

**Town of Montreat  
Board of Commissioners Meeting – Public Forum  
December 14, 2017 – 6:30 p.m.  
Walkup Building**

---

**I. Call to Order**

- Welcome
- Moment of Silence

**II. Agenda Adoption**

**III. Public Comments**

**IV. Adjournment**

**Town of Montreat  
Board of Commissioners  
Town Council Agenda Meeting  
December 14, 2017 – 7:00 p.m.  
Walkup Building**

---

**I. Call to Order**

- Pledge of Allegiance
- Moment of Silence

**II. Agenda Adoption**

**III. Presentations and Reports**

- **Powell Bill (report only)**
- **Board of Elections (report only)**

**IV. Mayor's Communications**

**V. Consent Agenda**

A. Meeting Minutes Adoption

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

***All items on the Consent Agenda are considered routine, to be enacted by one motion with the adoption of the agenda and without discussion. If a member of the governing body requests discussion of an item, it will be removed from the Consent Agenda and considered separately.***

**VI. Town Administrator's Communications**

- Consent Agenda Review
- Other Items

**VII. Administrative Reports**

- Police Chief
- Public Works Director

**VIII. Public Comment – Agenda Items**

***Public comments will be heard during this period for only those items listed on the meeting agenda.***

**IX. Old Business**

- A. Discussion of Montreat Physical Addressing As it Pertains to Services
- B. Outgoing Commissioners Reports

**X. Organizational Meeting**

- A. Recognition of Boards and Committee Members
- B. Recognition of Off-going Commission Members
- C. Swearing in of New Members
- D. Election of Mayor Pro Tem
- E. Swearing in of Mayor Pro Tem

**XI. New Business**

- A. Appointment of Eleanor James to Board of Adjustment
  - **Suggested Motion:** Move to appoint Eleanor James as an alternate member to the Board of Adjustment to expire on January 31, 2020.
- B. Appointment of Rusty Frank to Tree Board
  - **Suggestion Motion:** Move to appoint Rusty Frank to the Tree Board to fulfill an unexpired term that ends on January 31, 2019.
- C. Appointment of Ann Vinson to Tree Board
  - **Suggested Motion:** Move to appoint Ann Vinson to the Tree Board to fulfill an unexpired term that ends on January 31, 2019.
- D. Oath of Office for Zoning Official – Adrienne Isenhower
- E. Oath of Office for Finance Officer – Erin Marie Wheeler
- F. Discussion on Town Position on Metropolitan Sewerage District with possible action
- G. Public Hearing to Rezone Well Site 4
  - **Suggested Motion:** Move 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.
- H. Annual Calendar and Budget Calendar
  - **Suggested Motion:** Move to adopt the 2018 Town of Montreat Board of Commissioners Meeting Calendar and Town of Montreat FY 2018-2019 Budget Adoption Calendar as presented.

H. De-annexation Request to Black Mountain

- **Suggestion Motion:** Move to authorize the Mayor to sign a letter on behalf of the Board of Commissioners and approve joint resolution 17-12-01 RESOLUTION TO CALL ON THE NORTH CAROLINIA GENERAL ASSEMBLY TO MODIFY THE MUNICIPAL BOUNDARIES OF THE TOWNS OF BLACK MOUNTAIN AND MONTREAT

I. Establishment of a Capital Projects Fund and Budget Amendments

- **Suggested Motion 1:** Move to authorize the establishment of a Capital Projects Fund.
- **Suggested Motion 2:** Move 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.

I. Public Comment – Other Topics

*Public comments will be heard during this period for other public business items or topics not listed on the meeting agenda.*

II. Commissioner Communications

III. Meeting Dates

Town Services Office Closure:

Closed December 25th & 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 1st

Montreat Landcare:

January 3, 2018, 9:00 a.m.  
Allen Building  
Swannanoa Room

**Montreat Board of Commissioners  
Town Council Regular Meeting  
December 14, 2017**

---

January Town Council Agenda Meeting:

January 4, 2018, 7:00 p.m.  
Walkup Building

January Town Council Regular Meeting:

January 11, 2018, 7:00 p.m.  
Walkup Building  
Public Forum begins at 6:30 p.m.

