

**Town of Montreat  
Board of Commissioners  
Town Council Meeting  
December 14, 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

New members present: Alice Lentz  
Tom Widmer

Town staff present: Alex Carmichael, Town Administrator  
Angie Murphy, Town Clerk  
Justyn Whitson, Police Officer

Approximately 56 members of the public were also present. Mayor Helms called the meeting to order at 7:03 p.m., led the group in reciting the Pledge of Allegiance, and held a moment of silence.

**Agenda Approval**

Commissioner Otto moved to remove item "A" under New Business: Discussion of Montreat Physical Addressing As It Pertains To Services. Mayor Pro Tem Fouche seconded the motion. Commissioner Otto felt that this was discussed at length last month and as of right now there is no new information to report. Commissioner Otto stated this was an important matter but due to the heaviness of tonight's agenda it would be better suited for 2018. Commissioner Standaert stated that she was surprised because she felt this item was the most important on the agenda especially due to the large number in attendance this evening. Commissioner Standaert also stated that she had new information to report on this matter. Commissioner Standaert felt that the subject of "what is our legal address" was an important item needing a joint effort between the community and Council to rectify. The motion carried 3/2 with Commissioner Standaert and Commissioner Vinson voting in opposition. Mayor Pro Tem Fouche moved to adopt the agenda as amended. Commissioner Otto seconded and the motion carried 4/1 with Commissioner Standaert voting in opposition.

**Presentations and Reports (written reports only)**

Mr. Carmichael stated that the Powell Bill Report and the Board of Elections Certification were included in the packet to make them available to the community.

### **Mayor's Communications**

Mayor Helms stated that he hoped to be able to sign the closing documents for the "Creek Side" Property on the following Monday or Tuesday.

### **Consent Agenda Review**

The proposed Consent Agenda will include the following items:

- November 2, 2017, Town Council Agenda Meeting Minutes
- November 9, 2017, Town Council Public Forum Minutes
- November 9, 2017, Town Council Meeting Minutes

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

- Mr. Carmichael provided an update on the property owned by Ms. Gant on Texas Road at the request of Commissioner Standaert. The original permit was pulled in 2009 and the last permit application was in September 2016.
- Mr. Carmichael mentioned that Erin Marie Wheeler, Interim Finance Officer, and Adrienne Isenhower, Zoning Official, were in attendance to be sworn into office later in the meeting.
- Mr. Carmichael was also pleased to announce that a letter of offer has been extended and accepted by Jared McIntosh for the Senior Water Operator position. The Town still needs a Full Time Patrol Officer to be fully staffed.
- Mr. Carmichael announced that Barry Creasman and Michael Harrison were near Greensboro preparing to become Certified Arborists. This certification would allow in-house tree removal which would greatly help the Town's budget.
- Mr. Carmichael stated that Chief Arrant was also doing some continuing education at the NC Justice Academy in Edneyville.
- Mr. Carmichael advised that earlier on this day he attended the Asheville Area Housing Consortium. The Housing Consortium is a regional board that reviews applications for Federal HUD dollars. Mr. Carmichael looks forward to working with the board.
- Mr. Carmichael thanked those who had come by the Town Services with Christmas goodies. The staff appreciates the kind gestures.

Mayor Helms further explained that the Senior Water Operator position was not a new position but Barry Creasman's previously held position.

Commissioner Standaert stated that the aforementioned house on Texas Road was the last permit pulled before the Steep Slopes Ordinance went into effect. This home is still under construction even though very little has been accomplished in the past 8-9 years. Commissioner Standaert encouraged the new Council to look into this matter.

Commissioner Standaert asked where the Town stands with the sale of the Florida Terrace Property. Mr. Carmichael stated that nothing has transpired since the last time he updated the Commission about this matter. Mr. Carmichael stated that the property needs to be recombined into two lots and then move forward with putting it up for sale. Mr. Carmichael does not have a timeline in front of him to advise when these steps will progress further.

### **Administrative Reports**

Police Chief: Reports were in written form as requested by Council.

