

**Town of Montreat  
Board of Commissioners  
Town Council Meeting  
July 9, 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  
Stefan Stackhouse, Finance Officer & Deputy Town Clerk  
Steve Freeman, Public Works Director  
Barry Creasman, Senior Water Operator  
David Currie, Building Inspector/Code Administrator  
David Arrant, Master Police Officer

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 if there were any changes to the agenda. Commissioner Campbell stated that the recognition of Eagle Scouts David Teo and Joseph Frith will need to be postponed until next month, as neither could attend tonight's meeting. Commissioner Vinson moved to adopt the Agenda as amended. Commissioner Campbell seconded and the motion carried 5/0.

**Public Hearing: Proposed Revisions to Montreat General Ordinance,  
Chapter I, Article II – Noise Control**

Mr. Nalley reported that at the April Planning and Zoning Commission meeting, a review of the Noise Ordinance was conducted in response to a public concern over the sound permitting requirements and the appropriateness of the current decibel limits within the Ordinance. Certain sections of the Ordinance were revised in order to be consistent with other Ordinances and revisions suggested by staff, the Planning and Zoning Commission and the Town Attorney are included in the proposed document for Council's consideration. Mr. Nalley also noted that the proposed Ordinance had been reviewed by the Montreat Conference Center and Montreat College.

Mayor Taylor opened the public hearing for comments. There being no comments, Mayor Taylor closed the public hearing.

**Public Hearing: Upper Kentucky Road Phase 1 Resident Utility Assessment  
Preliminary Assessment Roll**

Mr. Nalley reviewed the project and displayed a map of the area covered by the Upper Kentucky Phase 1 Resident Utility Assessment Project. The Resident Utility Assessment project extends utilities to four lots and an improved gravel road to five lots.

Mayor Taylor opened the hearing for public comments. Mr. Bob Eckerd, noted that this process had taken several years, and thanked the Board and staff for their efforts. There being no further public comments, Mayor Taylor closed the public hearing.

**Mayor's Communications**

Mayor Taylor stated that the Town held the 14<sup>th</sup> annual Montreat Gait at the Montreat Gate on July 4<sup>th</sup>. Mayor Taylor thanked Matt Ashley, the Police and Public Works Departments, and the approximately 150 participants that made for a great race. She recognized Officer David Arrant for providing a 1916 British Enfield Mark III rifle for the starting gun. Mayor Taylor also noted that Montreat had the largest crowd ever for the Independence Day parade.

House Bill 97, currently being discussed in the General Assembly, revises how sales tax proceeds are distributed to cities and counties. The proposed bill has a devastating impact on the Town of Montreat and Buncombe County. The Mayor urged everyone to contact their local representatives and to ask them not to support this bill.

The Mayor reported that she, Mayor Pro Tem Standaert and Commissioners Campbell and Helms attended the groundbreaking for the new Montreat College athletic complex.

**Consent Agenda Review**

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

- Adopted the June 4, 2015 Agenda Meeting Minutes
- Called for a Public Hearing on August 13, 2015 at 7:00 p.m. or as soon thereafter as possible to discuss the Application for Approval of Financing Agreements authorized by North Carolina General Statute 160A-20 for the Upper Kentucky Phase 1 Residential and Neighborhood Utilities and Street Projects and Peace Lane Street Project

**Town Administrator's Communications**

- Mr. Nalley noted that the minutes for the May 21<sup>st</sup> Special Meeting, the June 11<sup>th</sup> Town Council Meeting, the June 18<sup>th</sup> Special Meeting, and the June 25<sup>th</sup> Special Meeting are still pending.

