

**Town of Montreat
Board of Commissioners
Agenda Meeting
October 2, 2014
Walkup Building**

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
David Arrant, Master Police Officer

Approximately 40 members of the public were also present. Mayor Taylor called the meeting to order at 7:00 p.m., led the group in reciting the Pledge of Allegiance and gave the invocation.

Agenda Approval

Mayor Taylor asked that a Resolution honoring former Mayor Mary Frances “Chick” Ogden Foreman be added for adoption at tonight’s meeting as an item of New Business. Commissioner McCaskill asked that action be taken at this meeting to develop written instructions for the ad hoc committee tabulating the Town Hall site evaluation comment cards. Mayor Pro Tem Standaert asked for the addition of a New Business item to take action at tonight’s meeting on the following motion:

“To call for a Special Meeting on Friday, October 10, 2014 at 2:00 p.m. in the Town Services Office or a more appropriate site as can be found by the Town Clerk for the Montreat Town Hall to be selected from among the four sites within the Montreat Town limits being currently considered by the Montreat Town Council, namely: the Above the Gate site; Pratt Park; the lot Next to the Post Office; and the Florida Terrace site; and that once the site is elected, to authorize that the work proceed.”

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

Public Hearing

Revised Preliminary Assessment Resolution – Upper Kentucky Road Phase 1 Resident Utility Assessment: At next week’s meeting, the Board will hold a public hearing on a revised Preliminary Assessment Resolution for the Upper Kentucky Road Phase 1 Resident Utility Assessment Project.

Presentation to Council

Town Hall Exterior Conceptual Design Plan: Architectural Design Studios staff will present preliminary exterior conceptual design plans for the new Town Hall facility at next week's meeting.

Mayor's Communications

Mayor Taylor had no report or comments at this time.

Review of the Consent Agenda

The proposed Consent Agenda included the following items:

- August 14, 2014 Town Council Meeting Minutes Adoption;
- August 27, 2014 Special Meeting Minutes Adoption;
- September 4, 2014 Agenda Meeting Minutes Adoption;
- Fiscal Year 2014-2015 Budget Amendment #1 Adoption.

Town Administrator's Communications

- Fiscal Year 2014-2015 Budget Amendment #1 is necessary to account for the receipt of approximately \$81,000 in reimbursement grant revenues to replace Well A02 on Greybeard Trail. The Federal Emergency Management Agency (FEMA) provided 75% of the reimbursement funds. The remaining 25% was provided through the North Carolina Department of Emergency Management.
- The Town has submitted an official letter to the North Carolina State Historic Preservation Office formally requesting that the new Texas Road bridge structure be similar in appearance to other bridges in Montreat. Staff hopes to provide additional information concerning the status of NC SHPO's review of this request at next week's meeting.
- The Eckard family now has a contract with the Mountain Retreat Association to purchase MRA-owned property adjacent to their lot in the Upper Kentucky Road area. This pending property purchase has reduced the scope of the water and sewer line extensions to a length similar to what was proposed in the original Preliminary Assessment Resolution adopted on August 8, 2013.
- Mayor Pro Tem Standaert will comment at next week's meeting on the Town's efforts to correct township name and ZIP Code inaccuracies in the Buncombe County Board of Elections' voter registration database for Montreat.

During general discussion, Commissioner Campbell asked staff to prepare an updated Town Hall project summary sheet and revise the handout first presented at the August 14, 2014 Town Council Meeting in response to a list of questions published by the “Montreaters For a New Town Hall in a Better Location” group. She also requested information on the square footage size of the Town of Black Mountain’s administrative offices and Council chambers for reference at next week’s meeting.

Administrative Reports

The Board will hear monthly departmental activity reports from the Police Chief, Public Works Director, Finance Officer and Building Inspector/Code Administrator during next week’s Town Council Meeting.

For next week’s meeting, Mayor Pro Tem Standaert requested additional information from Chief Staggs concerning several matters included in his monthly departmental activity report.

Commissioner Reports

Commissioner Campbell thanked the Public Works Department staff for their street cleaning efforts along Assembly Drive in preparation for Montreat College’s upcoming Homecoming and Presidential Inauguration events.

Commissioner McCaskill gave a brief update on 2012-2020 Transportation Improvement Program amendments approved during the French Broad River Metropolitan Planning Organization’s recent meeting.

Any other Commissioner reports will be given during next week’s Town Council Meeting.

