

**Town of Montreat
Board of Commissioners
Agenda Meeting
December 3, 2009 – 7:00 p.m.
Kirk Allen Building**

The Montreat Board of Commissioners held their regularly scheduled Agenda Meeting on December 3, 2009 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 Bill Hollins, Commissioner Jack McCaskill and Commissioner O'Neil Tate. Town Administrator Ron Nalley, Assistant Public Works Director Steve Freeman, Town Clerk Misty R. Gedlinske, Chief of Police William B. McClintock, Finance Officer Stefan Stackhouse and Building Inspector/Code Administrator David Currie represented Town staff. Three 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 Taylor asked that discussion of recent litigation concerning invocations at public meetings be added as an item under her reports. Mayor Pro Tem Nichols moved to adopt the meeting agenda as amended. Commissioner McCaskill seconded and the motion carried 5/0.

Public Hearings

Mayor Taylor advised that the Council would hold Public Hearings on the following matters at next week's meeting:

- Right-of-Way Reduction Request: Robert Sulaski, Longmeadow Homes
- Public Assessment: Providence Terrace Water Line Extension Project

Concerning Mr. Sulaski's right-of-way reduction request, Mr. Nalley explained that there had initially been a misunderstanding as to which portion of the right-of-way was proposed for closure. He advised the Council to discard copies of a revised map included as a late addition to the agenda packets and refer only to the map originally provided to them.

Communications From the Mayor

Mayor Taylor reported on the following items:

- At next week's Town Council Meeting, the Board will recognize Officer David Arrant for his recent promotion to Officer First Class. Officer Lee Blevins will also be presented with a certificate and medal of merit in recognition of his arrest of individuals responsible for a series of thefts throughout Montreat during the summer months.
- The Board will also present a commemorative plaque to departing Commissioner Bill Hollins in appreciation of his years of service as a Commissioner.
- A reception honoring departing Commission Bill Hollins as well as Town staff and volunteers will be held on December 10 from 5:30 p.m. until 7:00 p.m. in the Kirk Allen Building. All members of the public are invited to attend.

- Interested residents are encouraged to submit membership applications to fill existing and upcoming vacancies on the Planning and Zoning Commission and Board of Adjustment. Montreat College and the Mountain Retreat Association were both encouraged to ask any of their employees residing in McDowell County to consider service as Montreat's Extra-Territorial Jurisdiction representatives to these committees.
- As a result of litigation filed against Forsyth County, the Buncombe County Board of Commissioners is considering whether to discontinue their practice of holding an invocation as an agenda item at their meetings. Discussion was heard concerning whether Montreat's Board of Commissioners would continue holding invocations. The Board agreed by consensus to consider this matter further at their next Board Retreat.
- Beginning on December 14, Land-of-Sky Regional Council's Volunteer Services Department will collect donations of personal items such as soap, shampoo, bathroom tissue and deodorant for their "MLK Everyday Essentials" drive to benefit area relief organizations.

Review of the Consent Agenda

Mayor Taylor reviewed the items listed on the Consent Agenda, which included the following:

- November 12, 2009 Town Council Meeting minutes
- Appointment of Steve Aceto as Montreat's representative to the Metropolitan Sewerage District Board

Communications From the Town Administrator

Mr. Nalley gave updates on the following items:

American Recovery and Reinvestment Act (ARRA) of 2009 Funding: Bid openings were held recently for the Harmony Lane well site installation and Greybeard Trail water line extension project as well as the purchase of an automated meter reading system. Both of these items will be discussed in more detail under New Business and should be under construction within the next few weeks pending formal bid approval. Staff continues to research additional funding opportunities for projects such as the Greybeard Trail well site that have so far not been fully funded through this Act.

Charlie Caldwell Memorial Arrangements: A memorial fund has been established at Fifth Third Bank to assist former Public Works Director Charlie Caldwell's family with outstanding medical bills and other expenses. Deposit slips designated for this fund are available at the Black Mountain branch office for anyone interested in making a donation. Flyers notifying members of the public about this account have been posted in the Post office and at the Town Services Office. Mr. Caldwell will also be remembered in the next edition of the Town's newsletter.