- Mr. Nalley distributed responses to questions prepared by Mr. Don Reid regarding the Texas Road Bridge project, stating that this is not new information and that most of this information was answered on June 11<sup>th</sup> and is available on the Town's website. Mr. Nalley then reported that the Town has received its no-rise certification from the State Floodplain Mapping Program. Mr. Currie explained the process for receiving the certification and what it means for the work being done in the channel. This does not affect the base flood elevations and will not result in a change in the proposed bridge height. This certification only proves that the bridge project will not cause a significant rise in water surface elevations. Mayor Pro Tem Standaert stated that in response to an inaccurate flyer distributed recently, the only actual vote on Texas Road Bridge was in March, 2014. The Board discussed bridge locations at their 2013 Board Retreat, and at that meeting, while there was no vote, the consensus at that time was that the Tennessee site would be the best choice based on the information available. At the 2014 Board Retreat, however, new information was presented and new Board members were present for the discussion, and the consensus of the Board changed so that replacing the bridge in-place was the most favored location. Commissioner McCaskill clarified his preferred location for the bridge and noted that the 2012 charette provided an opportunity for public input with the public being split fifty-fifty on the preferred location. Commissioner Helms stated that during Board discussions, he had no idea that it would not look like the other bridges in Montreat. Mr. Nalley then responded to a series of questions regarding the Texas Road bridge project referring to his initial handout. Mr. Nalley concluded his comments by noting that the proposed bridge design is a change from the old bridge, but that the new design incorporates the curve of the road on the bridge itself and accommodates pedestrian traffic.
- The work being done with Well A02 is now complete and the well is ready to be placed back on line.
- No new information is available regarding the Board of Elections voter address correction request.
- The new changes at the compactor site have been successful in reducing the amount of unauthorized use at the site and the volume of garbage hauled from the site. This reduction translates into cost savings for the Town.
- The Town is in the process of receiving and reviewing resumes for the Town Clerk position. With the reduction in use at the compactor site, it was decided at this time not to proceed with the hiring of a site attendant. Staff from the Public Works Department is covering the hours the site is open to the public.
- Mr. Nalley informed the Board that he would be on vacation from July 20<sup>th</sup> through July 31<sup>st</sup>.

**Presentation of Certificate of Appreciation:  
First Presbyterian Church, Marianna, Florida**

Mayor Taylor and Commissioner Campbell presented a certificate of appreciation to First Presbyterian Church of Marianna, Florida. Commissioner Campbell noted that members of the youth group from the church had volunteered a Wednesday afternoon while at a youth conference to pull invasive species, specifically Japanese Knotweed, from areas along Elizabeth's Path.

**Administrative Reports**

Police Chief: Master Police Officer Arrant presented and reviewed the June 2015 monthly departmental activity report. The department was recently audited by the NC Department of Criminal Justice Standards and Training Division, which was the first time this had been done in a number of years. Other than just a couple of minor issues that were quickly remedied, the Department passed the audit. On June 26<sup>th</sup>, a suspicious vehicle traveling around Montreat soliciting tree services was stopped and it was discovered that both occupants had outstanding warrants and were arrested. Mayor Taylor reminded the public to please call if they see anything suspicious. Commissioner Campbell thanked the Police and Public Works Department for their continuing cooperation.

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

- The Town collected two containers worth of items from the July bulk pickup, which is twice the amount collected last year.
- The paving of New Hope Lane, Peace Lane, and small sections of Upper Kentucky Road, Appalachian Way, and Louisiana Road near Harmony Road have all been completed.
- Due to the July 4<sup>th</sup> holiday, the Town experienced a high usage of water. The annual Water Quality Report was completed and has been distributed by mail and is available on-line at the Town's website. The Town spends approximately \$6,000 per year on testing, and all the test results came back good. Well A04 was struck by lightning, necessitating the replacement of some equipment.

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

- May 2015 Financial Summary Report;
- Final May 2015 Detailed Financial Statement;
- Preliminary June 2015 Detailed Financial Statement;
- July 31, 2015 Cash and Investment Earnings Report.

Building Inspector/Code Administrator: Mr. Currie presented and reviewed the June 2015 monthly departmental activity report noting that he had completed 72 inspections, which is about twice the number completed during the same period in previous years. The Planning and Zoning Commission and the Board of Adjustment did not meet, however this month, the Planning and Zoning Commission will meet to review the stream buffer requirements.

