

**Town of Montreat  
Board of Commissioners  
December 4, 2008 – 7:00 p.m.  
Kirk Allen Building**

The Montreat Board of Commissioners held their regularly scheduled Agenda Meeting on December 4, 2008 at 7:00 p.m. in the Kirk Allen Building. Present among the Board were, Mayor Pro Tem Eric Nichols, Commissioner Ruth Currie, Commissioner Jack McCaskill, and Commissioner O'Neil Tate. Commissioner Bill Hollins arrived at 7:06 p.m. Mayor Letta Jean Taylor was absent. Representing Town Staff were Town Administrator Ron Nalley, Public Works Director Charlie Caldwell, Chief of Police William B. McClintock, Town Clerk Misty R. Gedlinske and Finance Officer Stefan Stackhouse. No members of the public were present. After calling the meeting to order, Mayor Pro Tem Nichols led the group in reciting the Pledge of Allegiance and gave the invocation.

**Agenda Approval**

Commissioner McCaskill moved to adopt the meeting agenda as presented. Commissioner Currie seconded and the motion carried 4/0.

**Public Hearing – Proposed Revisions to the Ordinance  
Regulating Wireless Communication Technology**

Mayor Pro Tem Nichols advised that the Council would hold a Public Hearing on this matter during next week's meeting.

**Communications From the Mayor**

On Mayor Taylor's behalf, Mr. Nalley announced that there would be a reception immediately following next week's Town Council meeting to honor the Town staff and volunteer board and committee members.

**Review of the Consent Agenda**

Mr. Nalley summarized the items listed on the Consent Agenda, which included the minutes of the October 23, 2008 Special Meeting, October 29, 2008 Special Meeting, November 6, 2008 Agenda Meeting and the November 13, 2008 Town Council Meeting. He noted that the minutes of the two November meetings would be e-mailed to the Council as soon as they were completed.

**Communications From the Town Administrator**

Charter Communications Annual Rate Justification Filing: Mr. Nalley presented a letter from Charter Communications which accompanied their annual rate justification filing for 2009 and said that the Council may want to consider contracting with an independent firm at some point in the future to review these reports and ensure the maximum permitted rate justification amounts were valid.

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2010 Census Jobs: Mr. Nalley referred to a letter and flyer from the U. S. Census Bureau's regional office requesting qualified applicants for temporary employment as part of the 2010 Census. He encouraged local residents to participate, explaining that involvement by people familiar with the Montreat area typically resulted in a more accurate census count.

In other matters, Mr. Nalley presented a letter from Montreat resident Wade Burns offering his assistance in securing federal grant funding for the Town's capital projects. Mr. Nalley explained that several projects, such as water line replacement on Greybeard Trail, repairs to the Texas Road bridge or well site drilling may qualify for federal stimulus package funding, although it was difficult to predict what if any funding would be offered or available. Commissioner McCaskill commented that Mayor Taylor, Mr. Nalley and he had already spoken to Representative Heath Shuler's office on this issue and had received information and direction concerning grant requests by local governments. Commissioner Currie felt it was important for the Town to follow official channels in pursuing grant funding. Mayor Pro Tem Nichols asked the Board how they would like to respond to Mr. Burns' offer. After discussion, the Board agreed by consensus to allow a short presentation at next week's meeting on both Mr. Burn's suggestions and the Town's grant application efforts, and for staff to thank Mr. Burns for his offer and let him know it will be considered.