Woodland Road/Revised Street Standards Update: Staff is working with McGill Associates engineers to develop a revised stormwater control plan for Woodland Road, as well as revisions

to the Town's street standards regulations that would allow a minimum street width of 14' in certain instances. More information on these items will be presented at the January 2010 Town Council Meeting.

2010 Census Update: The Town is participating in a local Complete Count Committee to promote the upcoming 2010 Decennial Census. This committee will meet at 10:00 a.m. tomorrow morning in the Kirk Allen Building and is comprised of representatives from the Town, Montreat College and the Montreat Conference Center. Community-wide census participation is strongly encouraged, as the population counts determined during this process will set thresholds for federal and State funding to the Town for the next ten years.

Administrative Reports

Police Chief: Chief McClintock gave his departmental activity report for the month of November. He also explained how certain activities such as ordinance violations or parking complaints were categorized in his report, and reviewed the departmental procedures for addressing sanitation-related complaints.

Public Works Department: Mr. Freeman reported on the following items:

- Garbage disposal amounts decreased by three tons compared to November 2008. Recyclable item disposal amounts increased by one ton over the same period. Approximately 1500 bags of leaves have been collected since the beginning of autumn.
- All paving and crosswalk installation work along Appalachian Way has been completed. The final storm drain on Mecklenburg Circle has also been installed.
- Ten bids were received at the November 23 bid opening for the automated meter reading system. A recommendation for bid award for this project will be presented for approval at next week's meeting.
- Five bids were received at today's bid opening for the Harmony Lane well construction and Greybeard trail water line installation project. A recommendation for bid award for this project will also be presented for approval at next week's meeting.
- November's water loss due to unaccounted usage was 15.5%
- The Town's well pumps are running between six and eight hours daily.

Staff also recommended designating the intersection of Appalachian Way and Lookout Road as a four-way intersection in response to certain pedestrian safety concerns. The Board agreed by consensus to consider this request at next week's meeting as a New Business item.

Finance Officer: Mr. Stackhouse presented and reviewed the final October and preliminary November 2009 Financial Statements, as well as a cash and investments report for the period ending November 30, 2009. Mayor Pro Tem Nichols again expressed his concern that the Town's investment accounts should be restructured in a way that would yield higher interest returns. After discussion, staff agreed to research the necessary steps to reallocate some of the

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Town's inactive funds into accounts with higher investment yields and report their progress at next week's meeting.

Building Inspector/Code Administrator: Mr. Currie presented and reviewed the zoning activity and building inspections report for the month of November. He also said that the Planning and Zoning Commission asked staff to research and present examples of an appropriate minimum housing code for Montreat for review at their next meeting. The Commission also recommended a revision to the Zoning Ordinance's off-street parking and loading regulations that will be discussed in more detail under New Business. In response to Commissioner Tate's questions about a shared driveway construction project on Texas Road Spur, Mr. Currie explained that the road was currently blocked due to the removal of a large boulder from the property. Emergency services personnel have been notified of the blockage and expect no problems due to the minimal amount of traffic in this area during the winter months.

Commissioner Reports

Mayor Pro Tem Nichols said he had resigned from the Black Mountain Center for the Arts Board and asked that another member of the Council be appointed to serve in his place.

Commissioner Currie asked that a motion to hold a Closed Session to discuss the possible acquisition of real property be added to next week's meeting agenda. The Board agreed by consensus.

Commissioner Hollins reported that the Audit Committee had met recently to review the draft annual audit report prior to its submission to the Local Government Commission for approval. The final audit report will be presented to the Board at their January Town Council Meeting.

Commissioner McCaskill had no report at this time.

