

**Town of Montreat
Board of Commissioners
Town Council Meeting
December 11, 2014
Walkup Building**

Board members 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
Justyn Whitson, Police Officer
Stefan Stackhouse, Finance Officer
David Currie, Building Inspector/Code Administrator

Approximately 75 members of the public were also present. Mayor Taylor called the meeting to order at 7:02 p.m., led the group in reciting the Pledge of Allegiance, and gave the invocation.

Agenda Approval

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

Presentation to Council

Town Hall Project Design Status Update: Architectural Design Studios (ADS) representatives Mike Cox and Amy Dowty gave a brief status report on design development and construction document preparation for the new Town Hall facility. ADS staff is currently working on producing building and wall sections, details for the foundation and framing systems, site features, plumbing and HVAC systems and equipment, lighting, interior sound proofing options, permanent and emergency power, communications, and fire alarm systems. The systems recommended for incorporation into the building's final design are intended to improve sustainability while reducing operation and maintenance costs.

The final soil analysis report and geothermal testing results are still pending. If conditions are favorable, the test well will become part of the permanent geothermal HVAC system array. An LED lighting system with occupancy sensors is proposed, along with low-consumption toilets and faucets, a gearless traction elevator, and aluminum clad windows with insulated glass panels. Landscaping plans will include only native plant species that will require no supplemental irrigation.

Ms. Dowty then reviewed the integrated audio/visual equipment, data and telephone systems, security system, and access controls proposed for the new facility. Podiums and flat-screen monitors are recommended in the Council chambers to replace the need for separate projector screens. The Commissioners' tables can be equipped with either flat panel monitors or iPad easels that will allow full viewing of presented materials without obstructing their view of the audience. The Council chamber will be designed to maximize its acoustical properties, which will also be supplemented with a PA system amplifier and microphone jacks. Electrical conduit will be installed for A/V recording equipment, which can either be included in the building's construction, or added on in the future. All A/V equipment needed to bring the police department interview room up to current operational standards is also included.

Voice and data outlets are included in all offices and meeting rooms, at locations designated for copy machines and printers, and as required for the HVAC automation system and elevator inspection and testing. All outlets will be wired with Cat6 cable to a patch panel in the upstairs IT Room, and conduit will be provided for telephone and network systems providers to connect their service wiring from the outside utility pole to the IT Room. Programmable keyless entry systems are planned for the building's doors, which allows users to be added or deleted through a web-based monitoring system without the need to change out traditional keyed lock cores. Conduit will also be provided for an alarm system for the Police Department, as well as security cameras at the rear and sides of the building.

In lieu of a sprinkler system, which building code does not require for the facility, ADS staff have identified the various wall, floor and roof assemblies needed to provide the required level of fireproofing between floors, at the stairwell, and from outside to inside. The fire alarm system includes pull stations at building exits, central control station, and smoke and heat detectors throughout the building, including in the ductwork. An emergency generator system is proposed to provide building-wide lighting and electrical back-up during short-term power interruptions, or to power only the first floor HVAC system during long-term outages.

The Council chamber is also designed as a flexible meeting or event space with seating for 40 to 50 people, and can also serve as an emergency command center. The adjacent Conference Room accommodates smaller meetings and provides serving space for refreshments through a pass-through counter. The upstairs Reception Station, Conference Room and Workroom are designed and sized to accommodate additional employees, if necessary. With the shower and emergency generator, it will be possible to use the facility as an emergency shelter.

Bid documents for this project will include essential "base bid" items, as well as a listing of bid alternates priced separately that the Board may choose to incorporate based on budget and preference.

During discussion, Ms. Dowty confirmed that a geothermal heating and air conditioning system would operate more quietly than standard HVAC units. Mayor Pro Tem Standaert asked about the maximum capacity of the Council chambers, and what additional accommodations may be possible for overflow crowds. Ms. Dowty estimated the room's standing room only capacity at approximately 100 people, and said it would be possible to extend audio/visual feeds to the conference rooms and reception area to allow large crowds to see and hear the proceedings in the Council chamber.