### **Public Comment – Agenda Items**

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

- Mary Jo Clark, 407 West Virginia Terrace, thanked the person in the 4<sup>th</sup> of July parade for their act of civil disobedience, questioned whether Commissioner McCaskill's dissent with the Texas Road bridge location was truly a consensus decision by the Board and wondered how many taxpayers attended the Texas Road bridge charette in 2012.
- Tom Frist, 98 Frist Road, expressed his love and respect for all Board of Commissioners members, but questioned some of their decisions including the Town Hall site on Florida Terrace and the Texas Road bridge location. Mr. Frist believes that the cost for the bridge will be astounding and that he advocated placing a moratorium on the bridge project until the community could be heard.
- Mike Sonnenberg, 125 Virginia Road, questioned whether the Texas Road bridge will be similar to the bridge on Lookout, where it is difficult to see while looking south; whether Texas Road will become a boulevard; and why the pedestrian access, which is an additional eight feet in width, is needed for just a few people.
- Bill Dubose, 207 Alabama Terrace, stated a concern for the safety of children along Texas Road and that this should be a primary consideration no matter where the bridge is located. Mr. Dubose feels that a one-way Texas Road is safer for children.
- Bob Cunningham, 162 Virginia Road, stated that he was not following what was happening in Montreat six years ago, and is surprised that there is so much confusion regarding the bridge. Mr. Cunningham suggested that the Board take time to review and revisit the Texas Road Bridge decision.
- Karen Boyd, 208 Harmony Lane, questioned if there is an artist rendering or architectural drawing available of the proposed Texas Road bridge.
- Ann Jones, 314 Chapman Road, read a letter from her husband, a bridge engineer, regarding the proposed project questioning whether this is the right solution regarding the location and design of the bridge.
- Don Reid, 127 Shenandoah Terrace, thanked Mr. Nalley for the cost information on the bridge provided in response to his request. Mr. Reid expressed concern with the cost of the project; that the Historical Preservation Office does not believe that the proposed plans are compatible with Montreat; and that the Tennessee Road site should be reconsidered.

**Old Business**

- A. Proposed Revisions to Montreat General Ordinance, Chapter I, Article II – Noise Control: Commissioner Vinson moved to adopt Ordinance #15-07-0001 Amending Montreat General Ordinance, Chapter I, Article II – Noise Control as presented. Mayor Pro Tem Standaert seconded and the motion carried 5/0.
- B. Resolution Confirming Assessment Roll and Levying Assessments – Upper Kentucky Road Phase I Resident Assessment Project: Commissioner Campbell moved to adopt Resolution #15-07-01 Confirming Assessment Roll and Levying Assessments – Upper Kentucky Road Phase 1 Resident Assessment Project. Commissioner Vinson seconded and the motion carried 5/0.

**New Business**

- A. Resolution Declaring Cost, Ordering Preparation of Preliminary Assessment Roll, and Setting Public Hearing – Upper Kentucky Road Phase 1 Neighborhood Street Assessment: Commissioner Vinson moved To adopt Resolution #15-07-02 Declaring Cost, Ordering Preparation of Preliminary Assessment Roll, and Setting Public Hearing – Upper Kentucky Road Phase 1 Neighborhood Street Assessment. Mayor Pro Tem Standaert seconded and the motion carried 5/0.
- B. Resolution Declaring Cost, Ordering Preparation of Preliminary Assessment Roll, and Setting Public Hearing – Peace Lane Street Assessment: Mayor Pro Tem Standaert moved to adopt Resolution #15-07-03 Declaring Cost, Ordering Preparation of Preliminary Assessment Roll, and Setting Public Hearing – Peace Lane Street Assessment. Commissioner Vinson seconded and the motion carried 5/0.
- C. Upper Kentucky Phase 1 Neighborhood Utility Assessment Project Financing Resolution #15-07-04: Commissioner Vinson moved to adopt Resolution #15-07-04 Authorizing Staff to Solicit Installment Purchase Financing for this Project and the Filing of an Application to the Local Government Commission for Approval of the Proposed Financing. Commissioner Campbell seconded and the motion carried 5/0.
- D. Upper Kentucky Phase 1 Neighborhood Street Assessment Project Financing Resolution #15-07-05: Commissioner Campbell moved to adopt Resolution #15-07-05 Authorizing Staff to Solicit Installment Purchase Financing for this Project and the Filing of an Application to the Local Government Commission for Approval of the Proposed Financing. Commissioner Vinson seconded and the motion carried 5/0.
- E. Upper Kentucky Phase 1 Residential Utility Assessment Project Financing Resolution #15-07-06: Mayor Pro Tem Standaert moved to adopt Resolution #15-07-06 Authorizing Staff to Solicit Installment Purchase Financing for this Project and the Filing of an Application to the Local

Government Commission for Approval of the Proposed Financing. Commissioner Vinson seconded and the motion carried 5/0.

- F. Peace Lane Street Assessment Project Financing Resolution #15-07-07: Commissioner Vinson moved to adopt Resolution #15-07-07 Authorizing Staff to Solicit Installment Purchase Financing for this Project and the Filing of an Application to the Local Government Commission for Approval of the Proposed Financing. Commissioner Campbell seconded and the motion carried 5/0.

