

**Town of Montreat  
Board of Commissioners  
Town Council Meeting  
February 12, 2015  
Walkup Building**

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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  
Barry Creasman, Senior Water Operator  
David Arrant, Master Police Officer

Ron Nalley, Town Administrator  
Misty R. Gedlinske, Town Clerk  
Steve Freeman, Public Works Director  
Barry Creasman, Senior Water Operator  
Jack Staggs, Chief of Police  
Justyn Whitson, Police Officer  
Stefan Stackhouse, Finance Officer  
David Currie, Building Inspector/Code Administrator

Approximately 45 members of the public were also present. Mayor Taylor called the meeting to order at 7:01 p.m., led the group in reciting the Pledge of Allegiance, and gave the invocation.

**Agenda Approval**

Mr. Nalley noted that Consent Agenda Item B had been added to the proposed meeting agenda to call for a Special Meeting on February 17 at 9:00 a.m. in the Town Services Office. The purpose of this meeting will be to hold two Closed Sessions, the first for attorney consultation in accordance with N.C.G.S. §143-318.11(3) and the second in accordance with N.C.G.S. §143-318.11(6) to conduct the Town Administrator's annual performance evaluation. He also asked the Board to postpone consideration of the draft Technology Use Policy listed as New Business Item D until the March Town Council Meeting.

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

**Presentation to Council**

2015-2020 Capital Improvement Plan: Mr. Nalley presented the proposed 2015-2020 Capital Improvements Plan (CIP), a flexible financial planning tool used to forecast the Town's equipment, building and infrastructure needs over the next five years. Items included in the CIP have a life expectancy of greater than one year and a value of greater than \$5,000. He explained the staff-recommended numerical and alphabetical priority codes used to organize each project scheduled throughout the Plan's five-year scope on both the departmental and organizational levels. Each project, as well as its corresponding priority code, is subject to revision or deletion at the Board's discretion. Once the final CIP is adopted, the numerical priority codes for the projects included in the first year of the Plan will be used to help determine funding allocations in the 2015-2016 Fiscal Year Budget.

In order of priority, the proposed projects and expenditures for the 2015-2016 Fiscal Year are as follows:

**Proposed General Fund Projects and Expenditures**

1)	Local Street Paving (Texas Road)	\$194,000
2)	Texas Road Bridge Replacement Project	\$818,000
3)	Town Hall Replacement	\$97,600
4)	Street Department Truck Replacement (1996 Ford F250)	\$45,000
5)	Stormwater Utility Study	\$35,000
6)	Wayfinding Signage Plan	\$20,000
7)	Compactor Area Paving	\$25,000
8)	Sanitation Truck Replacement	\$75,000
9)	Native Plant Garden	\$10,000
10)	New Road Paving (Texas Road Spur)	\$37,000

**General Fund Total for Fiscal Year 2015-2016:** \$1,356,650

**Total for 2015-2020 and Future Years:** \$6,756,700

**Proposed Water Fund Projects and Expenditures**

1)	Water Line Replacement (Texas Road Spur)	\$55,000
2)	Greybeard Trail Water Storage Facility	\$87,100
3)	Portable Generators	\$5,000

**Water Fund Total for Fiscal Year 2015-2016:** \$ 147,100

**Total for 2015-2020 and Future Years:** \$1,364,600

The draft CIP is available in print at the Town Services Office and will soon be posted on the Town's website. Under New Business Item A, the Board will be asked to call for a Public Hearing on this matter at the beginning of the March 12 Town Council Meeting.

### **Mayor's Communications**

Mayor Taylor mentioned her participation in a recent meeting with Buncombe County Board of Commissioners Chair David Gantt, local area Mayors and student council Presidents.

She also suggested that the Board begin updating the 2008 Comprehensive Plan this coming spring, to maximize opportunities for participation and input from seasonal residents. She explained the process used to develop the 2008 Plan, which included community surveys and public input meetings as well as professional assistance from Water Fields and LandDesign, a Charlotte-based consulting firm. She named those community members who served on the original Comprehensive Plan Steering Committee, and said she hoped that a new Steering Committee would be formed with representatives of all community entities to provide recommendations during the Plan update process.