Public Comment

Mr. Bill Hollins of 116 Shenandoah Terrace said that he and fellow ad hoc tabulation committee member Linda Stroupe met with Town staff today to preview the approximately 150 Town Hall comment cards that have been returned to date. He understood that the committee would be provided with print and electronic copies of the original comment cards, and asked the Board’s permission for the committee to conduct its business at a location of its choosing so that the members would have computer access to tabulate the responses.

Mr. Bob Cunningham of 162 Virginia Road said he had not yet received his comment card.

Old Business

- A. Upper Kentucky Road Phase 1 Resident Utility Assessment: Following next week's Public Hearing on the revised Preliminary Assessment Resolution for Upper Kentucky Road Phase 1 Resident Utility Assessment, the Board may choose to adopt a Resolution directing that the project be undertaken.

- B. Town Hall Project Discussion: The Board will discuss the preliminary exterior conceptual design plans for the new Town Hall facility following Architectural Design Studios' presentation during next week's meeting.

Mayor Pro Tem Standaert stated that the Town Hall site selection comment cards had been taken to the Montreat Post Office on the afternoon of September 17, and mailed out the following morning. Because the cards were not delivered within the expected time frame, the Board voted on September 29 to eliminate the postmark requirement for the printed comment card responses, to extend the time period for the ad hoc committee to tabulate these responses until October 8, 2014, and to direct the committee to prepare and forward a report of their findings to the Board of Commissioners on October 9, 2014. Any comment cards received after October 7, 2014 will be considered as public input, but will not be included in the ad hoc committee's report. Mayor Pro Tem Standaert reminded the public that the comment cards were not a ballot or vote, but rather a means of obtaining written input concerning the four potential Town Hall sites. She encouraged the public to continue writing, e-mailing and calling the Board members to express their comments and concerns regarding the Town Hall project or any other Town business matter.

Commissioner Helms spoke in favor of allowing facsimile or e-mailed comment card responses, and felt that the ad hoc committee's report should include all comments submitted on the cards, even those not related to the four potential Town Hall sites located inside the Montreat Gate. Mayor Pro Tem Standaert and Commissioner McCaskill disagreed, stating that the ad hoc committee's report should include only those comments related to the four Town Hall sites listed on the card, and that only the printed comment card responses should be tabulated.

The Board then discussed where the ad hoc tabulation committee would perform their work, and whether the original comment card responses could be removed from the Town Services Office. Mr. Nalley stated that the ad hoc committee would be provided with print and electronic copies of the cards, while the original documents remained stored at the Town Services Office. He also stated that auxiliary Police officers would be unable to make the Town Services Office available for the committee's use beyond normal business hours. Commissioner Campbell expressed concerns about the committee working outside the Town Services Office or another public location due to a recent flyer published by the "Montreaters for a New Town Hall in a Better Location" group which requested poll

watchers or other similar means for the public to observe the comment card response tabulation and review process. Mayor Pro Tem Standaert suggested that the committee could advertise the locations of its meetings so that interested members of the public could attend and observe. Mr. Bill Hollins, a member of the ad hoc tabulation committee was recognized and said he felt that the presence of poll watchers to observe the committee's work was an extreme possibility. He stated that each committee member would need their own workspace and computer access due to the volume of data entry work to be done, which was not feasible in the Town Services Office, and again asked that the committee be free to choose its own meeting locations. Ad hoc tabulation committee member Linda Stroupe was also recognized, and reiterated that the comment cards were simply a method of public input, rather than votes or ballots. She objected to the suggested presence of poll watchers, stating that such measures were unnecessary and implied that the ad hoc committee members' work could not be trusted.

Commissioner Vinson said that all Board members have visited the proposed alternative Town hall site outside the Montreat Gate, and that this site had been evaluated twice during the Board's consideration of the Town Hall project. She said that she was in the process of obtaining additional copies of a report from the Tennessee Valley Authority on the flooding history of Flat Creek and the Swannanoa River. She felt that there was still important information that was unconfirmed about this site, such as the purchase price of the property and any additional costs associated with building a public facility in a flood plain area. She felt that Montreat had a responsibility to serve its citizens from within its own municipal limits, and said she did not support paying the Town of Black Mountain for police, water or sanitation services to Montreat's Town Hall.