Public Works Director: Reports were in written form as requested by Council

### **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.

Eric Nichols of 527 Suwannee Drive asked those in attendance to take a look at Ms. Gant's house near the ball field. Ordinances are put in place for a reason and this is an example of why they are necessary. Ordinances properly orchestrated have a purpose. Ms. Gant's house was started prior to the Steep Slopes Ordinance and the whole front right corner is nothing but air. Mr. Nichols then gave a concession speech for his wife Grace Nichols. Mr. Nichols said thank you very much on behalf of his wife.

### **Old Business**

- A. Outgoing Commissioners Reports: Commissioner Vinson reported on several items that arose in the Landcare Meeting. The bear boxes near Anderson Auditorium are not serviced by the Town and any refuse that is put in these boxes just sits until MRA Housekeeping has a chance to empty them. Commissioner Vinson reminded those in attendance that there is a pay-as-you-throw service in the Town Services Building to help alleviate any extra trash. Commissioner Vinson also suggested servicing the bear proof containers to make sure the latches are truly bear proof. The other item was safe alternatives for Round Up. Commissioner Vinson had several handouts on Firewise, the Round Up article and information about utilizing Montreat College students for babysitting or small jobs around the house. Commissioner Vinson stated that come spring the Tree Board will start inventorying the trees on Assembly Drive. By the end of the inventory the Tree Board will have the Town Tree Management Plan in place. Commissioner Vinson then thanked everyone she worked with on the Tree Board and the Open Spaces Conservation Committee. Commissioner Vinson thanked the community for allowing her to serve the past four years.

Commissioner Standaert reiterated her good wishes and congratulations for the incoming

Council Members. Commissioner Standaert stated that she was grateful for serving Montreat the past eight years.

**Organizational Meeting**

- A. Recognition of Boards and Committee Members: Mayor Helms recognized all those that served on the Tree Board, the Audit Committee, the Open Spaces Conservation Committee, Landcare, Board of Adjustments and Planning and Zoning. Mayor Helms also recognized Matt Ashley who served as our representative to the Metropolitan Sewerage District Board.
  
- B. Recognition of Off-going Commission Members: Mayor Helms recognized Ann Vinson and presented her with a plaque. Mayor Helms recognized Mary Standaert and presented her with a plaque as well.
  
- C. Swearing in of New Commission Members: Alice Lentz, accompanied by her aunt, Lucy Dusthimer, was sworn in as Commissioner of the Town of Montreat. Tom Widmer, accompanied by his wife, Katie, was sworn in as Commissioner of the Town of Montreat. Kent Otto, accompanied by his wife, Nickie, was sworn in as Commissioner of the Town of Montreat.

Commissioner Lentz thanked everyone and looks forward to working with everyone in the future. Commissioner Lentz thanked her aunt Lucy Dusthimer who held a Bible during the oath of office that belonged to Commissioner Lentz' great-grandfather, Marcus Addison Boggs, who started renting a house on Assembly Drive in 1916.

Commissioner Widmer stated that he will endeavor to remember that this job is about the people and the Town of Montreat rather than himself. Commissioner Widmer also thanked those for giving him this opportunity to serve.

Commissioner Otto thanked those in attendance for allowing him to serve the past two years and he looked forward to the next four years.

- D. Election of Mayor Pro-Tem: Commissioner Fouche nominated Commissioner Otto for the position of Mayor Pro-Tem. Commissioner Bill Gilliland seconded and the motion carried 5/0.
  
- E. Swearing in of Mayor Pro-Tem: Mayor Tim Helms administered the Oath of Office for Mayor Pro-Tem to Commissioner Kent Otto.

**New Business**

- A. Appointment of Eleanor James to Board of Adjustment: Mayor Pro-Tem Otto moved to appoint Eleanor James as an alternate member to the Board of Adjustment to expire on January 31, 2020. Commissioner Fouche seconded and the motion carried 5/0.

