

**Town of Montreat
Board of Commissioners
Town Council Meeting
August 11, 2016
Walkup Building**

Board members present: Mayor Tim Helms
Mayor Pro Tem Kitty Fouche
Commissioner Kent Otto
Commissioner Mary Standaert

Board members absent: Commissioner Bill Gilliland
Commissioner Ann Vinson

Town staff present: Al Richardson, Interim Town Administrator
Stefan Stackhouse, Finance Officer & Deputy Town Clerk
Steve Freeman, Public Works Director
Barry Creasman, Senior Water Operator
David Arrant, Master Police Officer
Angie Murphy, Town Clerk
David Currie, Code Administrator/Building Inspector

Approximately 35 members of the public were also present. Mayor Helms called the meeting to order at 7:00 p.m., led the group in reciting the Pledge of Allegiance, and held a moment of silence. Mayor Helms advised that a quorum was present and the meeting would move forward as planned.

Agenda Approval

Commissioner Standaert moved to adopt the agenda. Commissioner Otto seconded and the motion carried 3/0.

Mayor's Communications

Mayor Helms announced the members of the Town Hall Committee whom he appointed at the request of a motion from Mayor Pro Tem Fouche at the July Town Council Meeting. The members are as follows: Chairman Brinkley Melvin, Bill Scheu, Mayor Pro Tem Kitty Fouche, Jane Holt, Gordon Neville and Mike Collie.

Presentation to Council: Montreat College Campus Signage Proposal

Annie Carlson, Executive Director of Marketing & Communications and Kristin Janes, Vice President for Enrollment Management of Montreat College presented a Campus Signage Proposal to the Board in the hopes of promoting awareness, school spirit, property distinction and competitiveness. Montreat College continues to show growing enrollment and an increase of campus visitors. There is some ambiguity about the "entrance" to campus, the boundaries of campus, and where guests should go. Montreat College Staff would like to work with the Town of

Montreat to find a solution to help visitors have a better experience.

The College has two signage requests: Admission/Guest parking on Gaither Circle and Light Pole Banners. Admissions saw a 40% increase in campus visitors during the 2015-2016 school year and is expected to continue to increase in 2016-2017. There is a need for easily accessible parking spots for prospective students and their families. Montreat College Staff feels like two signs are needed on Gaither Circle: install one in road in front of flower bed and replace existing "No Parking" sign with campus parking sign. They would also like a second "No Parking Sign" removed. Currently the Town of Montreat Sign Ordinance does not allow signs in the right-of-way. If the requested parking signs are in right-of-way, Montreat College Staff requests that the Town make an exception so they can proceed with sign installation.

Montreat College Staff would like to have approval to install 30 Light Pole Banners on the Montreat College campus including some areas of town right-of-way. These banners are intended to build visitor awareness of Montreat College visually; instill pride in students, employees and alumni; give adequate campus property distinction from the rest of the town; and bring the Montreat College campus experience in line with other college campuses, making the college more appealing to prospective students and parents.

Commissioner Standaert would like to see this topic placed on the September agenda meeting to allow Town Staff to review ordinances and Wayfinding Advisory Committee documents. Commissioner Otto asked what kind of time frame the College was anticipating to implement these changes. Ms. Janes stated that they hoped to get the parking addressed prior to the onset of students arriving to campus to set a precedent that the parking spots are reserved for guests and admissions. Ms. Carlson advised that with the light pole banners there was not the same kind of urgency as with the parking but the sooner the better would be ideal. Commissioner Standaert felt that the parking situation could be handled administratively and would not need action from Council. Mayor Helms asked Mr. Currie and Mr. Freeman to meet with the College and discuss the parking situation further. After much discussion it was decided that the light pole banners would be added to the September agenda.

Consent Agenda Review

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

- July 7, 2016, Special Meeting Minutes, Interim Town Administrator Interview as Amended
- July 7, 2016, Public Forum Minutes
- July 7, 2016, Town Council Agenda Meeting Minutes
- July 14, 2016, Town Council Meeting Minutes
- July 28, 2016, Special Workshop, Qualifications/Requirements for Town Administrator Position & Employee Health Insurance Discussion Minutes
- Adopted Corporate Authorization Resolutions #16-08-0001 through #16-08-0009 amending the Town of Montreat's list of authorized signers with Asheville Savings Bank and

designating Al Richardson, Angela Murphy, Kent Otto and Tim Helms as authorized signers for the Town's accounts at Asheville Savings Bank.

