

**Town of Montreat  
Board of Commissioners  
Town Council Meeting  
March 9, 2017  
Walkup Building**

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

Board members absent: None

Town staff present: Alex Carmichael, Town Administrator  
Al Richardson, Interim Town Administrator  
Steve Freeman, Public Works Director  
Angie Murphy, Town Clerk  
Jack Staggs, Police Chief  
David Currie, Code Administrator/Building Inspector  
Stefan Stackhouse, Finance Officer  
Justyn Whitson, Police Officer  
Barry Creasman, Senior Water Operator

Approximately 42 members of the public were also present. Mayor Helms called the meeting to order at 7:02 p.m., led the group in reciting the Pledge of Allegiance, and held a moment of silence. Mayor Helms asked everyone to keep Montreat Track Coach Britten Olinger and his family in their thoughts and prayers.

**Agenda Approval**

Mr. Carmichael asked if the suggested motion language under New Business Item G could be changed to include the following verbiage: To leave Texas Road Bridge in place and convert to pedestrian only, and to authorize the Mayor and Town Administrator to sign the accompanying categorical exclusion document and a summarizing letter which will be reviewed by KCI & Associates, the North Carolina State Historic Preservation Office and then sent to the NCDOT. Mr. Carmichael stated that this change would clarify the process a little better. Commissioner Standaert moved to accept the change and Commissioner Gilliland seconded. The motion carried 5/0. Commissioner Otto moved to postpone under New Business Item H the Discussion with Possible Action of Rezoning of Florida Terrace Property to Residential Use Only to the April 6<sup>th</sup> Town Council Meeting. Commissioner Otto stated that he was still waiting for some information from Montreat College and the Mountain Retreat Association. Commissioner Vinson seconded the motion. Commissioner Standaert wanted to leave the item on the agenda for discussion but postpone the vote to a later time. Commissioner Gilliland mentioned that the public could discuss this under one of the public comment periods if they so desired. Commissioner Standaert moved to amend the amendment. The amendment died due to lack of a second. The original motion

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

### **Mayor's Communications**

Mayor Helms expressed his continued appreciation and pride in Chief Jack Staggs, Officer Justyn Whitson and Master Patrol Officer Phyllis Comrie for all they did to assist in Monday's tragic car accident down in Black Mountain.

### **Consent Agenda Review**

The proposed Consent Agenda will include the following items:

- January 26, 2017, Special Workshop – Florida Terrace Property Minutes
- February 2, 2017, Public Forum Meeting Minutes
- February 2, 2017, Town Council Agenda Meeting Minutes
- 2017 Board of Commissioners Annual Meeting Calendar Adoption
- Cancellation of Agenda Meeting for the month of April and reschedule Regular meeting for April 6<sup>th</sup>
- Corporate Authorization Resolutions #16-03-0001 through #16-03-0007 amending the Town of Montreat's list of authorized signers with Asheville Savings Bank
- Corporate Authorization Resolutions #16-03-0008 through #16-03-0009 amending the Town of Montreat's list of authorized signers with BB&T
- Approval of Engagement Contract from Martin Starnes & Associated for a 5 year term.
- Appointment of Alex Carmichael as Deputy Finance Officer.

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

- Alex Carmichael, new Town Administrator, expressed his thanks to the Council for putting their trust in him and his new role. Mr. Carmichael is very honored and excited about serving Montreat.
- Mr. Carmichael reviewed several items on the Consent Agenda for clarification and further explanation.
- Mr. Carmichael stated that a hard copy draft of the Texas Road Bridge Categorical Exclusion letter was at the front table for anyone who wanted a copy because the letter was not complete when the packet was completed. This letter outlines the history of the Texas Road Bridge Project and the decisions that have been made up until this point.
- Mr. Carmichael mentioned that Town Hall would be discussed in the evening's Closed Session.

Commissioner Standaert posed a question about where the reasonable estimation that construction of a replacement bridge would take two years came from in the Categorical Exclusion Document. Mr. Carmichael stated that this was an estimation based on how long a typical project

would have taken under normal circumstances. Commissioner Standaert stated she was uncomfortable with this statement and would like to see it stricken from the letter.