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

**IV. Adjournment**

MUNICIPALITY OF: **TOWN OF MONTREAT****DUE DATE: December 1, 2017**Report all expenditure and receipts for street purposes only

I. DISBURSEMENTS FOR STREETS DURING FISCAL YEAR		Data Code	Amount Round to Nearest Dollar
Payment to State:			
Under Powell Bill Municipal Agreement, From Local Funds; or Due Because of Penalties/Restitution.		01	\$0
Disbursements For (Do not include any expenditures shown in Item 1 above.)			
Capital Outlay: Right of Way (Purchase of Land, Legal Fees, Right-of-Way Admin)		02	
Capital Outlay: Engineering (Pre-construction and field engineering, surveys)		03	\$5,228
Capital Outlay: Construction (Grading, Resurfacing, curb & gutter, sidewalks)		04	\$185,867
Maintenance (Includes equipment, administrative cost)		05	\$9,996
Snow and Ice Removal (Including Sanding, Salting, and Purchase of Special Equipment)		06	\$10,864
Traffic Control Operations		07	\$105
Other: Please Specify Highway Beautification		08	\$44,422
General Administration & Maintenance (Highway)		09	\$20,944
Traffic Police Salaries & Motor Vehicles - (NOT DOMESTIC)		10	\$142,765
Debt Service: Bonds Interest		11	
Debt Service: Bonds Redemption		12	
Debt Service: Notes Interest		13	
Debt Service: Notes Redemption		14	
Total Disbursements		15	\$420,191
Capital and Operating Funds: Balance FY ending June 30, 2017		16	\$231,781
Debt Funds Balance FY ending - June 30, 2017		17	
Total Funds Accounted For (Total Disbursements plus Balance FY(s) ending June 30, 2017)		18	\$651,972

II. RECEIPTS FOR STREETS DURING FISCAL YEAR		Data Code	Amount Round to Nearest Dollar
Receipts from Local Government Sources:			
General Fund		19	\$420,191
Motor Vehicle License Fees (City tags or stickers)		20	
Other Local Sources: Real Property Taxes & Special Assessments		21	
Other Local Sources: Sales Taxes		22	
Other Local Sources: Other (Please Specify)		23	
Miscellaneous Local Receipts: Interest on Investments		24	\$195
Miscellaneous Local Receipts: Traffic Fines/Penalties		25	
Miscellaneous Local Receipts: Other (Please Specify)		26	
Proceeds of Sale of Bonds		27	
Proceeds of Sale of Notes		28	
Private Contributions		29	
Powell Bill Funds Received /Allowed: October 1, 2016 & January 1, 2017		30	\$40,917
Other State Funds Received		31	
Receipts from Federal Government			
Federal Highway Administration (i.e. Federal Bridge Replacement, Section 104 Planning)		32	
Other: (Please Specify)		33	
Total Receipts		34	\$461,303
Capital & Operating Funds: Balance - Fiscal YR Beginning July 1, 2016		35	\$190,669
Debt Fund: Balance - Fiscal YR Beginning July 1, 2016		36	
Total Funds Available (Total Receipts plus Balance Fiscal YR)		37	\$651,972

III. DEBT SERVICE		Data Code	Bonds	Data Code	Notes
(Reserved for Municipal Bonds & Notes ONLY - NOT Installment Purchase Contracts)					
Amount Outstanding Beginning: July 1, 2016		38		42	
Issued During Fiscal Year		39		43	
Redemptions During Fiscal Year		40		44	
Amount Outstanding June 30, 2017		41		45	

Name: Erin Marie Wheeler

Title: Interim Finance Officer

Date: (mm/dd/yyyy) 11/20/2017

## Municipal Street Fiscal Data Report

---

### Payment to the State:

Under Powell Bill Municipal Agreement	-	
From Local Funds	-	
Penalties/Restitution	-	
	<u>-</u>	Line 1

### Disbursements for:

Capital Outlay:		
Right of Ways		Line 2

Engineering	3	<u>5,228.35</u>	Line 3
-------------	---	-----------------	--------