- Adopted Corporate Authorization Resolutions amending the Town of Montreat's list of authorized signers with BB&T and designating Al Richardson, Angela Murphy, Kent Otto and Tim Helms as authorized signers for the Town's accounts at BB&T.

Town Administrator's Communications

- Interim Town Administrator Al Richardson acknowledged that the Town Clerk did a great job distributing the ads for the Town Administrator position to the applicable print and online sources and as of today there are 11 resumes and applications in hand.
- Mr. Richardson thanked the staff and the residents of Montreat for welcoming him with open arms.
- In response to a question from Commissioner Standaert at a previous meeting, Mr. Richardson reported that the Montreat Police Department was working in conjunction with the Black Mountain Police Department, Black Mountain Fire Department and Montreat Conference Center to coordinate the Lookout Brewery to Lookout Trail to Lookout Brewery race which will take place on October 15.
- Mr. Richardson briefly touched on the amount of money it will take to reopen the planning document for the Texas Road Bridge Project. Mr. Richardson stated that in a conference call in May Mr. John Williams of the NC Department of Transportation had advised that he would open the planning documents free of charge and assist with the applicable chosen option.
- In response to a question from Commissioner Standaert about inconsistencies between correspondence from DeWayne Sykes of KCI and Ray Lotfi of NCDOT, Mr. Richardson stated that Mr. Sykes did not talk about the 80% - 20% matching funds whereas Mr. Lotfi did discuss this topic. Mr. Richardson stated that we will not know how much money is needed to payback until a decision is made on the Texas Road Bridge Project.

Administrative Reports

Police: Officer Arrant reviewed and presented the July 2016 monthly departmental activity report. He stated that July was a very busy month for visitors to Montreat due to the warm temperatures and increase in population. Officer Arrant reported two different bat calls that were taken care of during the month. If a bat is found in a residence and is still active, please contact Terminex or any other pest control carrier. They are licensed to handle live bats whereas Montreat Police Department can only remove the bat if it is already deceased. Bats are the number one carrier of rabies and their bites are virtually undetectable. If medical officials are unable to ascertain whether a bat bite has occurred subjects will have to undergo the painful and often expensive process of rabies shots. Officer Arrant reminded everyone that seat belts for children do apply within the Montreat Gates. On behalf of Chief Staggs, Officer Arrant thanked everyone in the community for their kind words, support and encouragement during this time of unrest in law enforcement in other parts of our nation. Chief Staggs will be including a new section in his

monthly reports entitled “Chief Concerns” where he will be highlighting specific issues that have occurred in Town or giving helpful tips and advice. Commissioner Standaert reiterated appreciation on behalf of the Board to the Montreat Police Department.

Public Works Director:

- Public Works Crews continue to finalize the curbing, side-dress and drainage on Appalachian Way.
- There were several large felled trees as a result of rain and windstorms that were cleared from the roadways.
- Mr. Freeman briefly reviewed the results from McGill Associates with regards to the Oklahoma Road Extension. This concept plan and estimate are divided into five phases within the proposed development, as well as improvements to Oklahoma Road to capture the costs for paving and extending utilities to the subject properties. Due to the steepness in topography and the current location of right-of-way routes, earthwork and retaining wall costs are a major component in each of the phases. Based on the stream information provided in Buncombe County’s GIS, numerous stream crossings in excess of 300 linear feet are necessary to serve the lots. Commissioner Standaert would like to revisit this report once a new Town Administrator is in place.

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

- June 2016 Financial Summary Report;
- Final June 2016 Detailed Financial Statement;
- Preliminary July 2016 Detailed Financial Statement;
- July 31, 2016 Cash and Investment Earnings Report;
- Voluntary Reconciliation Fund: \$2,800

Building Inspector/Code Administrator: Mr. Currie presented and reviewed his July 2016 zoning and inspections activity report. The Planning and Zoning Commission met and reviewed the new Zoning Map which will be before the Board this evening to call for a Public Hearing. The Board of Adjustment did not meet last month.

Public Comments

Mayor Helms reiterated that this Public Comment period was intended for remarks pertaining to items listed on the meeting agenda, including staff reports and communications.

Ms. Jane Holt of 229 North Carolina Terrace, stated that she hopes the Oklahoma Road Extension Project will not lead to wide roadways. Ms. Holt would like to see these roads kept in alignment with the other roads in Town.