### **Administrative Reports**

**Police Chief:** Chief Staggs reviewed and presented the February 2016 monthly departmental activity report. Chief Staggs reminded everyone that the monthly reports are always posted on the website following the meetings. Captain David Arrant attended the North Carolina Justice Academy in Edneyville and completed the Law Enforcement Instructors Update and In-Service Law Enforcement Legal Update. Captain Arrant is now scheduling the 18 hour mandatory updates for the Montreat Police Department. Officer Justyn Whitson gave a presentation to the Boy Scouts in the Henry Building. On February 25<sup>th</sup>, Montreat Officers escorted approximately 367 runners in the Mount Mitchell Challenge from the Montreat Gate to Rainbow Trail. Chief Staggs thanked Officers Whitson and Comrie for the outstanding job they did while assisting the Black Mountain Police Department during the terrible wreck on February 27<sup>th</sup>.

**Public Works Director:** Public Works Director Steve Freeman announced that Crews recently repaired a dip in the road on Assembly Drive as well as the curbing around Town that was destroyed during the plowing of our last snow event. The hydrant inspections and flushing of the system were completed today. Crews worked on replacing the roof at the radio transmitter building on Appalachian Way which was a part of the Capital Improvement Plan goals. Crews have been working on painting the well houses as well. Mr. Freeman reported that he had received the State approval to start the Mecklenberg water project and crews were planning on starting in the next few weeks.

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

- January 2017 Financial Summary Report;
- Final January 2017 Detailed Financial Statement;
- January 31, 2017 Cash and Investment Earnings Report;
- Preliminary February 2017 Detailed Financial Statements.

**Building Inspector/Code Enforcement Officer:** Mr. Currie presented and reviewed his February 2017 zoning and inspections activity report. Mr. Currie reported that Anderson Auditorium would soon be replacing all of the windows which will require some large scaffolding to be in place.

### **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.

Mrs. Janie Faucette Moore of 100 Frist Road, stated that to say that we “seek ways to be an inclusive community” is to simply proclaim that the Town of Montreat intends to include everyone at the table. It does not mean that we are supposed to agree with everyone. Being inclusive of other people can also help us see more broadly. When we hear more perspectives, we are able to consider important issues more thoroughly. Being inclusive of both people and ideas encourages both openness and transparency, and it helps us avoid the temptation of circular arguments, hypocrisy, selfishness or seeing only what we and those who are like us want to see. Being inclusive is not only an act of loving our neighbors, it is also an act of wisdom. Mrs. Moore supports adding the proposed phrase to the current mission statement.

Mrs. Martha Campbell of 149 Maryland Place, stated her support of amending the mission statement to include the phrase “to be an inclusive community”. Mrs. Campbell also felt that, despite eroded public opinion as described in the evening’s draft Categorical Exclusion Document, a new vehicular bridge should be built somewhere on Texas Road. Mrs. Campbell also read a metaphorical email about leadership.

Mr. Eric Nichols of 527 Suwannee Drive, listed all the reasons why the Texas Road Bridge has been in limbo for all these years including the lawsuit, pursual of the 80/20 grant and two archeological studies. Mr. Nichols referenced the draft Categorical Exclusion Document which states that such a long delay fundamentally altered the transportation culture and traffic patterns of the Town. Mr. Nichols argued that lack of a bridge fundamentally altered the transportation culture and traffic patterns of the Town.

### **Old Business**

There was no Old Business to discuss.

### **New Business**

- A. **Oath of Office – Alex Carmichael, Town Administrator:** Mr. Carmichael introduced his children: Nora, Asher and Abe and his wife Lauren to those in attendance. Town Clerk Angie Murphy administered the oath of office to Mr. Carmichael.
  
- B. **Purchase of 2017 Ford Explorer Police Vehicle:** The current vehicle being utilized has a lot of rust on the exterior, transmission problems and currently maintains a high mileage of 130,000. The cost of the new 2017 Ford Explorer Vehicle will be \$34,087 which includes all necessary installed features. Commissioner Vinson moved to approve the purchase of a 2017 Ford Explorer from Asheville Ford in the amount of \$34,087. Commissioner Gilliland seconded the motion. The motion carried 5/0.
  
- C. **Budget Amendment #3:** Commissioner Vinson moved to amend the Police Budget to fund a vehicle purchase through the reallocation from the Streets capital expense budget. Mayor Pro Tem Fouche seconded and the motion carried 5/0.