More fully developed building plans will be presented at the January Town Council meeting, along with sample images of suggested exterior finishes and windows. Mr. Cox stated that the building's floor plan and general appearance had remained unchanged from the conceptual design previously approved by the Board. Final sealed drawings are expected to be ready for Board approval in February. Financing approval through the Local Government Commission can be completed simultaneously with the bid advertisement process, with construction groundbreaking scheduled for Spring 2015.

Mayor's Communications

Mayor Taylor wished everyone a Merry Christmas and Happy New Year.

Consent Agenda Review

With the adoption of the Consent Agenda, the Board approved the following items:

- October 9, 2014 Town Council Meeting Adoption;
- October 10, 2014 Special Meeting Minutes Adoption (as amended);
- November 6, 2014 Agenda Meeting Minutes Adoption;
- November 13, 2014 Town Council Meeting Minutes Adoption (as amended);
- 2015 Board of Commissioners Annual Meeting Calendar Adoption;
- 2015-2016 Capital Improvement Plan (CIP) and Budget Preparation Calendar Adoption.

Mr. Nalley noted that the Board's proposed 2015 Annual Meeting Calendar did not include Agenda Meeting dates in January and April due to conflicts with holiday observances. He also reviewed several key dates listed on the proposed 2015-2020 CIP and Budget Preparation calendar. A preliminary presentation for the 2015 – 2020 CIP is scheduled for January 8, with the final document available for adoption following a public hearing on March 12. A public hearing for the proposed 2015-2016 Annual Budget will be held on May 14, with adoption of the final document scheduled for June 25.

Town Administrator's Communications

- KCI Associates continues to work on a written agreement with the North Carolina State Historic Preservation Office and Federal Highway Administration that will allow the new Texas Road bridge structure to be similar in appearance to other bridges in Montreat. Staff expects this agreement to be ready for Board approval at the January Town Council Meeting. Once the agreement is approved, the right-of-way acquisition and design phases of the project can begin.
- No water was found after drilling to a depth of over 800 feet for the Well A02 replacement project on Greybeard Trail. The North Carolina Rural Water Association will provide an inspection camera that can be used to explore the existing well to determine whether it can be repaired. If repair of the existing well is not feasible, the Federal Emergency Management Agency (FEMA) will provide additional reimbursement grant funding to cover the cost of drilling a replacement well in another location near the site of the existing well.
- Water line installation for the Phase 1 Residential Utility Extensions is now underway, and should be completed by the end of January.
- Mayor Pro Tem Standaert has continued to contact the Buncombe County Board of Commissioners, the North Carolina State Board of Elections and Congressman Patrick McHenry's local office concerning the township name and ZIP Code inaccuracies in Montreat's voter registration database.
- Duke Energy Progress has been distributing door hanger notifications at homes affected by the utility rights-of-way tree trimming work underway throughout Montreat. These notices contain the name and contact information of the job supervisors in charge of each tree trimming crew. Citizens are encouraged to contact the job supervisors directly with any questions or concerns about the tree trimming work being done in their area.
- The Town of Montreat was formally notified this week via an email from Dr. John L. Currie of the imminent threat of pending legal action "to obtain injunctive relief by the court to halt further action on Florida Terrace." The Town has vigorously defended all prior claims made against it and will do the same in this instance if a case is filed. Mr. Nalley then summarized the cost and outcomes of three past legal actions against the Town and disputes in which it was involved as follows:

Year	Name of Party	Approximate Costs	Outcome
2004	Wade Burns	\$80,000	Dismissed before trial
2006	Brian Sawyer	\$52,000	Resolved before trial; partial restitution received
2011	Mountain Retreat Association	\$21,500	Resolved without litigation

The total cost of legal fees involved with these claims was \$153,500, which represents nearly seven cents on the Town's ad valorem tax rate. Mr. Nalley then introduced Mr. John C. Hunter, a litigation partner who will be working with Town Attorney Susan Taylor Rash to defend the Town against any possible legal action involving the Town and its decision to construct a new Town Hall on Florida Terrace.

Administrative Reports

Police Chief: In Chief Staggs' absence, Officer Arrant presented and reviewed the Police Department's November 2014 monthly activity report. Officer Arrant reminded the public to lock their homes and vehicles, to leave the packaging from Christmas presents indoors until household garbage collection day, and to immediately report any suspicious persons or activities. Commissioner Campbell commended the Department for their assistance to two lost motorists during the past month.