Construction			
Bridges			
Resurfacing	3	185,867.00	
Storm water			
Curb and Gutter			
Traffic Signals and Signs			
Sidewalks			
Administrative Costs		<u>185,867.00</u>	Line 4

Maintenance:			
Street	3	5,212.41	
Stormwater	3	64.60	
Salaries	3	<u>4,719.03</u>	
		9,996.04	Line 5

Snow Removal:			
Equipment	3	6,075.33	
Supplies	3	2,429.47	
Salaries	3	<u>2,359.51</u>	
		10,864.31	Line 6

Traffic Control Operations	3	<u>104.87</u>	Line 7
----------------------------	---	---------------	--------

Others:			
Beautification (Tree Service)	3	4,310.00	
Salaries (Mowing, etc)	3	<u>40,111.71</u>	
		44,421.71	Line 8

### General and Administration:

Traffic Fines and Penalties		Line 25
Other		Line 26
Proceeds from Sales of Bonds and Notes		Line 27
Proceeds from Notes		Line 28
Private Contribution:		
Cash		
Property		
	-	Line 29
Powell Bill Funds Received and Allocated	2 40,917.40	Line 30
Other State Funds Received		Line 31
Receipts From the Federal Government		
Federal Highway Administration		Line 32
Other		Line 33
Total Receipts	461,303.47	Line 34
<b>Balance at Beginning Of Reporting Fiscal Year</b>		
Capital and Operating Fund Balances: Balance FY beginning July 1, 2016 (unexpended Powell Bill Funds)	2 190,669.00	35
Debt Fund Balance FY beginning July 1, 2016		36
Total Funds Available	651,972.47	37
<b>Debt Service</b>		
Bonds		
Amount Outstanding Beginning July 1, 2016		38
Issued During Fiscal Year		39
Redemption During Fiscal Year		40
Amount Outstanding June 30, 2017		41
<b>Notes</b>		
Amount Outstanding Beginning July 1, 2016		42
Issued During Fiscal Year		43
Redemption During Fiscal Year		44

Account Number	Account Name	2017 Revenue
10-00-3000-100	PY AD VALOREM TAXES	-
10-00-3005-100	CY AD VALOREM TAXES	959,956.16
10-00-3050-100	TAX INTEREST & PENALTIES	1,294.52
10-00-3065-100	LOCAL SALES TAX	401,355.96
10-00-3070-100	PAYMENT IN LIEU OF TAXES	-
10-00-3104-100	PY DMV TAXES	-
10-00-3194-100	CY DMV TAXES	14,746.98
10-00-3205-200	UTILITIES FRANCHISE TAX	91,428.76
10-00-3220-200	WINE & BEER TAX	3,566.39
10-00-3225-200	RETAIL & WHOLESALE REFUND	-
10-00-3235-200	SOLID WASTE DISPOSAL TAX	521.25
10-00-3300-300	CONTRIBUTIONS	1,500.00
10-00-3330-341	CONTRIBUTIONS - Voluntary Reconciliati	1,743.94
10-00-3550-800	COMMUNITY SERVICE FEE	49,979.40
10-00-3800-800	INTEREST ON INVESTMENTS	3,448.05
10-00-3805-800	INTEREST INVESTMNT-POWELL BILL	194.73 Line 24
10-00-3815-800	MISC REVENUE	(13,475.60)
10-00-3820-800	SALE OF FIXED ASSETS	-
10-00-3905-900	FUND BALANCE APPROPRIATED	-
10-10-3305-300	PUBLIC SAFETY CHARGES	3,371.16
10-10-3310-300	GRANT PROCEEDS - FEDERAL	-
10-10-3345-300	REIMBURSEMENT OF EXPENDITURE	606.13
10-10-3405-400	COURT COSTS - ARREST FEES & FINES	49.50
10-10-3425-400	FIRE INSPECTION FEES	-
10-10-3430-400	BUILDING PERMITS	39,116.43
10-10-3435-400	SANITATION FEES	3,740.00
10-10-3435-410	BACK DOOR PICKUP	5,077.00
10-10-3435-420	SPECIAL PICKUP	865.00
10-10-3435-430	PAYT	1,200.00
10-20-3325-300	POWELL BILL	40,917.40 Line 30
		<u>1,611,203.16</u>