- D. Scheduling of 2017 Annual Board Retreat: Town Administrator Carmichael stated that he would like to do an all day retreat between April 6<sup>th</sup> and April 11<sup>th</sup> at an off-site location. It was decided that April 7<sup>th</sup> would be the best date to suit everyone's schedules.
- E. Surplus Property List: There is some property being stored behind the MRA Maintenance Building that is either inoperable or past its useful life. Town Staff would like to sell this surplus property on govdeals to clean up the back area as well as make some profit along the way. The list of property includes: a 1985 Ford F-700 Dump Truck, a 1994 F-250 Pickup Truck, a 2008 GEM Electric Truck, a 1960s era Leaf Vacuum with Ford Industrial Engine, a military surplus generator and trailer, a 2007 Ford Explorer and a 2008 Ford Crown Victoria. Commissioner Vinson moved to authorize the Town Administrator to take the necessary steps to advertise and dispose of the surplus property. Commissioner Gilliland seconded. The motion carried 5/0.
- F. Discussion on Metal Building for Public Works Department with Possible Action: Staff has been looking at ways to address the problems with a lack of a Public Works Building. This means a lot of expensive equipment is left out in the elements as well as employees prepping the equipment and doing routine maintenance. Mr. Carmichael stated that staff had been looking at options for a metal garage frame butler building. This building would be large enough to have internal office space inside. The rough estimation of cost will be \$287,000 and the property in which it would be located is behind the MRA Maintenance Building. The property currently houses a well site that has been out of use for approximately 20 years. The proposed building would be around 5,000 square feet. The metal shell of the building would be around \$200,000 with Town Staff doing a lot of the site work and grading. There would be stormwater mitigation and painting. Town Staff would do a lot of the inside construction of office space. Mayor Pro Tem Fouche moves to direct Staff to investigate and prepare costs for the Metal Building for the Public Works Department. Commissioner Standaert seconded the motion. The motion passed 5/0.
- G. Texas Road Bridge: The engineering report has been received for the feasibility and requirements of making Texas Road Bridge a pedestrian only bridge. The work can be completed by Town Staff and some engineering assistance. If the Board does decide to pursue the Re-evaluation of the Categorical Exclusion Document and the State and Federal 80/20 grant were forgiven we would still be on the hook to pay back our engineering fees to KCI Engineering in the amount of approximately \$8,000. Commissioner Gilliland moved to leave Texas Road Bridge in place and convert to pedestrian only and to authorize the Town Administrator and Mayor to sign the accompanying Categorical Exclusion Document and a summarizing letter which will be reviewed by KCI Associates, the North Carolina State Preservation Office and then sent to the North Carolina Department of Transportation. Commissioner Otto seconded the motion. Commissioner Standaert stated she was quite comfortable in converting the Texas Road Bridge into a pedestrian only bridge but she was

hesitant about sending a letter to the NCDOT which states there is no vehicular traffic need for a bridge. Commissioner Standaert felt this would be only the opinion of the Commission not a professional statement. Commissioner Standaert stated that she would not be able to vote positively for this statement without requiring a professional opinion with regards that no vehicular traffic is needed. Commissioner Standaert also referenced the Montreat Bridge Committees Recommendations for the Texas Road Bridge and stated that none of the recommendations had been followed up upon. Commissioner Standaert had a series of questions about the Bridge Meeting in Raleigh in which Mayor Helms, Commissioner Otto, Mayor Pro Tem Fouche and Al Richardson attended. Commissioner Standaert had some issues with the timeliness of the information being shared with the rest of the Commission. After much debate, Commissioner Vinson called the question. The motion carried 5/0.

- H. Town of Montreat as an Inclusive Community: Commissioner Standaert moved to add the phrase “to be an inclusive community” to the Town of Montreat Board of Commissioners Mission Statement. Commissioner Vinson seconded the motion. Commissioner Standaert stated that this was not meant to be overly political that it was rather simple in nature. Commissioner Gilliland felt that everyone should just be inclusive and while he is fine to work on the Mission Statement he does not want to quibble over words. Commissioner Otto finds that Montreat is an extremely open, welcoming and inviting community especially with the recent tragic wreck and the willingness for everyone to pull together and help the Olingers and the college kids. The motion failed 2/3 with Commissioners Otto, Gilliland and Fouche 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.

Mr. Bill Scheu of 146 Eastminster Terrace, expressed his appreciation that Council was moving ahead with the Public Works Building but he also encouraged the Town Administrator to make sure the title work on all the Town owned properties near the current Town Services Building were correct. Mr. Scheu inquired about whether “discussion” means “interrogation” with respect to the rules and procedures.

Mr. Tom Frist of 98 Frist Road, thanked everyone that contributed to the Reconciliation Fund but was disappointed in the lack of participation on both sides. Mr. Frist hopes that we can see some reconciliation in the community because there are too many splits.