Mayor Pro Tem Standaert read the text of an e-mail from Matt Settlemyer, Town Manager for the Town of Black Mountain, which stated that Black Mountain's Board of Aldermen were not inclined to de-annex any property located within its municipal limits as a general principle. De-annexation procedures require approval by the North Carolina General Assembly, and would have to be completed before the proposed alternative Town Hall site could be annexed into the Town of Montreat. Mayor Pro Tem Standaert stated that although Montreat's Town Hall could be built within the Town of Black Mountain, the facility would fall within Black Mountain's police jurisdiction and zoning control. She spoke about her recent conversation with a Black Mountain resident who lived next door to the property outside the Gate, and was opposed to Montreat's Town Hall being built in this location. She said that while she looked forward to receiving the comment card responses and would continue to listen and consider all public input on this issue, she remained convinced that the Town Hall should be located within Montreat's municipal limits.

After further brief discussion, Commissioner McCaskill moved to approve a written protocol for the Town Hall site selection comment card ad hoc tabulation committee follows:

The ad hoc committee will tally only those comment card responses received in their original printed format on or before October 7, 2014. Paper and electronic copies of the response cards will be provided for the committee members' use. The original response cards will be retained in the Town Service Office. The ad hoc committee will be free to meet at the times and locations of their choosing, including but not limited to the Town Services Office. The committee shall prepare a written report for presentation and Board consideration during the October 9, 2014 Town Council Meeting. This report shall include a summary of only those comments related to the four potential Town Hall sites listed on the comment card as Sites A (Above the Gate), B (Pratt Park), C (Next to the Post Office), and D (Florida Terrace), as well as an indication of whether each respondent attended the September 18, 2014 Special Meeting and/or reviewed the site evaluations on the Town's website. Comment card responses received on or after October 8, 2014 will be considered as public input, but will not be included in the ad hoc committee's report.

Commissioner Vinson seconded and the motion carried 4/1, with Commissioner Helms voting in opposition.

New Business

The Board will consider the following items of New Business at next week's Town Council Meeting:

- A. **Change Order Approval – Upper Kentucky Road Phase 1 Neighborhood Utility Assessment:** Change Order #6 from Huntley Construction Company will allow the Upper Kentucky Road Phase 1 Residential Utility Assessment project to be undertaken as a continuation of the current work on the Phase 1 Neighborhood Utility Assessment. Staff expects to receive a proposal for the additional work by early next week, at additional cost of approximately \$129,000.

- B. **Well A02 Replacement – Greybeard Trail:** This item is related to the requested approval of Fiscal Year 2014-2015 Budget Amendment #1. Well A02 on Greybeard Trail was taken out of service in July 2013 as a result of damages from severe rain events that occurred early that month. The Board will be asked at next week's meeting to authorize Caldwell Well Drilling to drill Well A05 to replace Well A02 for a price not to exceed \$22,000. Mr. Nalley indicated the locations of the existing and proposed replacement well on an aerial map image display. The costs of this project will be funded by the grant monies received from FEMA and the North Carolina Department of Emergency Management.

- C. Resolution Honoring Mary Frances “Chick” Ogden Foreman: Mayor Taylor read aloud the text of a proposed Resolution honoring the life and service of former Montreat Mayor Mary Frances “Chick” Ogden Foreman, who passed away on September 26, 2014 at the age of 94. Commissioner Vinson announced the details of Mrs. Foreman’s upcoming funeral services. Commissioner Campbell moved to adopt Resolution #14-10-0002 Honoring Mary Frances “Chick” Ogden Foreman. Commissioner Vinson seconded and the motion carried 5/0. A copy of this Resolution is attached to these minutes and incorporated herein by reference.
- D. Call for Special Meeting: Mayor Pro Tem Standaert moved to call for a Special Meeting on Friday, October 10, 2014 at 2:00 p.m. in the Town Services Office or a more appropriate site as can be found by the Town Clerk for the Montreat Town Hall to be selected from among the four sites within the Montreat Town limits being currently considered by the Montreat Town Council, namely: the Above the Gate site; Pratt Park; the lot next to the Post Office; and Florida Terrace; and that once the site is elected, to authorize that the work proceed. Commissioner Vinson seconded. The motion carried 4/1 with Commissioner Helms voting in opposition.

Public Comment

Mr. Ashton Phelps of 433 Kentucky Road felt that a comment card response requesting evaluation of an alternative Town Hall location should be considered as legitimate feedback about the four proposed sites.