### **Public Comment – Other Topics**

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

- Charlotte Chesnutt, D-2 Lynx Drive in Black Mountain, thanked the Board of Commissioners and staff for their volunteer work, leadership, and protection of properties while they are not in town. She disagrees with others in the audience and does not believe that the Town is in a crisis and that things are not falling apart.
- Jack Heinen, representing Montreat College, reported on activities at the College including the Centennial float in the July 4<sup>th</sup> parade, the campus improvement projects, and the full year of commemorative events leading up to the Centennial. Mr. Heinen also reported that Clearwater Christian College in Florida has closed, and that Montreat College has agreed to assist their students and faculty during this difficult time.

### **Commissioner Communications**

Commissioner Helms affirmed the right of the public to speak to Commissioners and encouraged them to contact and talk to Commissioners individually.

Commissioner Campbell reported that Montreat Landcare was working on renewing their certification with the National Wildlife Federation as a community wildlife habitat. Landcare will also have information about invasive species at the Cottagers meeting and is working on a Tree City USA designation application. Commissioner Campbell updated everyone on the Hemlock restoration program; the Firewise presentation given by Mr. Ron Townley with the North Carolina Forest Service at the Agenda meeting; the attacks by weevils and fungus of the Yellow Poplar and Red Oak trees; and the upcoming events scheduled at the Heritage Center. Commissioner Campbell also thanked Mr. Heinen for his report on Montreat College, and welcomed the development of the Black Box Theatre.

Commissioner McCaskill stated that the site work and bridge design is on-going and that the Town should keep moving forward.

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Commissioner Vinson thanked the MRA for addressing the issue of open pit fires in the picnic areas, and that signs have now been posted disallowing open pit fires. She noted that there is a problem in monitoring usage of sites by unreserved parties, and that increased vigilance is needed. Commissioner Vinson also thanked the Landcare Committee for their efforts to save the hemlocks. She noted that John Johnson also spoke to the Cottagers Wilderness and Open Space Committee, and that \$6,500 is being raised in the community to help fund the hemlock program, with the Cottagers Wilderness and Open Space Committee having pledged \$2,000. She recognized Joe Standaert, Rusty Frank, and John Johnson for their efforts on behalf of the hemlock project. Commissioner Vinson noted that further research is needed to identify how many people might potentially need to use the bridge in an emergency and estimated that it is certainly a lot of people. She went on to say that when building the bridge, consideration must be given to emergency equipment as well as handling traffic. While evacuations are difficult no matter how well organized, it is important that a bridge is built, as safety is much more important than aesthetics.

Mayor Pro Tem Standaert thanked Mr. Heinen for his report, and thanked the Mountain Retreat Association for putting on the July 4<sup>th</sup> parade. Mayor Pro Tem Standaert also noted the upcoming Cottager's meeting on Saturday, July 11 in Convocation Hall, and stated that there would be an opportunity there to purchase the new Montreat Almanac.

**Upcoming Meeting Dates**

Following a brief discussion with Council, Mayor Taylor set Tuesday, August 11<sup>th</sup> at 10:00 a.m. as the date for the special meeting to discussion Sanitation Services.

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

<u>Montreat Cottagers Association Meeting:</u>	July 11, 2015, 10:00 a.m. Convocation Hall
<u>July Planning and Zoning Commission Meeting:</u>	July 16, 2015, 7:00 p.m. Walkup Building
<u>Agenda Items Due:</u>	July 31, 2015, 5:00 p.m. Town Services Office
<u>August Montreat Landcare Committee Meeting:</u>	August 5, 2015, 9:00 a.m.
<u>August Agenda Meeting:</u>	August 6, 2015, 7:00 p.m. Walkup Building

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Town Council Special Meeting - Sanitation Services: August 11, 2015, 10:00 a.m.  
Walkup Building

August Town Council Meeting: August 13, 2015, 7:00 p.m.  
Walkup Building

Bi-Weekly Sanitation Service Ends: August 28, 2015

**Adjournment**

There being no further items of business, Commissioner Vinson moved to adjourn the Town Council Meeting. Commissioner Campbell seconded and the motion carried 5/0. The meeting was adjourned at 8:45 p.m.

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Letta Jean Taylor, Mayor

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Stefan Stackhouse, Deputy Town Clerk