Mr. John Johnson of 131 Shenandoah Terrace, reported on the woolly adelgid project which is dedicated to saving our hemlocks in Montreat. The trees are under attack and are dying in large numbers. In 2011, \$6000 was raised to use chemical treatments on key trees with the woolly

adelgids. There is another solution: importing the laricobius nigrinus beetle from the west coast. The beetles do not kill the wooly adelgids but they do keep them under control. Mr. Johnson stated that \$16,000 was raised for the beetle project and the majority of that amount was community donations. Last week Mr. Johnson got word that we would be refunded \$5,000 from the Hemlock Restoration Initiative for the cost of one shipment of beetles so we will be able to purchase more beetles. Montreat's beetles are reproducing and spreading.

Mrs. Martha Campbell of 149 Maryland Place, thanked Mr. Johnson for all his hard work with the beetle project. Mrs. Campbell also spoke about firewise and stated that Montreat Landcare was going to focus on a firewise safety and planting initiative this year. Forest Rangers will be holding seminars at the April 29<sup>th</sup> Native Plant Sale and the July 8<sup>th</sup> meeting of the Montreat Cottagers to help minimize the risk to our structures.

Mr. Al Richardson of 103 Richard Lane in Black Mountain, thanked the Mayor and the Board of Commissioners for his 8 months of service as Interim Town Administrator. Mr. Richardson stated that no one was trying to hold anything back from anyone with regards to transparency. Mr. Richardson also commended the staff on their continued hard work for the Town of Montreat.

### **Commissioner Communications**

Mayor Pro Tem Fouche would like to put a reception together for Town Administrator Alex Carmichael tentatively in May when the majority of the summer homeowners will be in Town.

Commissioner Standaert felt that she needed to clarify that Montreat operates under a weak-Mayor system which means the Board handles the leadership role in government. Commissioner Standaert was troubled that it seems the Board has moved away from that type of leadership. Commissioner Standaert shared she found some discrepancies with regards to the Town Hall Committee Report and when the Mayor received the report versus when the Commission as a whole received the document. Commissioner Standaert went on to share what a weak-Mayor system constitutes. North Carolina's mayors enjoy very few formal powers. With but few exceptions these powers consist of presiding at governing board meetings, voting to break ties at those meetings (and at no other time), and signing documents on behalf of the city.

Commissioner Otto stated he was proud to be a part of the Montreat Community. The level of outreach to the Olinger family has been amazing.

Commissioner Vinson shared that the Town of Montreat had received its Tree City USA Designation for the 2<sup>nd</sup> year in a row. The Montreat Tree Board is working on obtaining a grant from the Urban & Community Forestry Grant Program. The main purpose of the grant is to help the Tree Board and the Town be able to do a basic tree inventory. Commissioner Vinson also reminded everyone of the Native Plant Sale which will be held on April 29<sup>th</sup>.

**Upcoming Meeting Dates**

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

<u>Montreat Tree Board:</u>	March 14, 2017, 9:30 a.m. Town Services Building
<u>Montreat Landcare:</u>	April 5, 2017, 9:00 a.m. Allen Building Swannanoa Room
<u>April Town Council Meeting:</u>	April 6, 2017, 7:00 p.m. Walkup Building Public Forum starts at 6:30 p.m.
<u>Town Offices Closed:</u>	April 14, 2017 In observance of Good Friday Holiday
<u>Native Plant Sale &amp; Arbor Day Celebration:</u>	April 29, 2017, 9:00 a.m. to 2:00 p.m. Moore Center Field

**Closed Session**

Commissioner Vinson moved to enter into Closed Session in accordance with NCGS §143-318.11(6) for discussion of a personnel matter and also NCGS §143-318.11(5) to instruct the Town's staff concerning the position to be taken on behalf of the Town in negotiating the price and other material terms of a contract for acquisition of an interest in real property. Commissioner Gilliland seconded the motion. The motion carried 5/0.

Commissioner Vinson moved to enter back into Open Session. Mayor Pro Tem Fouche seconded the motion. The motion carried 5/0. Commissioner Gilliland moved to authorize the Mayor and Town Administrator to move forward with negotiations on the Creek Side Property. Commissioner Vinson seconded. The motion carried 5/0.

**Adjournment**

There being no further business, Commissioner Gilliland moved to adjourn the Town Council Agenda Meeting. Commissioner Vinson seconded and the motion carried 5/0. The meeting was adjourned at 9:41 p.m.

**Montreat Board of Commissioners  
Town Council Meeting Minutes  
March 9, 2017**

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Tim Helms, Mayor

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Angela Murphy, Town Clerk