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- B. Appointment of Rusty Frank to Tree Board: Commissioner Widmer moved to appoint Rusty Frank to the Tree Board to fulfill an unexpired term that ends on January 31, 2019. Mayor Pro-Tem Otto seconded and the motion carried 5/0.
- C. Appointment of Ann Vinson to Tree Board: Commissioner Lentz moved to appoint Ann Vinson to the Tree Board to fulfill an unexpired term that ends on January 31, 2019. Commissioner Tom Widmer seconded and the motion carried 5/0.
- D. Oath of Office for Zoning Official – Adrienne Isenhower: Town Clerk Angie Murphy administered the Oath of Office to Adrienne Isenhower.
- E. Oath of Office for Finance Officer – Erin Marie Wheeler: Town Clerk Angie Murphy administered the Oath of Office to Erin Marie Wheeler.
- F. Discussion on Town Position on Metropolitan Sewerage District with possible action: Matt Ashley gave a brief synopsis of the proposed changes to the Metropolitan Sewerage District (MSD). MSD has been asked if they will accept, within a merge, Cane Creek Water and Sewerage District which is in Henderson County. The logistical part of this merger is rather straight forward but the political ramifications are little more problematic. The bill in front of MSD requires Henderson County to have 3 seats on the current 12 seat board. MSD already treats the million and a half gallons of water from Cane Creek each day. This merger will lower the tax rate for individuals in this district and it will also prevent them from having to build a processing facility. At last month's MSD meeting there was a split vote on this matter. Mr. Ashley stated that Buncombe County has 3 representatives, the City of Asheville has 3 representatives and Montreat, Biltmore Forest, Woodfin and Weaverville each have 1 representative. At the meeting this upcoming Wednesday Mr. Ashley predicts a lengthy discussion of this matter but he welcomes any input from the Council as he prepares to cast his vote. Mr. Ashley stated that Henderson County originally asked for more seats on the board but they are settling for 3 seats. Mr. Ashley stated that at the November meeting there was a split vote of 5/4 to disapprove the motion. Mr. Ashley felt this was a great opportunity to take the topic back to the areas that MSD serves. Mr. Ashley also took the time to speak with other Committee members to see what reservations they had regarding the matter. Mr. Carmichael stated that the MSD Board is meeting on December 20<sup>th</sup> and tonight would be the best night for the Montreat Town Council to voice their opinion. The Commission felt comfortable trusting Mr. Ashley to cast his vote on behalf of the Town of Montreat.
- G. Public Hearing to Rezone Well Site 4: Commissioner Fouche moved to call for a Public Hearing on January 11, 2018 to consider rezoning the area around Well Site 4 from Conservation Zoning District to Institutional Zoning District. Commissioner Fouche thanked the Planning and Zoning Committee for moving so quickly on this rezoning. Commissioner Gilliland seconded the motion carried 5/0.

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- H. Annual Calendar and Budget Calendar: Commissioner Gilliland moved to adopt the 2018 Town of Montreat Board of Commissioners Meeting Calendar and Town of Montreat FY 2018-2019 Budget Adoption Calendar as presented. Commissioner Lentz seconded and the motion carried 5/0.
- I. De-annexation Request to Black Mountain: Since Mr. Carmichael began in Montreat and started researching the “Creek Side” Property for the new Town Hall it became apparent to him that the lot was outside the municipal boundaries of Montreat. While we would not be the only municipality with a Town Hall outside the municipal boundaries it would complicate things like police and water services. Mr. Carmichael broached the subject of de-annexation with the previous Council as well as the Black Mountain Board of Aldermen. The simplest route to address this issue is to request de-annexation from Black Mountain to annex into the Town of Montreat. Mr. Carmichael drafted a letter and joint resolution to present to the Black Mountain Board of Aldermen at their January meeting. Mr. Carmichael and Black Mountain Town Manager Matt Settlemyer have been in ongoing discussions about this and Mr. Settlemyer feels confident his Board will vote in the affirmative. Commissioner Fouche moved to authorize the Mayor to sign a letter on behalf of the Board of Commissioners and approve joint resolution 17-12-02 RESOLUTION TO CALL ON THE NORTH CAROLINA GENERAL ASSEMBLY TO MODIFY THE MUNICIPAL BOUNDARIES OF THE TOWNS OF BLACK MOUNTAIN AND MONTREAT. Commissioner Gilliland seconded and the motion carried 5/0.
- J. Establishment of a Capital Projects Fund and Budget Amendments: Mr. Carmichael stated that the new operating budget does not close exactly on July 1<sup>st</sup> of each fiscal year. Mr. Carmichael is asking to renew the authorization of funds for the “Creek Side” Lot and to move all the money into a Capital Projects Fund. Commissioner Fouche moved to authorize the establishment of a Capital Projects Fund. Commissioner Widmer seconded and the motion carried 5/0. Commissioner Fouche moved to authorize Budget Amendment #1 to appropriate \$125,000 from the General Fund Reserve to Public Buildings – Capital Outlay, and to authorize Budget Amendment #2, interfund transfer of \$525,000 from Public Buildings – Capital Outlay to the Capital Projects Fund for the purchase of land, construction of a Town Hall and construction of a Public Works Building. Commissioner Gilliland seconded and the motion carried 5/0.