Total Receipts 41,112.13 Line 34

Capital and Operating  
Balance Fiscal YR Beg July  
1, 2016

190,669.00 Line 35

231,781.13 Line 37

Account Number	Account Name	2017 Expenditures	PR Module	% of Time for Streets	Given by Barry	Line Item
10-20-5600-020	SALARIES & WAGES	114,818.88				
	DERRICK ALLEN-SNOW REMOVAL	Line 6	1,157.48	24,368.03	95%	5% Snow
	DERRICK ALLEN- MAINTENANCE	Line 5	2,314.96			10% Maintenance
	DERRICK ALLEN- OTHER	Line 8	19,677.18			85% Other
	MICHAEL HARRISON-SNOW	Line 6	1,202.03	25,305.92	95%	
	MICHAEL HARRISON- MAINTENANCE	Line 5	2,404.06			
	MICHAEL HARRISON- OTHER	Line 8	20,434.53			
	BARRY CREASMAN- ADMIN.	Line 9	8,470.34	33,881.34	25%	
10-20-5600-050	FICA EXPENSE	N/A				
10-20-5600-060	GROUP INSURANCE	N/A	8,556.10			
10-20-5600-070	RETIREMENT EXPENSE	N/A	26,584.77			
10-20-5600-110	TELEPHONE	N/A	13,509.12			
10-20-5600-140	TRAVEL & TRAINING	N/A	255.56			
10-20-5600-160	M & R EQUIPMENT	N/A	375.00			
10-20-5600-170	M & R TRUCKS	Line 9	1,525.75			
10-20-5600-310	AUTO SUPPLIES (GAS, OIL, TIRES)	Line 9	1,681.68			
10-20-5600-330	DEPARTMENT SUPPLIES - TOOLS	Line 9	5,512.11			
10-20-5600-340	REPAIRING AND WIDENING	Line 9	3,753.74			
10-20-5600-360	UNIFORMS	Line 5	-			
10-20-5600-450	CONTRACT SERVICE		1,907.96			
	TREE SERVICE	Line 8	4,902.45			
10-20-5600-480	INDIRECT COST ALLOCATION TO WF	N/A	4,310.00			
10-20-5600-540	INTEREST EXPENSE	N/A	(48,980.00)			
10-20-5600-730	CAPITAL OUTLAY	N/A	4,242.00			
	ICE MELT SPREADER	Line 6	1,625.33			
	SLIDE-IN SANDER	Line 6	4,450.00			
	PAVING FOR UPPER LOUISIANA	Line 4	95,230.00			
	PAVING FOR MECKLENBURG	Line 4	90,637.00			
	TEXAS ROAD BRIDGE	Line 3	4,000.00			
10-20-5600-740	STREET LIGHTING	N/A	20,955.81			
10-20-5600-745	STORMWATER IMPROVEMENTS	Line 5	64.60			
10-20-5600-750	ROAD MAINTENANCE	Line 5	5,212.41			
10-20-5600-755	SIGNS AND PAINTING	Line 7	104.87			
10-20-5600-760	BRIDGE INSPECTION	Line 3	1,228.35			
10-20-5600-765	SURVEYS AND MAPPING	Line 3	-			
10-20-5600-770	SNOW REMOVAL	Line 6	2,429.47			
10-20-5600-900	DEBT PAYMENT		29,307.64			
			395,374.73			



2017 GENERAL ELECTION  
11/07/2017  
ABSTRACT OF VOTES  
FOR  
BUNCOMBE COUNTY, NORTH CAROLINA

**INSTRUCTIONS**

The county board shall prepare abstracts of all the ballot items in triplicate originals. The county board shall retain one of the triplicate originals, and shall distribute one each to the city or town clerk for the municipality and the State Board of Elections. The State Board of Elections shall forward the original abstract it receives to the Secretary of State. (GS § 163-182.6)

**STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE**

The County Board of Elections for said county, having opened, canvassed, and judicially determined the original returns of the election in the precincts in this county, held as above stated, do hereby certify that the above is a true abstract thereof, and contains the number of legal ballots cast in each precinct for each office or referendum named, the name of each person or choice voted for, their party affiliation (where applicable), and the number of votes cast for each person or choice for the item named.