**Administrative Reports**

Police Chief: Chief McClintock stated he would give his monthly departmental activity report at next week's meeting. He advised that if the Town chose to purchase a non-standard vehicle to be used as a patrol car the lights, sirens, decals and other equipment would have to be purchased and installed separately and at an additional cost. He also said that certain hybrid Ford vehicles would not be available for purchase until August or September due to high demand. During discussion, Mayor Pro Tem Nichols said he felt the Town should use their choice of police vehicle as a statement of its environmental preservation efforts. He referred to an electric vehicle used by the Town of Black Mountain's Police Department as a possible option for Montreat. Commissioner McCaskill felt that the Town's support of environmental preservation had already been made clear through the joint purchase of an electric vehicle with the College and Conference Center. He believed that the Town should make sure that the chosen vehicle should be able to withstand the increased amounts of "wear and tear" inherent to police cars. Chief McClintock cautioned that Black Mountain's electric vehicle was not used for patrol purposes and had experienced overheating problems in its transmission housing when tested on certain streets in Montreat. Mr. Nalley said that while the Police Department could potentially use an electric vehicle for traffic control purposes during the summer Conference season, an additional vehicle would need to be available at the same time to quickly respond to any emergencies. He suggested that an electric vehicle may be better used in the Public Works Department for water meter reading or responding to small-scale repair requests. Commissioner Hollins favored postponing any further consideration of an electric vehicle purchase until more information was known about how the model already purchased for shared use by the Town, College and Conference Center would perform. Mayor Pro Tem Nichols asked Chief McClintock to contact Egolf Motors about their selection of electric vehicles, as well as several surplus 2007 police

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fleet vehicles that may be available at a significant discount. Commissioner Tate felt that the low speed limits within the Town would prevent any significant difference in gas mileage between vehicles and said that cost should be the primary consideration when choosing a new police vehicle. Chief McClintock agreed to continue his research and present additional information at next week's meeting.

Public Works Director: Mr. Caldwell said he would give a complete monthly activity report a next week's meeting. He noted that his crews had recently completed a water line connection and meter relocation project on Texas Road Extension, and that the Town had so far returned nearly half of the 3 million gallons of water received from the Town of Black Mountain over the summer months.

Finance Officer: Mr. Stackhouse presented and reviewed the final October and preliminary November 2008 Financial Statements. He also said that the Audit Committee would schedule their next meeting to review the annual audit once it is approved by the Local Government Commission.

Building Inspector/Code Administrator: In Mr. Currie's absence, Mr. Nalley presented and reviewed the zoning activity and building inspections report for the month of November and pointed out a significant drop in the number of permit applications and inspection requests. He also stated that the Planning and Zoning Commission was continuing their review of Stormwater Best Management Practices for lots smaller than one acre in size. In response to Commissioner Hollins;' inquiry, Mr. Nalley said that Mr. Currie was using this period of slower zoning and inspections activity to complete his education and certification requirements and providing staff support to the Planning and Zoning Commission.

### **Commissioner Reports**

Mayor Pro Tem Nichols said that the Revenue Source Committee would not meet again until late January or early February. He asked the Council to consider holding a workshop to review the Committee's recommendations on vehicle fee regulations. Commissioner Hollins felt that staff should have the opportunity to finish their research on enforcement procedures and any legal prerequisites for this type of regulation. After further discussion, the Board agreed by consensus to schedule a workshop on this matter in February. Mayor Pro Tem Nichols also asked about trash containers in the right-of-way and a private road barricade on Memphis Lane. Mr. Nalley said he would confer with Chief McClintock about these items.

Commissioner Currie had no report at this time.

Commissioner Hollins had no report at this time.

Commissioner McCaskill reported that the French Broad River Metropolitan Planning Organization (MPO) adopted a resolution of support for the Town's pedestrian planning initiative grant proposal to the North Carolina Department of Transportation (NCDOT). He also

said he would attend an upcoming training session sponsored by the Buncombe County Greenways Commission.

Commissioner Tate said he would e-mail the minutes of the Parks and Recreation Committee's recent meeting as soon as they were completed. Mr. Nalley also asked both the Parks and Recreation Committee members and Board of Commissioners to participate in an online survey sponsored by the Buncombe County Greenways Commission.

### **Public Comment**

There were no comments from the public at this time.

### **Old Business**

Proposed Revisions to the Ordinance Regulating Wireless Communication Technology for the Town of Montreat: Mr. Nalley said that staff had worked with Town Attorney Susan Taylor Rash to prepare a proposed ordinance amendment that would allow the Board of Commissioners to have final approval for monopole-style towers up to 180' in height on Town-owned property. He said that a public hearing on these changes was scheduled for next week's meeting. He also advised that additional revisions and updates to the ordinance were planned once the zoning and permitting process for the Towers XX proposal was completed.