### **Consent Agenda Review**

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

- January 8, 2015 Town Council Meeting Minutes Adoption;
- January 14, 2015 Special Meeting Minutes Adoption.

### **Town Administrator's Communications**

- Preliminary planning for the Texas Road bridge replacement project is now 25% complete. Town staff expects that the plans should be 75% complete within the next two weeks. Right-of-way acquisition is scheduled for completion by March 15. Bids will be let in August of this year, with construction expected to be finished by August 2016.
- A contract for camera inspection and possible well repair for the Well A02 replacement project will be presented as an item of New Business.
- The Upper Kentucky Road Phase 1 Neighborhood and Residential Utility Assessment projects are now complete, along with gravel roadway installation. Paving assessments in this area will be completed this coming spring.
- There has been no further progress on the Town's continued efforts to correct township name and ZIP code inaccuracies in Montreat's voter registration database. Mayor Pro Tem

Standaert said she had spoken again about these issues with Buncombe County Election Services Director Trena Parker.

- The 2015 Annual Board Retreat will be held on April 22, 2015. Further information about the location, starting time, and proposed agenda for this meeting will be announced once final arrangements are made.
- LandDesign, the professional consulting firm that assisted with the development of the 2008 Comprehensive Plan, is available this spring to participate in updating the Plan. Compared to the \$150,000 contract price to develop the 2008 Plan, initial cost estimates for the update process total approximately \$67,000 and are subject to further amendments and reductions. The current fiscal year budget can be amended to allocate funds for the Plan update if the Board so desires. Brief discussion was heard concerning the outcomes of the 2008 Comprehensive Plan, which include the majority of recent Zoning Ordinance changes, development of the Wayfinding Advisory Plan, as well as Community Service Fee contributions from the Montreat Conference Center. The Board agreed by consensus to consider this matter further at next month's Town Council Meeting.

### **Administrative Reports**

**Police Chief:** Chief Staggs presented and reviewed the January 2015 monthly departmental activity report. He and Officer Whitson provided additional details concerning a report of suspected alcohol poisoning during a New Year's party at a private residence. Chief Staggs also expressed his thanks for the notes, cards and other items the Police Department has received on behalf of Officer Lee Blevins, who will be on medical leave for several months due to a significant health-related issue.

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

- The Community Center Circle stormwater retention feature is now installed, and a retaining wall project on Oklahoma Road will be underway shortly. These projects are funded through reimbursement grant proceeds from the Federal Emergency Management Agency (FEMA) and the North Carolina Department of Emergency Management.
- Street Department crews removed fallen tree branches during two windstorms over the past month, and sanded roadways during one inclement weather event.
- Annual inspection of the Town's 95 fire hydrants is now complete. One hydrant was found to be malfunctioning and will be repaired.
- After reviewing the results of extensive water quality testing results from the Greybeard Trail area wells, the North Carolina Department of Environment and Natural Resources has

determined that these wells can now be tested on a three-year monitoring cycle, rather than every quarter. The new sampling schedule will reduce annual testing fees by approximately \$2,000.

During general discussion, Mr. Freeman also explained how the SCADA well monitoring system can be used to help detect water leaks or ruptured lines, and reviewed the materials and methods used when applying sand and ice melt to roadways during inclement weather.

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

- December 2014 Financial Summary Report;
- Final December 2014 Financial Statement;
- Preliminary January 2015 Financial Statement;
- January 31, 2015 Cash and Investment Earnings Report.

Building Inspector/Code Administrator: Mr. Currie presented and reviewed his monthly zoning and inspections activity report. He noted that the Planning and Zoning Commission's regular January meeting would be rescheduled due to quorum issues, and that the Board of Adjustment had granted a variance request to reduce the front yard setback distance on undeveloped lot on Kanawha Drive for construction of a new single-family residence.