This is the 17th day of November, 2017.

  
Chairman

  
Secretary

  
Member

This day personally appeared before me, John D. Lorton, Chairman of the County Board of Elections, who being duly sworn, says the abstract of votes herein contained is true and correct, according to the returns made to said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this the 17th day of November, 2017.

  
Official Signature of Notary Public

John D. Lorton  
Printed/Typed Name of Notary Public

My Commission Expires: 4/22/23

(Seal)



# November 07, 2017 General Election Results by Contest

Friday, November 17, 2017  
Page 1 of 2

Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
CITY OF ASHEVILLE MAYOR	Carl Mumpower (Write-In)		8	5	3	0	0
	Esther Manheimer		13,051	8,723	4,180	122	26
	Jonathan Wainscott (Write-In)		7	5	1	0	1
CITY OF ASHEVILLE CITY COUNCIL	Marlin Ramsey		3,009	2,282	704	12	11
	Adrian Vassallo (Write-In)		12	9	3	0	0
	Vijay Kapoor		10,531	6,614	3,800	103	14
	Carl Mumpower (Write-In)		10	8	2	0	0
	Rich Lee		6,299	4,345	1,886	56	12
	Cecil Bothwell (Write-In)		38	29	9	0	0
	Kim Roney		6,834	5,304	1,470	38	22
	Jeremy Goldstein (Write-In)		19	15	3	1	0
	Sheneika E. Smith		9,210	6,645	2,476	63	26
	Dee Williams		4,691	3,401	1,227	47	18
	Pratik Bhakta (Write-In)		10	8	1	0	1
	Gwen Wisler		8,421	5,267	3,060	78	16
TOWN OF BLACK MOUNTAIN MAYOR	Don Collins		922	887	23	12	0
	Weston Hall		205	201	2	2	0
	C. Michael Sobol		698	670	20	8	0
TOWN OF BLACK MOUNTAIN ALDERMAN	Jonathan Braden		108	105	3	0	0
	Jeremie Konegni		795	767	19	9	0
	Bob Pauly		601	577	14	10	0
	Matt Robinson		341	334	5	2	0
	Ryan Stone		1,359	1,313	30	16	0
	Alice Boggs Lentz		206	114	79	13	0
TOWN OF MONTREAT COMMISSIONER	Ann Vinson (Write-In)		10	6	4	0	0
	Grace Nichols		112	85	24	3	0
	Martha Campbell (Write-In)		9	5	4	0	0
	Kent Otto		218	121	83	14	0
	Tom Widmer		202	107	79	16	0
	Al Root		571	504	66	0	1
TOWN OF WEAVERVILLE MAYOR	Doug Jackson		475	421	53	0	1
TOWN OF WEAVERVILLE TOWN COUNCIL	Dottie Sherrill		448	394	51	2	1
	Earl Valois		116	97	15	2	2