Mr. Lindy Cannon asked pedestrians to please use the designated walking path marked on the asphalt of Collegiate Circle, and reminded motorists that this road was now a one-way street with vehicle traffic intended to enter from the lower Georgia Terrace intersection and travel northward toward the Montreat Gate. He also thanked the Police Department for assisting a number of buses and other large vehicles in this area.

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

- Street Department crews will continue leaf and brush collection along street rights-of-way over the next several weeks. Snow plows and sanding equipment have been prepared for quick response to any upcoming inclement weather.
- Water Department staff will perform annual Town-wide fire hydrant testing and flushing over the next six weeks. Anyone experiencing discolored water as a result of this testing is encouraged to contact the Town Services Office.

Finance Officer: Mr. Stackhouse presented and reviewed the following financial reports:

- October 2014 Financial Summary Report;
- Final October 2014 Financial Statement;
- Preliminary November 2014 Financial Statement;
- November 30, 2014 Cash and Investment Earnings Report.

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Building Inspector/Code Administrator: Mr. Currie presented and reviewed his November 2014 zoning and inspections activity report. Annual fire inspections for Montreat College are complete, and Montreat Conference Center facilities will be inspected next week. Neither the Board of Adjustment nor the Planning and Zoning Commission met during the past month. Some discussion was heard concerning the number of private residences on Montreat. The number was estimated at between 600 and 650 individual homes, approximately 200 of which are year-round residences.

Commissioner Reports

Mayor Pro Tem Standaert reported that public officials in both Kiawah Island and Seabrook Island, SC had confirmed that each municipality's Town Hall was located within the corporate limits, but outside the gates of private communities within each town. She stated that Kiawah Island's decision to purchase, annex and rezone a tract of land contiguous to its current town limits for a new Town Hall facility was made after the Montreat Town Council's action in September 2013 to purchase the Florida Terrace lots, as well as the decision on October 10, 2014 to select the Florida Terrace property as the site of the new Town Hall. She compared Kiawah Island's decision to purchase contiguous property in St. John's County to the Town of Montreat's consideration of the Horton property, which is located in Buncombe County and adjacent to Montreat's municipal limits. She also noted that the annexation and rezoning processes for Kiawah Island's new Town Hall location will be completed before construction commences on the facility. Mayor Pro Tem Standaert believed that, according to local newspaper articles, much of the public controversy surrounding Kiawah Island's land purchase was caused by concerns that the property was underpriced, and that its development as a municipal facility would negatively impact the current owner's roadside produce stand operation.

Commissioner Campbell summarized some of the topics addressed during the Montreat Landcare Committee's recent meeting, including the status of two Landcare-related projects being undertaken by Montreat College graduate students as part of their Master's degree programs. She noted that portions of Lookout Trail, Greybeard Trail and the Trestle Road Trail would be undergoing erosion repairs during the winter months, and encouraged hikers to exercise additional caution in these areas. She also encouraged anyone willing to volunteer during the May 2, 2015 Native Plant Show and Sale to contact her.

Commissioner Campbell then asked for information on the space allocations planned for Police Department facilities in the new Town Hall compared with current facilities at the Town Services Office. Mr. Nalley read from information prepared by Chief of Police Jack Staggs, which stated that 5 full time officers and 3 reserve officers currently operate out of a single room of approximately 110 square feet in size. This space lacks sufficient HVAC, electrical, data, and telecommunications infrastructure, and its security and safety systems are outdated. These conditions have lead to serious overcrowding and have impaired staff efficiency, occupant safety,

and policing effectiveness. By comparison, the current design plans on Florida Terrace provide for a Police Department of just under 900 square feet, which includes a four-person patrol room, separate Police Chief's office, a storage room for equipment, weapons and ammunition, an evidence room and an interview room. An additional 125 square feet is provided for a shower and locker room to be shared with the Public Works Department. All proposed spaces comply with relevant OSHA guidelines and North Carolina statutory requirements. Standard design practices for new Police Departments highlight the ability to perform and operate independently from other town services. Police facilities must provide a balance between secure internal spaces and public areas. Staff believes that renovating the current Town Services Office in an attempt to meet these needs would be expensive and difficult, and that combining the Police and Public Works Departments is impractical due to their very different operational missions.

Commissioner Helms had no report at this time.