Mr. Currie then reviewed the development of Montreat General Ordinance Chapter K, Article III "Stormwater Management," which was adopted in 2009 and requires a 30' buffer between a property's built-upon area and any perennial or intermittent surface waters as noted on either United States Department of Agriculture or United States Geological Survey maps. Mr. Currie noted that this buffer distance requirement is identical to the language found in Buncombe County's Stormwater Development Ordinances, and applies to lots less than one acre in size in response to public support expressed during development of the 2008 Comprehensive Plan for stormwater regulations on smaller lots.

In response to questions from Commissioner McCaskill, Mr. Currie explained that stream classifications were determined by the North Carolina Division of Water Quality, and that property owners could request a free on-site assessment if there are questions about the accuracy of the stream mapping for a particular lot.

### **Commissioner Reports**

Mayor Pro Tem Standaert reported that, based on staff's research, there were approximately 640 residential homes in Montreat. Of these, nearly 420 are vacant during the winter months and only 210 are occupied year round. Approximately 120 homes are currently available for

short-term rental either through professional real estate companies or private management. She noted the average patrol mileage on the Police Department's monthly activity report and thanked the officers for performing house checks and other community-wide safety monitoring efforts.

Commissioner Campbell reported on the following items:

- The Montreat Landcare Committee met on February 4 to continue preparations for the May 2, 2015 Native Plant Show and Sale and first annual Arbor Day event. Montreat College students are assisting with the educational components of these events as part of their studies. Ten volunteers will also be needed for short periods during this day, and anyone interested in participating is encouraged to contact Commissioner Campbell.
- Approximately 120 Montreat College students, or 30% of those enrolled in on-campus classes, have visited the Presbyterian Heritage Center for lectures and research during the past month. More than 80 participants in the Montreat Conference Center's recent College Conference events also visited the Center during this time. The Center's winter hours are from 1:00 p.m. to 4:00 p.m. each Wednesday and Thursday. Saturday afternoon hours will be added in March.
- Commissioner Campbell also reviewed upcoming Black History and Reconciliation Week events at Montreat College, and noted that Montreat Conference Center President Richard DuBose would speak during the College's Spring Convocation on March 2.

Commissioner Helms had no report at this time.

Commissioner McCaskill had no report at this time.

Commissioner Vinson reported that the Open Space Conservation Committee would meet again at 10:00 a.m. on February 26 to conduct an on-site tour of a parcel of real property located on New Hope Lane, formerly known as Upper Kentucky Road. The meeting will convene and adjourn at the Town Services Office, and is open to the public. Commissioner Vinson also explained that property acquisition costs for the Open Space Conservation Program were funded through a \$50,000 donation in 2009 from the Don and Betty McDougald Land Trust. The Town also allocates a small amount of funding each fiscal year for other Program-related expenses, such as legal fees and surveying costs.

### **Public Comment**

Mr. Peter Boggs of 338 Chapman Road asked the Board to settle the current litigation against the Town to avoid spending additional tax dollars to defend the suit. He also asked the Board to appoint a balanced, blue ribbon commission headed by a trusted moderator to gather ideas

from the community to seek professional advice to consider all options for the new Town hall in order to build consensus and to bring the community together again.

Ms. Robyn Josephs of 538 Peace Lane complained of the muddy roadway conditions on Peace Lane and Upper Kentucky Road and said that although the contractors were gone, stormwater runoff and destruction of native species and ecosystems still continued in this area. She felt that paving the roadway would not improve these problems, and said she would like to have some feedback indicating that the Board considered the long-term consequences of their decisions. She also said she wished the Town would pursue less invasive construction practices when installing roadways. She thanked the Police Department for monitoring her property while she was away recently and for welcoming her back when she returned.