Mrs. Martha Campbell of 149 Maryland Place, wanted to commend the prompt attention the

Board gave to the employee health insurance situation. Mrs. Campbell would like to see Council reimburse employees for the difference in the deductible versus what they actually paid for the medication or doctors visit. Mrs. Campbell stated that the Town needs to take care of the employees. She is also researching the possibility of an employee appreciation fund which was brought up to Council several years ago. This type of fund would have alleviated some of the stress the employees had to endure because of unanticipated medical costs.

Mr. Don Reid of 127 Shenandoah Terrace, felt that Montreat College has a geographic identity crisis, in that it is hard to tell where the College begins and ends. Mr. Reid stated that proper signage is needed for visitors as well as prospective students to find their way around the campus. Mr. Reid has also read the Sign Ordinance and finds it to be rather cumbersome. It is his belief that the Town should encourage signs because they add character and beauty. Mr. Reid hoped that Council would look favorable on the changes that Montreat College has requested this evening.

Old Business

- A. Texas Road Bridge Discussion:** Commissioner Otto stated that the Montreat Bridge Committee presented the Board with 11 recommendations of which they could choose to move forward with any or none of the recommendations. Commissioner Otto also stated that conversations with KCI Engineering have not yielded enough information to make it fiscally responsible to see if lowering the height of the bridge would even be an option. Commissioner Otto feels that the Town is sitting with \$250,000 in an indeterminate status with the possibility of an additional \$35,000 to \$40,000 to be spent. This money is extremely important to the Town of Montreat. Recent conversations with Ray Lotfi of the NCDOT have indicated that there may not be costs associated with reopening the planning documents and if the no-build at the Texas Road location is chosen there is a possibility of recouping the \$250,000 in planning funds. Commissioner Otto feels that for the health of the community it is time to move on to a location and bridge type that will better suit the Town of Montreat. Commissioner Standaert stated that as long as the Texas Road Bridge Project is suspended indefinitely the Town is in jeopardy of losing the \$250,000. Commissioner Standaert presented an extensive outline of the options involved in the Texas Road Bridge Project as previously outlined by KCI Engineering and the NCDOT. Commissioner Standaert surmised that if the Texas Road Bridge is simply postponed indefinitely as the current motion language states then the Town of Montreat is liable for expenditures to date to the FHWA and the NCDOT in amounts of an estimated \$300,000. Commissioner Standaert also stated that she believes the decision process should be more of a step-by-step process rather than starting in the middle. Commissioner Otto reiterated that it is very important that the Town of Montreat does everything possible to preserve the monies spent thus far on the project. He also stated that the majority of people in Montreat have spoken and they do not desire a bridge as designed at the current location. Commissioner Otto stated that as a Board it is imperative to move forward rather promptly to finalize the necessary documents pertaining to Texas Road and move on to other options.

Mayor Pro Tem Fouche agreed that the will of the people was to not build a bridge at the current location on Texas Road and she does not feel they should take the monetary risk to open the documents to see if the bridge could be lowered in height. Interim Town Administrator Al Richardson advised that it was important to decide whether the Town wants a bridge at the present location as designed or with the CLOMR which could allow some reduction in height. Mr. Richardson stated that at the last meeting he was directed by the Board to reopen the planning documents but he felt that he did not have enough information to complete the task. Mr. Richardson stated that if the planning documents were opened and handled in an appropriate manner some of the monies could be waived. [Mayor Pro Tem Fouche stated that we are not going to build a vehicular bridge on Texas Road so I will make that motion.](#) Commissioner Otto seconded. Commissioner Standaert called point of order in that this motion went against Rule 4 in the Rules of Procedures which states the Board shall hold an Agenda Meeting on the Thursday before the regular monthly meeting to ask questions and thoroughly explore the proposals that must be voted on at the regular meeting. Additions to the regular monthly meeting agenda shall not be allowed unless an unexpected and pressing matter arises. This restriction avoids surprise and is consistent with the spirit of the Open Meetings Law. Commissioner Standaert felt that this motion should be added to the September agenda for consideration to allow the public time to investigate or comment at the Public Forum or Public Comment period. Mayor Helms noted the objection and called for a vote. The motion carried 2/1 with Commissioner Standaert voting against the motion.

