

**Town of Montreat  
Board of Commissioners  
Special Meeting  
August 27, 2014  
Town Services Office**

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Commissioners present: Mayor Letta Jean Taylor  
Mayor Pro Tem Mary Standaert  
Commissioner Martha Campbell  
Commissioner Tim Helms  
Commissioner Jack McCaskill  
Commissioner Ann Vinson

Town staff present: Ron Nalley, Town Administrator  
Misty R. Gedlinske, Town Clerk  
Steve Freeman, Public Works Director  
Barry Creasman, Senior Water Operator

One member of the public was also present. Mayor Taylor called the meeting to order at 10:00 a.m. and gave the invocation.

**Agenda Approval**

Commissioner Vinson moved to adopt the meeting agenda as presented. Commissioner Campbell seconded and the motion carried 5/0.

**New Business**

- A. Potential Revisions to Montreat General Ordinance Chapter E – Utilities, Article 1: “Water and Sewer” and Chapter M – “Extensions of Public Utilities and Streets”: Mr. John Burriss’ residential well ran dry over the Independence Day weekend. Mr. Burriss lives at 628 Greybeard Trail, which is located in the Extra-Territorial Jurisdiction area outside of Montreat’s municipal limits. At their August 14 Town Council Meeting, the Board granted a 90-day emergency public water system connection at the property owner’s expense. Mr. Burriss is now considering whether to re-drill his well or seek a permanent public water system connection from the Town. Montreat Code of General Ordinances Chapter E – Utilities, Article 1: “Water and Sewer” refers to “all owners of improved property within the Town limits” and does not provide policy direction for connection of utilities outside the town limits. However, Chapter M – “Extensions of Public Utilities and Streets” states that the provisions of this section apply “to all extensions of public water lines, sewer lines, and streets within the Town and within the extraterritorial jurisdiction of the Town.” While the Board is under no legal obligation to do so, some municipalities have chosen to extend public water and sewer connections to properties outside their boundaries in return for higher billing rates. These decisions have been influenced in recent years by statutory changes affecting

municipal ETJ authority and city-initiated annexation procedures. Mr. Nalley indicated Montreat's ETJ areas on a map, which included certain larger tracts of land that the owners could choose to subdivide and develop in the future, thus increasing the demand on the Town's water system if the Board chooses to allow public utility connections to these properties. The property owners would be billed for their water and sewer usage, but without annexation these lots would not be added to the Town's ad valorem tax base. If the General Assembly eliminates Montreat's ETJ authority, as it has recently done in Asheville and Weaverville, these properties would be regulated by Buncombe County's ordinances, which allow the installation of new wells and septic systems on a first-come, first-served basis. Due to the relatively small lot sizes in the ETJ area, the first person to install a new septic system may prevent a neighboring property owner from drilling a new well because of a lack of adequate space between the well and the septic drain field. The Town originally adopted the language of General Ordinance Chapter M prohibiting new wells and septic systems in this area to prevent such problems from occurring, but would no longer be able to enforce this ordinance section if the General Assembly rescinds Montreat's ETJ authority.

The Board reviewed the Town water system's current capacity, average water usage during both summer and winter months, and how many additional lots in ETJ area could receive adequate water pressure without further system expansion. There was also discussion of the status of proposed voluntary annexation in the Upper Greybeard area, including an informational letter to be sent to affected property owners advising them of the associated costs and benefits. Mr. Nalley advised that if the Board chooses to allow public water and sewer line extensions in ETJ areas, the owners of those lots would receive these benefits without being required to pay Montreat property taxes, and may be less inclined to agree to voluntary annexation of this area. He also recommended satellite annexation of Town-owned lots in the ETJ area, which would provide increased wellhead protection and possibly facilitate future voluntary annexation of contiguous lots.

After further discussion, Commissioner Campbell moved to direct staff to prepare policy language and a revision to Montreat General Ordinance Chapter M – "Extensions of Public Utilities and Streets" to limit extensions of public utilities to only those properties located with Town limits. Commissioner Vinson seconded and the motion carried 5/0.

### **Public Comment**

Mrs. Nan Clarke of 558 Providence Terrace thanked the Board and Town staff for their deliberations and their efforts, and for giving her an opportunity to attend today's meeting.

**Adjournment**

There being no further items of business to discuss, Mayor Pro Tem Standaert moved to adjourn the Special Meeting. Commissioner Vinson seconded. The motion carried 5/0 and the meeting was adjourned at 10:38 a.m.

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Letta Jean Taylor, Mayor

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Misty R. Gedlinske, Town Clerk