Mrs. Lila Ray of 436 Kentucky Road said she could not see the sample comment card image displayed on the projector screen. She did not recall that the printed card contained instructions that responses must be limited to only the four listed sites, and felt that the Board should equally consider all responses received.

Mrs. Ginny Porter of 388 Appalachian Way felt that the Board should consider revising the building design of the new Town Hall if a site other than Florida Terrace was selected.

Mr. Michael Sonnenberg of 125 Virginia Road said that in his experience, mail items of unusual size such as the Town Hall comment cards generally took longer to deliver than regular letters or postcards. He felt that the comment card responses would reflect the opinions of only a small portion of Montreat residents and property owners, rather than the majority, and that the decision on where the new Town Hall is located should be made by a majority of the community members. He was critical of the Board’s delay in developing a protocol for tabulating the comment card responses until after the cards were mailed and the ad hoc committee was already formed. He also felt that the Board had not fully considered the risk of a forest fire at the Florida Terrace site.

Mrs. Nan Clarke of 558 Providence Terrace expressed her opposition to limiting temporary signage along Assembly Drive to four designated locations. She felt this was overly restrictive and was concerned that the proposed signage structures would be expensive to install and could be potentially dangerous for motorists to read while driving.

Ms. Kaye Hayner of 319 Assembly Drive said that she had been asked to submit a comment card on behalf of her family, but was concerned that a single response may not be sufficient if individual family members held differing opinions about the Town Hall project. She said she planned to come by the Town Services Office tomorrow to pick up a comment card, since her sister's out-of-state address is currently used for this property's water bill mailings, and her sister has not yet received a mailed comment card. She understood that the comment cards were not a vote or ballot, but felt it was important for the Board to receive information from all Montreat residents and property owners about this issue.

Mr. Erskine Clarke of 558 Providence Terrace believed that while undesired by some, poll watchers were important and necessary and should not be perceived as a threat or personal affront. He felt that the instructions to the ad hoc tabulation committee and what he described as an inconsistently enforced prohibition on public applause were examples of how the Board was embodying a culture of tight political control over discussion of the Town Hall project and other important issues.

Mr. Bob Cunningham felt that the Board's efforts to limit the Town Hall comment card response submissions to one per household conflicted with their stated desire to receive input from all Montreat residents. He believed that a more effective process could have been used that would have better achieved both of these goals.

Mr. Monroe Gilmour of 94 Penland Cove Road in Black Mountain described the Board's vote to make a final Town Hall site selection on October 10 as rushed and premature, and said it gave the impression that the decision was pre-determined. He believed that all four sites within the Town limits were inappropriate based on the information Architectural Design Studios had presented on September 18. He also felt that the Board had acted irresponsibly in its decisions regarding the Town Hall project.

Upcoming Meeting Dates

Mayor Taylor reviewed the following list of upcoming meeting dates and deadlines:

October Montreat Landcare Committee Meeting:

October 8, 2014, 9:00 a.m.
Belk Center Conference Room

**Montreat Board of Commissioners
Agenda Meeting Minutes
October 2, 2014**

<u>October Town Council Meeting:</u>	October 9, 2014, 7:00 p.m. Walkup Building
<u>Special Meeting: Town Hall Site Selection Discussion and Final Action:</u>	October 10, 2014, 2:00 p.m. Location TBA
<u>October Planning and Zoning Commission Meeting:</u>	October 16, 2014, 7:00 p.m. Walkup Building
<u>Fall Bulk Item Collection Date:</u>	October 28, 2014
<u>Agenda Items Due:</u>	October 31, 2014, 5:00 p.m. Town Services Office
<u>Agenda Packets Available:</u>	November 4, 2014 http://www.townofmontreat.org/ TownGovernment.php or Town Services Office
<u>November Agenda Meeting</u>	November 6, 2014, 7:00 p.m. Kirk Allen Building, Swannanoa Room
<u>November Open Space Conservation Committee Meeting:</u>	November 11, 2014, 3:30 p.m. Moore Center Meeting Room
<u>November Town Council Meeting:</u>	November 13, 2014, 7:00 p.m. Walkup Building
<u>Town Services Office Closed:</u>	November 27-28, 2014 Thanksgiving Holidays

Adjournment

There being no further items of business to discuss, Commissioner Campbell moved to adjourn the Agenda Meeting. Commissioner Vinson seconded. The motion carried 5/0 and the meeting was adjourned at 8:18 p.m.

Letta Jean Taylor, Mayor

Misty R. Gedlinske, Town Clerk