New Business

- A. **Proposed Revisions to Town of Montreat Official Zoning Map:** Mr. Currie presented an image to the Board of the current Town of Montreat Official Zoning Map from 1993 which was tattered and torn and contained a lot of handwritten changes and erasures. Mr. Currie, with the assistance of GIS technology, has updated the Zoning Map to include all the adopted changes from the original Zoning Map, which dated back to 1984, and compiled a user-friendly map that will be helpful for the community as well as staff. This map, once approved, will be posted on the Town of Montreat website for accessibility. The proposed updates went before the Planning & Zoning Committee who approved the changes and can assure that all changes have been captured. Mayor Pro Tem Fouche moved to call for a Public Hearing on September 8, 2016 at 7:00 p.m. or as soon thereafter as possible to discuss proposed revisions to Town of Montreat Official Zoning Map. Commissioner Otto seconded. Commissioner Standaert read a letter from Former Mayor Taylor which questioned why the conservation districts were not represented on this map. Mr. Currie advised that this map was strictly for zoning purposes and the conservation district does not involve zoning. The motion carried 3/0.
- B. **Town Hall Committee:** Commissioner Standaert moved that all meetings of the Town Hall Committee, to be appointed by Mayor Helms, will be held as Special Meetings of the Town Council, so that all members of the Town Council can attend without any question of violating the State of North Carolina Open Meetings Law. Hearing no second this motion did not carry.

- C. Discussion of Rule 4 of the Town of Montreat Rules of Procedure as it pertains to the role of the Agenda Meeting: Commissioner Standaert stated that over the past year there has been a substantial shift in the way the meetings have been conducted. Commissioner Standaert felt that these rules need to be followed more closely as they were written. Commissioner Otto appreciated Commissioner Standaert's reiteration of Rule 4 but he felt that the Texas Road Bridge discussion was a pressing matter that needed to be discussed and it was justified for discussion this evening. Commissioner Standaert outlined several items such as Commissioner Otto's March motion to suspend indefinitely all action on the Texas Road Bridge; other examples, were the appointments of the Texas Road Bridge Committee and the Town Hall Committee, which she felt were not appropriately handled nor were they pressing matters, which had been added to the meetings without first being placed on the agenda.
- D. Blue Cross Blue Shield Insurance Discussion: Interim Town Administrator Al Richardson stated that since the shift from Blue Cross Blue Shield to United Health Care two employees had medications denied to them. In both cases these medications were critical to everyday use. The change to United Health Care has resulted in an additional \$9816 in expenses for prescription co-pays for employees as of date. When the change to United Health Care was last brought before the Board it was agreed upon as long as prescription drug charges did not adversely affect anyone. Mr. Richardson stated that insurance companies could change drug formularies at anytime and these formularies do determine the cost of medications. Commissioner Standaert moved to switch to Blue Cross Blue Shield Insurance as of September 1st. Commissioner Otto seconded. Commissioner Standaert asked where the estimated \$12,815 to facilitate the switch would come from in the budget. Mr. Richardson suggested that the monies be moved from Capital Outlay – Public Buildings which currently houses planning monies for the new Town Hall Project. Mayor Helms called for a vote and the motion carried 3/0.
- E. Charter Spectrum Internet/Telephone/Television Bundle Service Provider: Interim Town Administrator Richardson advised the Board that the current internet access with AT&T has been sporadic with IT providers making multiple visits to the Town Services Building to try to resolve the problem. Electronic Office, who manages the Town's IT services, recommends switching to Charter as well since AT&T connectivity is sporadic due to the distance of the Town Service Building from the AT&T outpost building on Montreat Road. Mr. Richardson stated that bundling services will actually save the Town money while also promoting a better quality of work. Commissioner Otto moved to switch the Town of Montreat to Charter Spectrum for business television, internet and telephone based on the recommendation from Mr. Richardson. Mayor Pro Tem Fouche seconded. The motion carried 2/1 with Commissioner Standaert voting against the motion.

Public Comments-Other Topics

Mayor Helms reiterated that the Public Comment period were for remarks pertaining to public business items not listed on the meeting agenda, including any reports or communications from other community entities.

Ms. Beth Fountain of 132 Kanawha Drive, read a prepared letter from Clare and Tom Frist of 98 Frist Road. Mr. and Mrs. Frist would like for the Town Council, Mountain Retreat Association and the rest of the Montreat Community to consider studying evacuation options in case of catastrophic fires or other unforeseen disasters, including the current location of the Montreat Gate. The Frist's would also like consideration for the new Town Hall to include the Cooley property or the former Andy Andrew's property. It is rumored that the Cooley's might be willing to sell due to health issues within the home. They would also like to see a combined Town Services Building and a welcome center for all Montreat entities. The letter also mentioned the possibility of making the Montreat Gate walk-through only.