# November 07, 2017 General Election Results by Precinct

Friday, November 17, 2017  
Page 20 of 32

Precinct	Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
34.1	TOWN OF BLACK MOUNTAIN ALDERMAN	Ryan Stone		281	269	11	1	0
35.1	TOWN OF BLACK MOUNTAIN MAYOR	Don Collins		261	253	5	3	0
		Weston Hall		31	31	0	0	0
		C. Michael Sobol		193	188	4	3	0
	TOWN OF BLACK MOUNTAIN ALDERMAN	Jonathan Braden		33	31	2	0	0
		Jeremie Konegri		214	208	3	3	0
		Bob Pauly		148	142	2	2	0
		Matt Robinson		90	88	2	0	0
		Ryan Stone		384	356	4	4	0
36.1	TOWN OF MONTREAT COMMISSIONER	Alice Boggs Lentz		208	114	79	13	0
		Ann Vinson (Write-In)		10	6	4	0	0
		Grace Nichols		112	85	24	3	0
		Martha Campbell (Write-In)		9	5	4	0	0
		Kent Otto		218	121	83	14	0
		Tom Widmer		202	107	79	16	0
41.1	TOWN OF WOODFIN ALDERMAN	Jackie W. Bryson		0	0	0	0	0
		Debra A. Glezertanner		0	0	0	0	0
		Don Hensley		0	0	0	0	0
42.1	TOWN OF WOODFIN ALDERMAN	Jackie W. Bryson		7	7	0	0	0
		Debra A. Glezertanner		8	8	0	0	0
		Don Hensley		5	5	0	0	0
43.2	CITY OF ASHEVILLE MAYOR	Carl Mumpower (Write-In)		0	0	0	0	0
		Esther Manheimer		0	0	0	0	0
		Jonathan Wainwright (Write-In)		0	0	0	0	0
		Marlin Ramsey		1	1	0	0	0
	CITY OF ASHEVILLE CITY COUNCIL	Adrian Vassallo (Write-In)		0	0	0	0	0
		Vijay Kapoor		0	0	0	0	0
		Carl Mumpower (Write-In)		0	0	0	0	0
		Rich Lee		0	0	0	0	0
		Cedric Bothwell (Write-In)		0	0	0	0	0
		Kim Roney		1	1	0	0	0
		Jeremy Goldstein (Write-In)		0	0	0	0	0
		Sheneika E. Smith		1	1	0	0	0

BUNCOMBE COUNTY

# November 07, 2017 General Election Results by Precinct

Friday, November 17, 2017  
Page 27 of 32

Precinct	Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
CITY OF ASHEVILLE CHARTER AMENDMENT		Don Haynes		0	0	0	0	0
		Yes		12	3	8	0	0
		No		28	9	19	1	0
CITY OF ASHEVILLE MAYOR		Carl Mumpower (Write-In)		0	0	0	0	0
		Esther Manheimer		0	0	0	0	0
		Jonathan Wainwright (Write-In)		0	0	0	0	0
		Marlin Ramsey		0	0	0	0	0
		Adrian Vassallo (Write-In)		0	0	0	0	0
CITY OF ASHEVILLE CITY COUNCIL		Vijay Kapoor		0	0	0	0	0
		Carl Mumpower (Write-In)		0	0	0	0	0
		Rich Lee		0	0	0	0	0
		Cecil Bothwell (Write-In)		0	0	0	0	0
		Kim Roney		0	0	0	0	0
		Jeremy Goldstein (Write-In)		0	0	0	0	0
		Sheneika E. Smith		0	0	0	0	0
		Dee Williams		0	0	0	0	0
		Pratik Bhakta (Write-In)		0	0	0	0	0
		Gwen Wisler		0	0	0	0	0
		Don Collins		0	0	0	0	0
		Weston Hall		0	0	0	0	0
TOWN OF BLACK MOUNTAIN MAYOR		C. Michael Sobol		0	0	0	0	0
		Jonathan Braden		0	0	0	0	0
		Jeremia Konegni		0	0	0	0	0
		Bob Pauly		0	0	0	0	0
TOWN OF BLACK MOUNTAIN ALDERMAN		Matt Robinson		0	0	0	0	0
		Ryan Stone		0	0	0	0	0
		Alice Boggs Lentz		0	0	0	0	0
		Ann Vinson (Write-In)		0	0	0	0	0
		Grace Nichols		0	0	0	0	0
		Martha Campbell (Write-In)		0	0	0	0	0
		Kent Otto		0	0	0	0	0
		Tom Widmer		0	0	0	0	0
TOWN OF MONTREAT COMMISSIONER		Alice Boggs Lentz		0	0	0	0	0
		Ann Vinson (Write-In)		0	0	0	0	0
		Grace Nichols		0	0	0	0	0
		Martha Campbell (Write-In)		0	0	0	0	0