**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. Tom Frist of 98 Frist Road appreciated that the Council did not have time to discuss the address issue this evening but would like for it to be readdressed early next year. Mr. Frist also thanked Mary Standaert for all her hard work on this matter.

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Mr. Emory Underwood of 120 John Knox Road feels that there is a problem with the old GIS software that someone could go into and correct.

Mrs. Mary Standaert of 118 Shenandoah Terrace stated the central issue here is “what is the legal address”. Mrs. Standaert stated that by 2020 everyone will be required to get a new drivers license to get in federal buildings or do commercial airfare and one of the documents you can show is your voter registration card. If she took her voter registration card there now it would not work because the address on that card currently shows Black Mountain. Mrs. Standaert does not feel this is the responsibility of the Council and as one of her last acts as Commissioner she penned a letter to the Buncombe County Board of Commissioners. She hopes to address them at their January meeting as a private citizen. Mrs. Standaert would like to see the Montreat Town Council address it at their January meeting.

**Commissioner Communications**

Commissioner Gilliland thanked Ann Vinson and Mary Standaert for their hard work over the last two years he served with them. He stated they were thorough and diligent and it is not an easy job to undertake.

Mayor Pro Tem Otto noted the progress of the Black Mountain sidewalk project which is edging closer to Montreat. He also pointed out that broken telephone pole which was mentioned at a previous meeting was fixed just this afternoon. Mayor Pro Tem Otto felt that utilizing the College students in any way possible for service projects was a wonderful idea. Mayor Pro Tem Otto thanked Ann Vinson and Mary Standaert for their service on the Board.

Commissioner Fouche thanked Mrs. Vinson and Mrs. Standaert for their sacrifice to the Community.

**Upcoming Meeting Dates**

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

Town Services Office Closure: Closed December 25<sup>th</sup> & December 26<sup>th</sup> for Christmas Holiday

Sanitation Schedule Change: Trash will be collected on Wednesday, December 27<sup>th</sup> and Tuesday, January 2<sup>nd</sup>.

New Year’s Day: Town Services will be closed on January 1<sup>st</sup>.

Montreat Landcare: January 3, 2018, 9:00 a.m.  
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Swannanoa Room

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January Town Council Agenda Meeting: January 4, 2018, 7:00 p.m.  
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January Town Council Meeting: January 11, 2018, 7:00 p.m.  
Public Forum begins at 6:30 p.m.  
Walkup Building

Martin Luther King Jr. Holiday: Town Services will be closed on January 15<sup>th</sup>

Sanitation Schedule Change: Trash will be collected on Tuesday, January  
16<sup>th</sup>

Tree Board: January 23, 2018, 9:30 a.m.  
Town Services Building

**Adjournment**

There being no further business, Commissioner Fouche moved to adjourn the Town Council Meeting. Commissioner Lentz seconded and the motion carried 5/0. The meeting was adjourned at 8:20 p.m.

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Kent Otto, Mayor Pro Tem

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Angela Murphy, Town Clerk