Mr. Mike Sonnenberg of 125 Virginia Road, felt that the Town should increase the realm of wi-fi and cell phone coverage in the valley in certain ways. Mr. Sonnenberg felt that in previous situations he was denied the right to present to the Board an item in the form of photos or images because he did not get the photos in for approval one week prior to the meeting.

Ms. Beverly Monroe of 129 Assembly Drive, had concerns about stormwater runoff from Quillan Lane and Mississippi Road. Public Works Director Steve Freeman and Code Enforcement Officer David Currie visited earlier in the week and advised they were unable to do anything about the situation. Ms. Monroe stated they are going to re-do their parking pad and perhaps install a dry creek bed but would like some consideration from Council in assisting with these repairs since the water originates from Quillan Lane.

Mrs. Martha Campbell of 149 Maryland Place, announced that on August 27th and 28th there will be a celebration at Mt. Mitchell for the 100th Anniversary of the North Carolina State Park Systems. It was announced at the Montreat Landcare Meeting that buses would be available in Black Mountain to transport people to Mt. Mitchell. Students from Montreat College will also be participating in this event.

Mr. Eric Nichols of 527 Suwannee Drive, advised that himself, Martha Campbell and Former Mayor Letta Jean Taylor attended Former Town Administrator Ron Nalley's first Town Meeting in Lake Lure and he seems to be happy and doing well.

Ms. Kristin Janes representing Montreat College, advised that College enrollment is very close to the 500 students mark which has never been achieved before. Ms. Janes advised that students will be returning to campus on August 19th and to expect some increase in traffic.

Commissioner Communications

Mayor Pro Tem Fouche mentioned that she wrote Bob Joyce at the School of Government when she was denied attendance to one of the Montreat Bridge Committee meetings. This comment was in response to making the Town Hall Committee Meetings Special Meetings so all Commissioners could feel like they could attend without breaking or violating Open Meeting Laws. Mr. Joyce advised Mayor Pro Tem Fouche that she was welcome to attend as a citizen but cautioned her against sitting with other Commissioners or engaging in conversation. She advised she would send this communication to the Town Clerk. Mayor Pro Tem Fouche stated she had a similar conversation with Mr. Richardson today as well and he agreed with Mr. Joyce.

Commissioner Standaert stated that she will not be attending the Town Hall Committee Meetings since in previous years the Town Attorney had cautioned Board Members of attending due to the possibility of violation Open Meeting Laws. Commissioner Standaert advised the Council owns the Agenda and they can place items and remove items at will as long as everyone is in agreement. Mr. Standaert will be leading hikes on Mt. Mitchell. Commissioner Standaert briefly touched on the stormwater discussion from Ms. Monroe and advised those in attendance that stormwater is always included in the annual board retreat, budgeting process and capital improvement plan and Council has been advised by Staff repeatedly to address the stormwater issues but there has been no public support. Stormwater Systems and/or the Rain Tax can generate monies to address issues of stormwater within the Town.

Commissioner Otto feels that having the Commissioners at the Committee Meetings changes the dynamic based on his experience serving on the Montreat Bridge Committee. Commissioner Otto congratulated the college on their enrollment numbers. Commissioner Otto also congratulated Richard DuBose of Montreat Conference on the recently completed summer conference season.

Upcoming Meeting Dates

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

<u>Montreat Tree Board:</u>	August 23, 2016, 10:00 a.m. Town Services Building
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<u>September Agenda Meeting:</u>	September 1, 2016, 7:00 p.m. Walkup Building Public Forum begins at 6:30 p.m.
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<u>Montreat Landcare:</u>	September 7, 2016, 9:00 a.m. Allen Building Swannanoa Room
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**Montreat Board of Commissioners
Town Council Meeting Minutes
August 11, 2016**

September Town Council Meeting:

September 8, 2016, 7:00 p.m.
Walkup Building

Adjournment

There being no further business, Mayor Pro Tem moved to adjourn the Town Council Meeting. Commissioner Otto seconded and the motion carried 3/0. The meeting was adjourned at 9:27 p.m.

Tim Helms, Mayor

Angela Murphy, Town Clerk