BUNCOMBE COUNTY

# November 07, 2017 General Election Results by Precinct

Friday, November 17, 2017  
Page 29 of 32

Precinct	Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
ONESTOP	TOWN OF BLACK MOUNTAIN ALDERMAN	Jeremie Konegni		0	0	0	0	0
		Bob Pauly		0	0	0	0	0
		Matt Robinson		0	0	0	0	0
		Ryan Stone		0	0	0	0	0
	TOWN OF MONTREAT COMMISSIONER	Alice Boggs Lenz		0	0	0	0	0
		Ann Vinson (Write-In)		0	0	0	0	0
		Grace Nichols		0	0	0	0	0
		Martha Campbell (Write-In)		0	0	0	0	0
		Kent Otto		0	0	0	0	0
		Tom Widmer		0	0	0	0	0
	TOWN OF WEAVERVILLE MAYOR	Al Root		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Doug Jackson		0	0	0	0	0
		Dottie Sherrill		0	0	0	0	0
		Earl Valois		0	0	0	0	0
		Thomas P. Veasey II		0	0	0	0	0
	TOWN OF WOODFIN ALDERMAN	Jackie W. Bryson		0	0	0	0	0
		Debra A. Giezentanner		0	0	0	0	0
		Don Hensley		0	0	0	0	0
	WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Ivo Ballentine		0	0	0	0	0
		Sarah W. Gassaway		0	0	0	0	0
		Don Haynes		0	0	0	0	0
	CITY OF ASHEVILLE CHARTER AMENDMENT	Yes		6	0	0	0	0
		No		0	0	0	0	0
	CITY OF ASHEVILLE MAYOR	Carl Mumpower (Write-In)		0	0	0	0	0
		Esther Manheimer		0	0	0	0	0
		Jonathan Walmscott (Write-In)		0	0	0	0	0
		Marlin Ramsey		0	0	0	0	0
	CITY OF ASHEVILLE CITY COUNCIL	Adrian Vassallo (Write-In)		0	0	0	0	0
		Vijay Kapoor		0	0	0	0	0
		Carl Mumpower (Write-In)		0	0	0	0	0
		Rich Lee		0	0	0	0	0
		Cecil Bothwell (Write-In)		0	0	0	0	0

BUNCOMBE COUNTY

# November 07, 2017 General Election Results by Precinct

Friday, November 17, 2017  
Page 30 of 32

Precinct	Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
PROVISIONAL	CITY OF ASHEVILLE CITY COUNCIL	Kim Roney		0	0	0	0	0
		Jeremy Goldstein (Write-In)		0	0	0	0	0
		Sheneika E. Smith		0	0	0	0	0
		Dee Williams		0	0	0	0	0
		Pratik Bhakta (Write-In)		0	0	0	0	0
		Gwen Wisler		0	0	0	0	0
		Don Collins		0	0	0	0	0
	TOWN OF BLACK MOUNTAIN MAYOR	Weston Hall		0	0	0	0	0
		C. Michael Sobol		0	0	0	0	0
	TOWN OF BLACK MOUNTAIN ALDERMAN	Jonathan Braden		0	0	0	0	0
		Jeremie Konegri		0	0	0	0	0
		Bob Pauly		0	0	0	0	0
		Matt Robinson		0	0	0	0	0
		Ryan Stone		0	0	0	0	0
	TOWN OF MONTREAT COMMISSIONER	Alice Boggs Lentz		0	0	0	0	0
		Ann Vinson (Write-In)		0	0	0	0	0
		Grace Nichols		0	0	0	0	0
		Martha Campbell (Write-In)		0	0	0	0	0
		Kent Otto		0	0	0	0	0
		Tom Widmer		0	0	0	0	0
	TOWN OF WEAVERVILLE MAYOR	Al Root		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Doug Jackson		0	0	0	0	0
		Dottie Sherrill		0	0	0	0	0
		Earl Valois		0	0	0	0	0
		Thomas P. Veasey II		0	0	0	0	0
	TOWN OF WOODFIN ALDERMAN	Jackie W. Bryson		0	0	0	0	0
		Debra A. Glezentanner		0	0	0	0	0
		Don Hensley		0	0	0	0	0
	WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Ivo Balentine		0	0	0	0	0
		Sarah W. Gassaway		0	0	0	0	0
		Don Haynes		0	0	0	0	0
	CITY OF ASHEVILLE CHARTER AMENDMENT	Yes		0	0	0	0	0
		No		0	0	0	0	0