Commissioner Tate reported that the minutes of the recent Montreat Landcare Committee meeting had been distributed to the Council members. He also noted that Bob Tuttle had been appointed as Committee Vice-Chair. Mr. Nalley also noted that MRA Wilderness Committee representative Rev. Sam Hope had mentioned the possibility of the Town voluntarily annexing the Conservation Easement area as a means of preventing the unauthorized harvesting of galax and other native plants through the use of the Town's police powers. This issue will require additional research by staff with assistance from the Town Attorney and may be ready for further discussion during the spring months. Bob Tuttle, Montreat Conference Center's Vice President for Youth & Young Adult Ministry, was recognized and stated that Montreat Conference Center President Pete Peery had authorized Rev. Hope to begin discussion with the Town and other entities concerning voluntary annexation. He noted that the MRA has not yet made an official decision to pursue or support voluntary annexation of the Conservation Easement area at this time.

Public Comment

There were no comments from the public at this time.

Old Business

Right-of-Way Reduction Request – Robert Sulaski, Longmeadow Homes: Mayor Taylor said that at next week's meeting, the Board would consider adoption of a resolution ordering the closure of a portion of unnamed, unopened right-of-way adjacent to Lot 30 along Chapman Road. Mr. Nalley advised that the only adjacent property owner, Al Suddeth, would likely not be able to attend this meeting but planned to have an attorney present to represent his interests.

Resolution Directing That the Providence Terrace Water Line Extension Project Be Undertaken: Mayor Taylor said that at next week's meeting, the Board would consider adoption of an assessment resolution directing that this project be undertaken and setting the basis on which the special assessments will be levied. Once the project is completed, another public hearing will be scheduled and a resolution adopted assessing the benefited property owners. During discussion, Mayor Pro Tem Nichols asked for a determination of the estimated labor costs to the Town associated with this project. Staff will gather this information and present it to the Board at next week's meeting.

Establishment of an Institutional Parking Study Committee and Membership Appointments: Mr. Nalley presented a draft resolution to establish an Institutional Parking Study Committee comprised of representatives from Montreat College, the Mountain Retreat Association, the Presbyterian Heritage Center, the Planning and Zoning Commission, the Board of Commissioners and Town staff. This committee would be tasked with the following goals and objectives:

- Review goals of the Montreat Comprehensive Plan (2008), Comprehensive Plan Alternatives (2003), and Montreat Tomorrow Committee Reports.
- Review past parking reports, studies and surveys by the Town, College and Conference Center.
- Evaluate existing parking areas and suggest design changes.
- Determine the need for additional parking taking into account potential development plans.
- Evaluate options for revising development and parking regulations related to the provision of institutional parking.
- Propose an implementation plan for addressing the identified parking needs and develop strategies to carry out the plan.
- Be advisory to the Montreat Board of Commissioners and established as a public body as defined by the North Carolina Open Meetings Law.

Each group will appoint one representative to serve on this committee, similar to the arrangement used for the Comprehensive Plan Steering Committee. A final list of members will

be prepared prior to next week's meeting. During discussion, Commissioner Currie referred to the draft resolution language and suggested that the Presbyterian Heritage Center be included with the other institutions and groups listed in the second paragraph.

New Business

Oaths of Office and Election of Mayor Pro Tempore: Mayor Taylor said that Oaths of Office would be administered at next week's meeting, followed by the Mayor Pro Tempore's appointment.

Planning and Zoning Commission Recommendation: Montreat General Ordinance Chapter I, Article II "Noise Control": Mr. Currie said that the Planning and Zoning Commission had recently reviewed the Town's noise control regulations and determined that the current ordinance language provided adequate protection for residents from nuisance levels of noise generated by seasonal use of outdoor power equipment and other related activities. No recommendation for change is made at this time. During discussion, Commissioner Currie expressed her disagreement with this decision and asked how the matter could be pursued further. Mayor Taylor suggested that Commissioner Currie could prepare suggested ordinance revision language for the Board's review. Commissioner Tate agreed to assist Commissioner Currie with researching this matter and drafting a revision to this ordinance section.