Mr. Wade Burns of 232 North Carolina Terrace again referred to the letter and supporting documents he had submitted to the Board in January 2014 concerning voluntary annexation of the Upper Greybeard Trail area. He stated that the purpose of these materials was to show how a number of the Town's ordinances made it impossible or impractical for the property owners in this area to build on their lots, and would therefore make it unlikely that 100% of the property owners would agree to sign a voluntary annexation petition. Mr. Burns said that in 2013, he had showed the Board a drawing of his lot to indicate how the setback and stream buffer requirements made development of a property of this size impossible. He said he asked at that time for the Board to ask the Planning and Zoning Commission to review the stream buffer requirements for potential amendment, and had been refused. He felt that several sections of the Town's Zoning and General Ordinances were indefensible as currently written, and that it was overly restrictive to require a 30' stream buffer on lots smaller than one acre. He asked the Board to place these items on their agenda for further consideration.

### **Old Business**

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

### **New Business**

- A. Proposed 2015-2020 Capital Improvements Plan: Commissioner Vinson moved to call for a Public Hearing on March 12, 2015 at 7:00 p.m. or as soon thereafter as possible to discuss the proposed 2015-2020 Capital Improvements Plan. Commissioner McCaskill seconded, and the motion carried 5/0.
  
- B. Well A02 Replacement – FEMA-4146-DR-NC - PW#143: Commissioner Campbell moved to approve the proposed contract with Reuben Caldwell Drilling Inc. in an amount not to exceed \$3,200 and authorize the Mayor and Town Administrator to execute the necessary contract documents. Commissioner Helms seconded and the motion carried 5/0.

- C. Town of Montreat Board of Commissioners Rules of Procedure Rule #7 Review: Mayor Pro Tem Standaert moved to adopt the proposed revisions to Rule #7 of the Montreat Board of Commissioners Rules of Procedure as presented. Commissioner Vinson seconded and the motion carried 5/0.
- D. Town of Montreat Technology Use Policy: Consideration of this item was postponed until the March 12, 2015 Town Council Meeting.

**Public Comment**

Mr. Gordon Neville of 226 Alabama Terrace said he would appreciate an opportunity for him to share in detail what he viewed as the merits of the hillside lot just inside the Montreat Gate as an alternative location for the new Town Hall, along with his ideas concerning how this site could be developed.

Mr. Wade Burns said he did not understand why the Board refused to discuss his claim that the Town's ordinances prevented the development of his property, and again asked the Board to consider further review of all of the ordinance sections included in his January 2014 letter and supporting documents.

Mrs. Janie Moore of 100 Frist Road read aloud a poem she had written entitled "The Gear in My Pack."

**Upcoming Meeting Dates**

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

<u>Special Meeting – Closed Sessions:</u>	February 17, 2015, 9:00 a.m. Town Services Office
<u>Open Space Conservation Committee Special Meeting:</u>	February 26, 2015, 10:00 a.m., Town Services Office
<u>Agenda Items Due:</u>	February 27, 2015, 5:00 p.m. Town Services Office
<u>Agenda Packets Available:</u>	March 3, 2015 <a href="http://www.townofmontreat.org/TownGovernment.php">http://www.townofmontreat.org/TownGovernment.php</a> or Town Services Office

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March Montreat Landcare Committee Meeting: March 4, 2015, 9:00 a.m.  
Moore Center Meeting Room

March Agenda Meeting: March 5, 2015, 7:00 p.m.  
Walkup Building

March Town Council Meeting: March 12, 2015, 7:00 p.m.  
Walkup Building

**Closed Session**

Mayor Pro Tem Standaert moved to enter into Closed Session in accordance with North Carolina General Statute §143-318.11(3) for attorney consultation regarding the Civil Action: Carolyn Zoe Crowder, John L. Currie, Nancy B. Thomas, Henry W. Darden, Jr., and wife, Carolyn V. Darden, Plaintiffs, versus the Town of Montreat, Defendant. Commissioner Vinson seconded and the motion carried 5/0.

No action was taken during the Closed Session.

**Adjournment**

Upon returning to open session at 9:15 p.m., Commissioner Helms moved to adjourn the Town Council Meeting. Commissioner Campbell seconded. The motion carried 5/0 and the meeting was adjourned at 9:16 p.m.

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Letta Jean Taylor, Mayor

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Misty R. Gedlinske, Town Clerk