Proposed Telecommunications Tower Facility Lease Agreement - Towers XX, LLC: Mr. Nalley said that at their November Town Council meeting, the Board had requested several revisions to the proposed lease agreement as well as a report on whether Towers XX had considered alternative sites that might accommodate a smaller, less obtrusive structure. He said that he met with Towers XX representative Andy Ward and confirmed that there were other potential tower locations on privately-owned property. Mr. Nalley reiterated that the Board would need to decide between a taller tower on Town-owned property that would generate revenue for the Town and allow complete control over its design and appearance or to investigate options for a privately owned site that would allow a shorter tower but with less control over its appearance and no rental income to the Town. He clarified that cellular towers could be constructed at the Town's two water tank sites with administrative approval, or on private property with a Conditional Use Permit. He said he would look to the Board for direction at next week's meeting to either move forward with investigation of alternative sites or to finalize the proposed lease agreement for the Appalachian Way water tank site.

Andy Ward said that Towers XX had no opposition to using a tree-style tower, but cautioned that this type may be very conspicuous and unattractive at the Appalachian Way water tank site. He suggested that this style of tower may be more appropriate on a site closer to the main area of the town where it could be shorter and surrounded by natural trees of the same size and type. He also advised that tree-style towers would need to have a larger diameter to support the "branch" structures and would carry a much higher wind load that could put the tower at higher risk for storm damage. Commissioner McCaskill asked whether a shorter tower located near the center

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of Town would still be able to provide widespread coverage. Mr. Ward said that a tower placed in this area would provide service to most of the residential sections of Montreat, but would have limited coverage in the trail areas. Mayor Pro Tem Nichols said he would not support a tower in the central part of town that did not provide widespread reception. Mr. Ward commented that the height of the proposed tower was necessary for proper signal reception due to the height of the surrounding ridge line and not a choice made by his company. He said that the lowest possible height for the bottom antenna would be 160', and that all additional antennas would have to be installed above that point. Commissioner Hollins said that most residents who would be able to see the towers from their homes would only be able to see the top portion where the antennas were mounted. He felt that a tree-style tower may help camouflage these structures and encouraged the Council to consider this option. In response to Commissioner Currie's inquiry, Mr. Nalley said that the tower would be most visible from Assembly Inn, Louisiana Road, Greybeard Trail, West Virginia Terrace and Westminster Terrace, and to a lesser degree on Chapman Road and Lookout Road.

Proposed Revisions to the Ordinance Regulating the Construction and Financing of Public Improvements: Mr. Nalley said that the Council would set a workshop to discuss this matter at next week's meeting.

**New Business**

There were no items of New Business for discussion at this time.

**Public Comment**

There were no comments from the public at this time.

**Meeting Dates**

Mayor Pro Tem Nichols announced the following upcoming meeting dates:

<u>Hillside Development Educational Workshop</u>	December 10, 2008, 6:00 p.m., Kirk Allen Building
<u>Town Council Meeting:</u>	December 11, 2008, 7:00 p.m., Kirk Allen Building
<u>Planning &amp; Zoning Commission Meeting:</u>	December 18, 2008, 7:00 p.m., Kirk Allen Building
<u>Agenda Items Due:</u>	December 24, 2008, 4:30 p.m. Town Services Office

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Town Services Office Closed: December 25-26, 2008  
Christmas Holidays

Agenda Packets Available: December 30, 2008  
Town Services Office

Town Services Office Closed: January 1, 2009  
New Year's Day Holiday

Montreat Parks & Recreation/LandCare  
Committee Meeting: January 6, 2009, TBA  
Andy Andrews Gallery

January Town Council Meeting: January 8, 2009, 7:00 p.m.,  
Kirk Allen Building

January Planning & Zoning Commission  
Meeting January 15, 2009, 7:00 p.m.,  
Kirk Allen Building

Town Services Office Closed: January 19, 2009  
MLK, Jr. Birthday

Sanitation Services Delayed (MLK Jr., Birthday) January 20, 2009

**Adjournment**

There being no further business to discuss, Commissioner Tate moved to adjourn the Agenda Meeting. Commissioner McCaskill seconded. The motion carried 4/0 and the meeting was adjourned at 9:10 p.m.

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Letta Jean Taylor, Mayor

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Misty R. Gedlinske, Town Clerk