Commissioner McCaskill spoke briefly about his participation in the French Broad River Metropolitan Planning Organization, which performs long-range transportation planning for Buncombe, Haywood, Henderson, Madison and Transylvania Counties. Local municipal governments represented on the MPO include Asheville, Biltmore Forest, Black Mountain, Canton, Clyde, Flat Rock, Fletcher, Hendersonville, Laurel Park, Maggie Valley, Mars Hill, Mills River, Montreat, Waynesville, Weaverville, and Woodfin.

Commissioner Vinson said that although she has heard a number of requests for community reconciliation and healing to damaged relationships, there have also been e-mails containing language that personally attacked individual Board members or threatened litigation against the Town if the Board does not take certain actions regarding the Town Hall project. She quoted from an e-mail message she received from Montreat resident Janie Moore, which expressed the opinion that the Board was not responsible for an individual person's emotions or the manner in which relationships between community members are conducted. Commissioner Vinson said she believed that part of her purpose as an elected official was to hear and consider all viewpoints expressed by members of the community, and felt that care should be taken by all in how those opinions are expressed.

Public Comment

Mrs. Grace Nichols of 527 Suwannee Drive read aloud a letter from Montreat resident Mrs. Janie Moore. Mrs. Moore's letter expressed her belief that the Board of Commissioners was not responsible for any community anger or damage to personal relationship due to differences of opinion over the Town Hall project, and that these matters were subject to individual choices on how to respond to disagreements. Mrs. Moore's letter also conveyed her intention to show respect for her neighbors and to abide by the Board's decisions concerning the Town Hall project.

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Mrs. Linda Stroupe of 105 Kanawha Drive said she was a member of the ad hoc comment card tabulation committee. She stated that this committee's purpose had been to read and tabulate the Town Hall citizen comment card responses and present a written report summarizing the comments received. She said that any claims being made that the Board was ignoring the ad hoc committee's recommendations for action regarding the Town Hall project were erroneous, in that the committee had not been tasked with making any such recommendations.

Mr. Tom Lentz of 115 Eastminster Terrace expressed his support of Mr. Tom Frist's proposed alternatives to the current Town Hall plans on Florida Terrace. He disagreed with previous comments describing the new facility as just a building, and felt that the Town Hall could become either a positive or negative symbol depending on the Board's willingness to make concessions for the benefit of the future public good.

Dr. Ruth Currie of 104 John Knox Road expressed her support of the Florida Terrace Town Hall site, as well as the two-story building and site design plan approved for the new facility. She stated that the hillside lot above the Montreat Gate had been purchased by the Town for the purpose of open space conservation, and felt that developing either this site or Pratt Park as a Town Hall location would have a serious negative impact on the appearance and character of the Town's entrance through loss of dedicated greenspace and increased vehicular traffic congestion. She also said that despite its incorporation as a municipality in 1967, Montreat had never had an official Town Hall. She felt there was no benefit to further delaying the Town Hall project, stating that the Board had considered this issue for several years, and that the current Town Services Office was an unsuitable working environment for Town Staff. She also thanked the Board for their patience and said she hoped all those who lived in or visited Montreat would support the efforts of their elected representatives.

Mr. Joe Standaert of 118 Shenandoah Terrace expressed his disapproval of the Board's decision to include consideration of Mr. Tom Frist's alternative Town Hall proposals on tonight's meeting agenda. He said that, despite being given ample opportunity to do so, only three individuals had made an effort to identify and propose suitable alternatives to the Florida Terrace site, while many others had instead maintained their insistence that the new Town Hall should be built on property located outside Montreat's municipal limits. He stated that both Pratt Park and the hillside lot above the gate had been thoroughly evaluated by the Town's architectural firm, and discussed at length prior to final site selection action during the Board's October 10, 2014 Special Meeting. He noted that in those evaluations, the Pratt Park site had received the lowest environmental impact score, and that the hillside lot had been deemed non-viable for development as a Town Hall site.

