Commissioner McCaskill was absent.

Commissioner Tate was absent.

Public Comment

There were no comments from the public at this time.

Old Business

Hillside Development Ordinance Educational Workshop Meeting: Mr. Currie said that the Board would be asked to hold the first of two educational workshop meetings on October 23, 2008 at 6:00 p.m. in the Kirk Allen Building to discuss factors influencing the development of the proposed Hillside Development Ordinance. Commissioner Currie noted that she would not be able to attend this meeting.

New Business

Texas Bridge Repair Proposal: Mr. Nalley said the Board had asked McGill Associates to review a report received in August from the State bridge inspector which recommended closure of the Texas Road bridge until repairs to widespread timber decay could be made. He explained that McGill had agreed with the repair and replacement options TGS Engineers provided and had also offered a fourth choice of a prefabricated bridge which would span over the creek area and avoid the extensive permitting requirements typically associated with any construction projects within the stream bed. He also noted that McGill's proposal included raising the grade on Texas Road to improve safety and visibility at the Texas Road Spur intersection and realigning the intersection at Assembly Drive to improve sight distance and accessibility. Mr. Nalley noted that Welch Field would be impacted by the proposed course of road realignment and said this would need to be discussed with and approved by the Montreat Conference Center. He further explained that a portion of the existing bridge could remain intact for use as a pedestrian bridge for hikers along Gate Trail, with the trail path rerouted to pass underneath the new bridge. He also said that realigning the road farther away from Well A would provide room for a new water line through this area that would bypass an older existing line beneath Welch Field. Mayor Pro Tem Nichols asked about the cost of McGill Associates' proposal and how this project would be funded. Mr. Nalley replied that the estimated cost for McGill's replacement option was about \$488,000 including all construction, engineering and other related fees. He noted that over \$400,000 had been budgeted in the Town's Capital Improvements Plan in future years to repair the bridge and realign Texas Road, and that some federal or State reimbursement grant funding may be available for this purpose. He also said staff recommended delaying the Appalachian

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Way project until spring and postponing the Woodland Road project until the next fiscal year in order to address the bridge repairs more quickly. Mr. Nalley asked the Council to review the proposal materials over the coming week and said that McGill Associates Senior Project Manager Dale Pennell would attend the Town Council meeting to review the proposal and answer any questions they may have.

Proposal for Telecommunications Tower Facility – Matthew Traiser, Towers XX, LLC: Mr. Nalley advised that Towers XX, LLC had approached the Town in July with a request to locate a 180' tall monopole cellular tower facility adjacent to the Appalachian Way water tank. He referred to the attached draft lease proposal, which outlined the lease space, rent, lease terms, and equipment location and use specifications for that site. Mr. Nalley advised that the proposal did not meet with administrative review criteria provided in the Wireless Communications Technology Ordinance and would instead be presented to the Board of Adjustment as a request for a Conditional Use Permit. He noted that the draft lease proposal would be presented to the Council for approval prior to the conditional use permit process and encouraged the Board to negotiate any design or aesthetic conditions they would like to place on the tower's construction at that time. During discussion, Commissioner Currie asked why the additional tower height had been requested. Mr. Nalley explained that the service antennas must be located above the ridgeline to transmit signal properly. He also said that the Town could negotiate landscaping and other screening measures to disguise the equipment cabinets to be located on the ground beneath the tower. Mayor Pro Tem Nichols asked whether the proposed tower site would provide service for all major cellular phone service providers. Mr. Nalley replied that at least four service providers were interested in locating antennas on the tower, and said that Towers XX believed that all available tower space would be filled.

Town of Montreat Identity Theft Protection Program: Mr. Stackhouse advised that because it operated a public water supply utility, the Town was required by the Federal Trade Commission to adopt a written identity theft prevention policy by November 1, 2008 in accordance with Section 114 of the Fair and Accurate Credit Transactions Act of 2003. He explained that this program consisted mainly of minor administrative procedural changes in the way staff handled requests to establish water service, address changes and service transfers, such as requiring photographic identification to verify that these requests were legitimate. Mr. Stackhouse said that the attached policy document was based on examples from municipalities throughout the State as well as input from the North Carolina League of Municipalities.

Appalachian Way Paving, Drainage and Sidewalk Installation Project: Mr. Nalley said that the first large capital improvements project planned for the current fiscal year was storm drainage replacement and paving on Appalachian Way between the Morgan Science Building and the South Carolina Terrace intersection. He advised that after conversations with representatives from Montreat College, staff had revised the project's scope to include plans for a sidewalk in this area, which in combination with higher asphalt prices would increase the cost of the work by about \$50,000. Mr. Nalley noted that staff members from Montreat College had expressed an interest in assisting the Town financially but had not committed to a specific dollar amount at this time. He explained that because of the need to address the Texas Road bridge repairs before

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next summer, as well as limitations on funding available for capital improvements, staff recommended delaying the Appalachian Way project until spring and postponing the Woodland Road project until the next fiscal year. Mr. Nalley pointed out that delaying the Appalachian Way project could possibly result in lower asphalt prices, and would also allow additional time to negotiate a financial contribution from Montreat College.

Assistant Public Works Director Job Description: Mayor Taylor said that Council would consider a motion to approve the Assistant Public Works Director job description and appoint Steve Freeman to this position at next week's meeting.

Public Comment

There were no comments from the public at this time.

Meeting Dates

Mayor Taylor announced the following upcoming meeting dates:

<u>Montreat LandCare Committee Meeting:</u>	October 7, 2008, 9:30 a.m., Andy Andrews Gallery
<u>Town Council Meeting:</u>	October 9, 2008, 7:00 p.m., Kirk Allen Building
<u>Planning & Zoning Commission Meeting:</u>	October 16, 2008, 7:00 p.m., Kirk Allen Building
<u>Hillside Development Ordinance Educational Workshop Meeting:</u>	October 23, 2008, 6:00 p.m., Kirk Allen Building
<u>Agenda Items Due:</u>	October 31, 2008, 4:30 p.m. Town Services Office
<u>Agenda Packets Available:</u>	November 4, 2008 Town Services Office
<u>November Montreat LandCare Committee Meeting:</u>	November 4, 2008, 9:30 a.m., Andy Andrews Gallery
<u>November Agenda Meeting</u>	November 6, 2008, 7:00 p.m., Kirk Allen Building
<u>November Town Council Meeting</u>	November 13, 2008, 7:00 p.m., Kirk Allen Building

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November Planning & Zoning Commission
Meeting

November 20, 2008, 7:00 p.m.,
Kirk Allen Building

Town Services Office Closed:

November 27-28, 2008
Thanksgiving Holidays

Adjournment

There being no further business to discuss, Commissioner Currie moved to adjourn the Agenda Meeting. Commissioner Hollins seconded. The motion carried 3/0 and the meeting was adjourned at 8:15 p.m.

Letta Jean Taylor, Mayor

Misty R. Gedlinske, Town Clerk