Proposed Revision to Montreat Zoning Ordinance Article IX – Off-Street Parking and Loading Regulations, Section 900.86 "Off-Street Parking Space Requirements – Boarding Houses": Mr. Currie said that during their recent review of Institutional parking requirements, the Planning and Zoning Commission felt that the Zoning Ordinance did not provide specific parking requirements for lodge facilities. The Commission recommended assigning the same parking regulations to "Lodges" as is currently prescribed for "Boarding Houses" in Section 900.86 of the Zoning Ordinance to clarify that one space for each guest room and one space for each owner or manager residing on the premises is required for both of these similar uses. The Board will hold a public hearing on this matter during next week's meeting.

Recommendation of Award - Automated Meter Reading System Contract: The Town received an award of \$224,400 from the American Recovery and Reinvestment Act (ARRA) of 2009 toward the purchase of an automated water metering system (AMR). This technology will allow Public Works Department staff to take meter readings electronically through the use of a radio signal emitted from the water meter and interpreted through software installed on a laptop computer. The benefits of using an AMR system include more precise readings, improved efficiency and greater employee safety. The lowest of the ten bids received for this project was from Cooper Construction Co., Inc. in the amount of \$179,898, which excludes any related engineering or administrative costs. Mr. Nalley explained that all funds not used for the installation and implementation of the AMR system must be returned and could not be used for another purpose. Installation is expected to begin in late December or early January, and service disruptions during this time should last no longer than fifteen minutes per household.

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Recommendation of Award - Harmony Lane Well Site Construction and Greybeard Water Line Extension Project: Mr. Nalley explained that this project consisted of the construction of one new well on Harmony Lane and the extension of approximately 3,000 feet of six-inch water line to connect to a new well in the Greybeard Trail area. Construction will begin in early January and is made possible through an award of \$313,000 from the American Recovery and Reinvestment Act (ARRA) of 2009. The lowest of the five bids received at today's bid opening meeting was from Patton Construction Group, Inc. in the amount of \$197,600. Because the awarded bid amount was much lower than expected, staff will pursue the possibility of including the installation of a well site on Greybeard Trail since the Town did not originally receive full funding for this project. Information on both this project and the automated meter reading system will be featured in the next edition of the Town newsletter.

Public Works Director Appointment: Mr. Nalley said that with the passing of Charlie Caldwell, it is necessary to appoint a new Public Works Director. Staff recommends promoting Steve Freeman to this position, citing his 14 years of experience working with the Town's water system and his service over the past year as Assistant Public Works Director.

Public Comment

There were no comments from the public at this time.

Meeting Dates

Mayor Taylor announced the following upcoming meeting dates:

<u>Reception Honoring Town Staff and Volunteers:</u>	December 10, 2009, 5:30 – 7:00 p.m., Kirk Allen Building
<u>December Town Council Meeting:</u>	December 10, 2009, 7:00 p.m., Kirk Allen Building
<u>December Planning and Zoning Commission Meeting:</u>	December 17, 2009, 7:00 p.m., Kirk Allen Building
<u>Town Services Office Closed:</u>	December 24-25, 2009 Christmas Holidays
<u>Agenda Item Deadline:</u>	December 31, 2009, 4:30 p.m. Town Services Office
<u>Town Services Office Closed:</u>	January 1, 2010 New Year's Day Holiday

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January Agenda Packets Available: January 5, 2010
Town Services Office

January Montreat Landcare Committee Meeting: January 5, 2010, 9:30 a.m.,
Andy Andrews Gallery

January Agenda Meeting: January 7, 2010, 7:00 p.m.,
Kirk Allen Building

January Town Council Meeting: January 14, 2010, 7:00 p.m.,
Kirk Allen Building

Town Services Office Closed: January 18, 2010
Martin Luther King, Jr. Holiday

Rescheduled Sanitation Collection Date: January 19, 2010, 8:00 a.m.

Adjournment

There being no further business to discuss, Commissioner Tate moved to adjourn the Agenda Meeting. Commissioner Hollins seconded. The motion carried 5/0 and the meeting was adjourned at 8:29 p.m.

Letta Jean Taylor, Mayor

Misty R. Gedlinske, Town Clerk