Mr. Standaert said that the Florida Terrace site received the highest overall evaluation score, and felt that this location would have the least amount of impact on the appearance and character of Montreat. He compared the Florida Terrace site with the placement of the Town of Black

Mountain's Town Hall, which he described as slightly removed from primary access streets but still easily accessible. He believed that the Florida Terrace site's lack of prominence was a positive attribute, stating that a number of comment card responses had expressed a preference for the Town Hall not to be immediately visible upon entering the Montreat Gate. He felt that the purpose of the new Town Hall was to serve as administrative offices and public meeting space for municipal operations, but not as a visitor's center for other community institutions. He also disagreed with the idea of housing the Police Department in a separate facility, and expressed concerns that delaying or abandoning the current plans for the Florida Terrace site would result in a variety of additional costs that would have to be borne by all Montreat tax payers.

Mr. Bill Straughan of 122 Eastminster Terrace believed there was a considerable discrepancy between the wishes expressed by a large percentage of Montreat citizens concerning the Town Hall project and the actions which the Board has taken on this issue. He said he was both angry and embarrassed by the community's lack of ability to handle this issue effectively and productively, and felt that all parties should be willing to compromise and work together to find an acceptable solution. He hoped that the Board would consider Mr. Frist's alternative Town Hall proposals, and also allow open and vigorous public debate centered on the issues at hand, rather than on personalities. He felt that these steps were critical in finding solutions that the majority of Montreat's citizen's would embrace and support.

Old Business

There were no items of Old Business to discuss at this time.

New Business

- A. **Public Agenda Item Requests:** Mayor Taylor explained that Mr. Michael Sonnenberg's request for the Board to consider videotaping its meetings and posting the footage to the Town's website had been forwarded to Town staff for further review.

She then stated that Mr. Tom Frist would have ten minutes to present his proposals for alternatives to the current plans for a new Town Hall facility on the Florida Terrace site. Mr. Frist thanked the Board for agreeing to hear his proposals, and then presented the following list of suggested proposals:

1. Detach the Police Department from the Town Hall offices and build a much more modest, scaled down, but beautiful and useful Town Hall at the Gate or at Pratt Park where it would also serve as a welcome center for the Town, the College, the Mountain Retreat Association (MRA), and the Presbyterian Heritage Center.

2. Place the Police Department together with the Town transportation and maintenance services in a renovated or new building where the Town Hall is now and on the property behind it.
3. Move the trash compactor to the parking area on the other side of the street.
4. Negotiate with the MRA the donation or purchase of the present Town Hall site including the land behind it, but not including the MRA maintenance services. Do the same with Pratt Park if that is where it is decided to build the new Town Hall.
5. Negotiate with State authorities the annexing of the MRA and Town land located in Buncombe County but not in Black Mountain.
6. Sell the Florida Terrace property and use the money to help finance the buildings of the Town Hall and of the combined service center outside the gate.
7. Rent a portable building or other temporary office space for employees while the renovation and construction of the new Town services building is taking place.
8. Direct the Town architects to rethink their building designs so that they can be adapted for these sites and suggestions.
9. Involve the stakeholders of Montreat in the decision-making process about these proposals.

Mr. Frist believed that relocating the Police Department, and perhaps also the Council chambers, into the same building with the Public Works Department at or near the current Town Services Office location would greatly reduce the size of the new Town Hall, allowing the facility to be built on either Pratt Park or the hillside lot above the Montreat Gate with a minimal amount of land disturbance. He felt that locating the Police Department discreetly at the Town's entrance was advantageous to the public image of Montreat College and the Montreat Conference Center, and would more easily allow Police officers to accompany emergency vehicles, assist with lost delivery trucks, and prevent suspected law-breakers from entering Montreat. He said that this arrangement would locate all Town facilities within an area that was easily accessible year-round by the public, and would allow the new Town Hall to serve as a welcoming center for all Montreat institutions. He believed that community volunteers could continue performing welcome center duties during the summer months to avoid the need to hire an additional full-time staff member for this purpose. Bulletin boards with maps and pamphlets would be used to provide visitor information during the remainder of the year.

Mr. Frist felt that one of the advantages of the hillside lot above the Gate as a Town Hall site was that it was already owned by the Town, and suggested that adjustments could be made to the required setback lines to expand the lot's buildable area. He believed that the parking challenges on this site could be addressed either through an agreement with the MRA to use the existing parking spaces near the Gatehouse Welcome Center, by using the Columbarium parking area

located across Assembly Drive, or by designing the building to accommodate rooftop parking accessed from Kanawha Drive. He also proposed that the Greenspace Agreement between the Town and the MRA could be amended to allow construction of a municipal facility as a permitted use. He estimated that, if the new Town Hall was located at Pratt Park, at least one-third of the property could be retained as undeveloped greenspace for use as a public park. He suggested that the site could be renamed "Montreat Town Hall at Pratt Park" to maintain and enhance the site's dedication in honor of the Pratt family.

