

**Town of Montreat
Board of Commissioners
Special Meeting
November 30, 2009 – 4:30 p.m.
Town Services Office**

The Montreat Board of Commissioners held a Special Meeting on November 30, 2009 at 4:30 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. Town Administrator Ron Nalley, Town Clerk Misty R. Gedlinske and Building Inspector/Code Administrator David Currie represented Town staff. No members of the public were present. Mayor Taylor called the meeting to order and gave the invocation.

Agenda Approval

Mayor Taylor noted that the items listed on the agenda as “Old Business” should be considered first as Public Hearings. She also explained that due to a lack of proper legal advertising in the local newspaper, it was necessary to repeat the public hearings on the proposed revisions to Montreat General Ordinance Chapter K, Article I “Flood Damage Prevention Ordinance,” Montreat Zoning Ordinance Section 701 “R-1 Residential District” and Section 703 “R-3 Residential District.” Mayor Pro Tem Nichols then moved to adopt the meeting agenda as amended. Commissioner Hollins seconded and the motion carried 5/0.

**Public Hearing – Proposed Revisions to Montreat General Ordinance Chapter K -
Environment, Article I: Flood Damage Prevention Ordinance, including changes to the
Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMS)**

Mayor Taylor opened the Public Hearing on this matter. No comments from the public or Commissioners were heard. Mayor Taylor then closed this Public Hearing. Commissioner Hollins moved to adopt Ordinance #09-11-0001 Amending Montreat General Ordinance Chapter K, Article I “Flood Damage Prevention Ordinance,” including changes to the Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMS). Mayor Pro Tem Nichols seconded and the motion carried 5/0. A copy of this Ordinance is attached to these minutes and incorporated herein by reference.

**Public Hearing –Proposed Revisions to the Montreat Zoning Ordinance Section 701
“R-1 Residential District” and Section 703 “R-3 Residential District**

Mayor Taylor opened the Public Hearing on this matter. No comments from the public or Commissioners were heard. Mayor Taylor then closed this Public Hearing. Mayor Pro Tem Nichols moved to adopt Ordinance #09-11-0002 Amending Montreat Zoning Ordinance Section R-1 “Residential District” and Section 703 “R-3 Residential District.” Commissioner McCaskill seconded and the motion carried 5/0. A copy of this Ordinance is attached to these minutes and incorporated herein by reference.

New Business

Montreat Personnel Policy Recruitment, Selection and Appointment Discussion: Mr. Nalley recommended the appointment of Assistant Public Works Director Stephen Freeman to the vacant Public Works Director position. He referred to the three goals of the employee recruitment, selection and appointment process outlined in Article IV of the Town's Personnel Policy, and said he felt that Mr. Freeman's essential and exceptional experience and qualifications warranted his appointment to this position without advertising the position externally. If promoted, Mr. Freeman would receive a 5% increase in his annual salary, as he is currently earning more than the starting salary amount for the Public Works Director position. Discussion was then heard concerning Mr. Freeman's qualifications, experience and technical certifications, as well as his effectiveness in a supervisory position. The Council agreed by consensus for Mr. Nalley to review Mr. Freeman's annual performance evaluation reports and make a final recommendation concerning his appointment to the Public Works Director position for consideration at the December Town Council Meeting.

Mr. Nalley stated that if Stephen Freeman were appointed to the Public Works Director position, the Assistant Public Works Director position would then become vacant. Staff felt that based on training, certifications and experience, the most qualified internal candidate would be Utility Maintenance Technician Barry Creasman. If selected for the Assistant Public Works Director position, Mr. Creasman would become supervisory to his uncle, Sanitation Worker Bill Creasman. Mr. Nalley then referred to the Town's Personnel Policy and advised that conflicting language existed in Article IV, Section 5 pertaining to the hiring and employment of family members. Although "immediate family" is defined elsewhere in the policy as "a spouse, child or parent", the language of this section prohibits employment situations which result in a relative supervising or auditing the work of another relative or that may create a conflict of interest with either relative and the Town. Mr. Nalley felt that "immediate family member" implied a closer relationship than "relative" and that some clarification of this section may be needed to specify which term the Board felt was the more appropriate standard.

Discussion was then heard concerning Mr. Creasman's experience, and technical certifications. Mr. Nalley suggested that if the Board wished to also consider external candidates for an Assistant Public Works Director position, Mr. Creasman could be encouraged to submit an application for the position. Commissioner Hollins said he was not sure an Assistant Public Works Director was necessary at this time. Mr. Nalley advised that the Public Works Department was currently understaffed by one member and that an additional employee was needed. Commissioner Currie suggested discontinuing the Assistant Public Works Director position and advertising for an additional Utility Maintenance Worker or other appropriate position. She also opposed any revision of the Town's personnel policy language, citing concerns that a conflict of interest could occur between two related employees. Commissioner Tate agreed. After further deliberation, the Board agreed by consensus to leave the language of Article 5 of the Personnel Policy unchanged. Mr. Nalley said he would advise Mr. Freeman of the Board's decisions and would consult with him to prepare a recommendation for a suitable job vacancy advertisement at a later time.

Public Comment

There were no comments from the public at this time.

Adjournment

There being no further business to discuss, Commissioner Tate moved to adjourn the Special Meeting. Commissioner Hollins seconded. The motion carried 5/0 and the meeting was adjourned at 5:33 p.m.

Letta Jean Taylor, Mayor

Misty R. Gedlinske, Town Clerk