Mr. Frist also said that because the current Town facilities were located in Buncombe County, rather than in the Town of Black Mountain, the land could easily be annexed into Montreat. He acknowledged that the current Town Services Office was owned by the MRA and leased to the Town, but said that the MRA was willing to negotiate any ownership concerns related to renovating or expanding the current facilities. He predicted that selling the Florida Terrace lots would result in significant financial savings to Montreat taxpayers by returning them to the public tax roll, and would also avoid the need for pavement widening to provide access to a public facility on this street. He further suggested that some of the expenses related to the architectural evaluations and engineering studies performed for the Florida Terrace site could be passed along to the buyers of the Florida Terrace site at the time these lots are re-sold.

Mr. Frist believed that his proposals would result in improved facilities for all Town employees, reduced vehicular traffic through the Montreat Conference Center and Montreat College campus, and preservation of the residential character of the Florida Terrace neighborhood. He felt that his suggestions represented a valid, practical compromise that respected the Town's requirement of locating the Town Hall inside Montreat's municipal limits, provided a less expensive facility in a more accessible location, and served to restore the community and individual relationships damaged during by the controversy surrounding this issue.

He asked the Board to approve a temporary moratorium on the Town Hall project at the Florida Terrace site to allow new, independent studies of Pratt Park, the hillside lot above the Montreat Gate, and the current Town Hall locations to assess their viability for his proposals. He stated that taking this action would prevent numerous negative consequences that would affect Montreat for years to come.

Commissioner Helms then moved for a temporary moratorium on moving ahead with the Town Hall project on the Florida Terrace site so that new, independent studies can be made of Pratt Park, the Gate and the current Town Hall locations to assess their viability in the compromise solution proposed. Commissioner Campbell seconded for purposes of discussion.

Commissioner Helms said that while he did not support all of the ideas listed in Mr. Frist's proposal, he felt it worthwhile to further investigate certain items, such as the possibility of acquiring the property located behind the current Town Services Office. In response to Mayor

Pro Tem Standaert's inquiry, he said he was not in favor of Mr. Frist's suggestions to separate the Police Department from the Town Hall facility, and did not agree that it would be advantageous to locate the Police Department in a discreet location.

Mayor Pro Tem Standaert asked Mr. Frist which MRA representatives he had contacted to discuss his proposals. Mr. Frist said although any final arrangements would have to be approved by the MRA's Board of Directors, the tone of his conversations with current MRA President Pete Peery and incoming MRA President Richard DuBose had indicated the MRA's willingness to consider a variety of options for the sale, donation or use of MRA-owned property by the Town. Mr. Frist felt that because the Town leased the current Town Services Office free of charge, the cost of construction a new building on this site was still reasonable even if ownership of the structure reverted to the MRA at the end of the lease term.

Commissioner Campbell recalled that the idea of constructing separate Town Hall and Police Department buildings had been proposed during the September 18 Special Meeting, and that ADS staff had advised that this option would be more expensive than building a single facility. She also stated that the Town's dumpster and recycling containers could not be moved across the street because North Carolina Department of Environment and Natural Resources regulations, as well as the Town's 2011 Wellhead Protection Plan, prohibited the storage of non-hazardous household waste within 500 feet of the functioning well located just beyond the parking area. Development of any kind is also prohibited with 100 feet of a functioning well under these same regulations.

Commissioner Vinson referred to the 1983 Offer of Dedication, also known as the Greenspace Agreement, and its color-coded map attachments. She noted that Pratt Park was designated on the map as a "hatched green" area, which the MRA has dedicated in perpetuity to the Town and public for recreation, fishing, greenspaces, beautification, or for street, bridge or utility rights-of-way. According to the terms of the Agreement, any other changes in the present character and natural condition of the "hatched green" areas must be the result of a mutual agreement between the Town and the MRA, or else the Agreement is nullified and all rights of the Town and public shall cease and terminate. Commissioner Vinson explained that the columbarium had been constructed with the mutual agreement of the Town and MRA because both parties felt this use was consistent with the terms of the Greenspace Agreement. She also noted that in 2005, the Town had placed all "hatched green" areas between the Montreat Gate and Lookout Road under Conservation District zoning designation to protect these tracts of land from residential, commercial, and institutional development, and to preserve them for use as parks, open space, recreational areas, greenways, trails, waterways and flood plain areas. She said she had spoken with various Pratt family members about the history of Pratt Park's dedication in 1982, the financial donations and arrangements made for its landscaping and maintenance, as well as the family's wishes for the area to remain an undeveloped public park. She also noted that the park also contained plaques, trees and other items dedicated to individuals who were not members of

the Pratt family, including the late Ruth Graham. Commissioner Vinson felt that developing Pratt Park as a Town Hall site conflicted with the terms of the Greenspace Agreement, and would result in a significant change in the appearance of Montreat's entrance due to the loss of undeveloped open space in this area.

Commissioner McCaskill said that the Board had examined Pratt Park, the hillside lot above the Gate and the current Town Services Office location several years ago and determined each site to be unsuitable for various reasons. Commissioner Campbell asked whether the hillside lot above the Gate was subject to the Town's steep slope development regulations. Mr. Nalley said staff could provide that information, but noted that development of this lot would not currently be allowed because of its Conservation District zoning designation and its location within a "hatched green" Greenspace area.

Mr. Frist said that his proposals were made in an attempt to encourage additional research into options for an acceptable compromise concerning the Town Hall location, and said he was discouraged by what he perceived as the Board's pre-determined intent to find fault with his suggestions. Mayor Pro Tem Standaert said that over the past several months, the majority of those opposed to the Florida Terrace site had devoted considerable effort to promoting their preference that the new Town Hall facility be located outside the Montreat Gate. She noted that Mr. Frist had submitted his compromise proposal several weeks after the Board had taken action to select the Florida Terrace property as the site of the new Town Hall, and said that only three individuals had approached the Board with any other suggestions for alternative Town Hall locations prior to the October 10 decision to proceed with the Florida Terrace site.

After further brief discussion, the motion for a temporary moratorium on moving ahead with the Town Hall project on the Florida Terrace site so that new, independent studies can be made of Pratt Park, the Gate and the current Town Hall locations to assess their viability in the compromise solution proposed failed 1/4. Commissioner Helms voted in favor of the motion, while Mayor Pro Tem Standaert, Commissioner Campbell, Commissioner McCaskill and Commissioner Vinson voted in opposition.

Following the vote, Commissioner Helms said that while he may sometimes have a difference of opinion with other Commissioners, he held no personal animosity toward any Board member. He said he respected each Commissioner's right to vote according to his or her best judgment, and that he would accept and support the Board's decision in this matter. Mayor Taylor thanked Commissioner Helms for his comments, and said that during her time as Mayor she has been grateful to serve with Commissioners who have sometimes disagreed on certain issues but were able to support the decisions of the full Board following an official vote.

Public Comment

Dr. Adlai Boyd of 208 Harmony Lane concurred with Commissioner Helms that personal animosity over the Town Hall project was undesired. He disputed Mayor Pro Tem Standaert's statements that those who opposed the Florida Terrace site had shown no previous desire for compromise on this issue. He also said he did not understand the Board's insistence on locating the new facility on Florida Terrace despite a lack of support for this decision from a majority of the community.

Mr. Gordon Neville of 226 Alabama Terrace thanked the Board and Town staff for their efforts. He again urged the Board not to proceed with the current Town Hall plans on Florida Terrace. He believed that re-selling the lots would allow the Town to recoup their purchase price and receive a considerable amount of ad valorem tax revenues over future years if the lots were developed as separate residential home sites.

Mrs. Linda Stroupe said that of the nearly 600 Town Hall citizen comment cards mailed out, less than 300 had been returned. She felt that these figures did not support the claims being made that a majority of the community was opposed to the current Town Hall plans.

Mr. Tom Frist said that over 550 people had signed a petition published in the Black Mountain News expressing their opposition to the Florida Terrace Town Hall site. He also said he was confused and saddened by the decision not to authorize further study of his proposals. He felt that such action would create a number of unwanted and long-lasting consequences due to the Board's unwillingness to compromise and show respect for the opinions of those who disagreed with the current Town Hall plans.

Ms. Robyn Josephs of 538 Peace Lane spoke about the continued inadequate maintenance and poor roadway condition of Peace Lane since its acceptance by the Town as a public street, and the difficulty she has experienced in accessing or leaving her property since the start of the public utility and street assessments in the Upper Kentucky Road area. She believed that these issues were symptoms of poor oversight on the part of the Town, and was concerned that similar problems may occur with the Town Hall project regardless of the location of the new facility. She also felt that, despite her research and her attendance at Town Council meetings, she did not have a proper understanding of how Town business was conducted.

Mr. Philip Arnold of 520 Magill Drive read aloud a second letter from Montreat resident Mrs. Janie Moore, which referred to the possibility of litigation filed against the Town regarding the Town Hall project. Mrs. Moore's letter encouraged those who may be considering this option to have the merits of their case professionally and independently evaluated prior to filing suit. She also noted in her statements that the cost of defending legal actions filed against the Town would be borne by taxpayers, and felt that litigation filed simply as a means of delaying the Town Hall project would be an improper use of both the court system and public funds.

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Mountain Retreat Association Vice President for Development Lynn Gilliland presented a Community Service Fee proceeds check in the amount of \$8,484 for the period of August through October 2014.

Mr. Michael Sonnenberg of 125 Virginia Road listed a number of what he described as primary information sources he had consulted during his past research to develop alternative proposals to the current Town Hall plans, and said he did not believe the Board's decisions were based on the same degree of diligence. He also felt that, based on his own observations, the current Town Services Office was not being properly maintained.

Mrs. Anne Seaman of 426 Appalachian Way supported the suggested use of LED lighting in the new Town Hall facility, and asked that native plants be used in the building's landscaping design. She commended the Board for preserving a dedicated greenspace area, and asked that these efforts be continued in the future.

Mr. Erskine Clarke of 558 Providence Terrace felt that the Board's actions regarding the Town Hall project were the result of arrogance, indifference and stubbornness, and would result in serious, long-lasting negative consequences. He disagreed with comments and statements made earlier in the meeting that the Board was not responsible for the community's anger or damaged personal relationships, stating these problems were the direct result of the Board's inability to gather consensus over the Town Hall issue.

Dr. Ruth Currie disagreed with Mr. Clarke's predictions of lasting negative consequences caused by the chosen Town Hall site. She said she felt it was time for the community to accept the Board's decision regarding the location of the new Town Hall, and find opportunities for collaboration and compromise on the building's design and appearance so that the final product is a building that everyone can accept and enjoy.

Upcoming Meeting Dates

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

Town Services Office Closed: December 24-25, 2014
Christmas Holidays

Agenda Items Due: December 26, 2014, 5:00 p.m.
Town Services Office

Agenda Packets Available: December 30, 2014
[http://www.townofmontreat.org/
TownGovernment.php](http://www.townofmontreat.org/TownGovernment.php)
or Town Services Office

**Montreat Board of Commissioners
Town Council Meeting Minutes
December 11, 2014**

Town Services Office Closed: January 1, 2015
New Year's Day Holiday

January Agenda Meeting **Cancelled**

January Montreat Landcare Committee Meeting: January 7, 2015, 9:00 a.m.
Location TBA

January Town Council Meeting: January 8, 2015, 7:00 p.m.
Walkup Building

January Planning & Zoning Commission Meeting: January 15, 2015, 7:00 p.m.
Walkup Building

Town Services Office Closed: January 19, 2015
Martin Luther King, Jr. Holiday

Rescheduled Household Garbage and Recycling
Collection Date: **Tuesday, January 20, 2015**
Collection will begin at 8:00 a.m.

Agenda Items Due: January 30, 2015, 5:00 p.m.
Town Services Office

Adjournment

There being no further items of business to discuss, Commissioner Vinson moved to adjourn the Town Council Meeting. Commissioner McCaskill seconded. The motion carried 5/0 and the meeting was adjourned at 9:38 p.m.

Letta Jean Taylor, Mayor

Misty R. Gedlinske, Town Clerk