BUNCOMBE COUNTY

# November 07, 2017 General Election Results by Precinct

Friday, November 17, 2017  
Page 31 of 32

Precinct	Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
TRANSFER	CITY OF ASHEVILLE MAYOR	Carl Mumpower (Write-In)		0	0	0	0	0
		Esther Manheimer		0	0	0	0	0
		Jonathan Wainscott (Write-In)		0	0	0	0	0
		Martin Ramsey		0	0	0	0	0
CITY OF ASHEVILLE CITY COUNCIL		Adrian Vassallo (Write-In)		0	0	0	0	0
		Vijay Kapoor		0	0	0	0	0
		Carl Mumpower (Write-In)		0	0	0	0	0
		Rich Lee		0	0	0	0	0
		Cecil Bothwell (Write-In)		0	0	0	0	0
		Kim Roney		0	0	0	0	0
		Jeremy Goldstein (Write-In)		0	0	0	0	0
		Sheneika E. Smith		0	0	0	0	0
		Dee Williams		0	0	0	0	0
		Pratik Bhaktia (Write-In)		0	0	0	0	0
		Gwen Wisler		0	0	0	0	0
		Don Collins		0	0	0	0	0
TOWN OF BLACK MOUNTAIN MAYOR		Weston Hall		0	0	0	0	0
		C. Michael Sobol		0	0	0	0	0
TOWN OF BLACK MOUNTAIN ALDERMAN		Jonathan Braden		0	0	0	0	0
		Jeremie Konegni		0	0	0	0	0
		Bob Pauly		0	0	0	0	0
		Matt Robinson		0	0	0	0	0
		Ryan Stone		0	0	0	0	0
TOWN OF MONTREAT COMMISSIONER		Alice Boggs Lentz		0	0	0	0	0
		Ann Vinson (Write-In)		0	0	0	0	0
		Grace Nichols		0	0	0	0	0
		Martha Campbell (Write-In)		0	0	0	0	0
		Kent Otto		0	0	0	0	0
TOWN OF WEAVERVILLE MAYOR		Tom Widmer		0	0	0	0	0
		Al Root		0	0	0	0	0
TOWN OF WEAVERVILLE TOWN COUNCIL		Doug Jackson		0	0	0	0	0
		Dottie Sherrill		0	0	0	0	0

BUNCOMBE COUNTY

# November 07, 2017 General Election Results by Precinct

Friday, November 17, 2017  
Page 32 of 32

Precinct	Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
TRANSFER	TOWN OF WEAVERVILLE TOWN COUNCIL	Earl Valois		0	0	0	0	0
		Thomas P. Veasey II		0	0	0	0	0
		Jackie W. Bryson		0	0	0	0	0
		Debra A. Glezenfanner		0	0	0	0	0
		Don Hensley		0	0	0	0	0
	TOWN OF WOODFIN ALDERMAN	Ivo Ballentine		0	0	0	0	0
		Sarah W. Gassaway		0	0	0	0	0
		Don Haynes		0	0	0	0	0
	WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Yes		0	0	0	0	0
		No		0	0	0	0	0
	CITY OF ASHEVILLE CHARTER AMENDMENT	Yes		0	0	0	0	0
		No		0	0	0	0	0

**Town of Montreat  
Board of Commissioners  
Town Council Public Forum  
November 9, 2017  
Walkup Building**

---

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

Board members absent: Commissioner Bill Gilliland

Town staff present: Alex Carmichael, Town Administrator  
Angie Murphy, Town Clerk

**Call to Order**

Approximately 16 people were in attendance. Mayor Helms called the meeting to order at 6:32 p.m. and led the group in a moment of silence.

**Agenda Approval**

Commissioner Vinson moved to adopt the agenda as presented. Mayor Pro Tem Fouche seconded and the motion carried 4/0.

**Public Forum**

Mrs. Lila Ray of 436 Kentucky Road wanted to know if there were a total number of people who cast votes in the recent election. Mayor Pro Tem Fouche stated that the votes would be certified and published on the Board of Elections website next Friday.

Mr. Wade Burns of 232 North Carolina Terrace wanted to know the latest on a Zoning Administrator. Mr. Carmichael stated that the Land of Sky Contract was before the Commission tonight and if they chose to approve that contract then a candidate will be interviewed on the 20<sup>th</sup> of this month. This candidate is known to Land of Sky and by the Biltmore Forest Town Manager and seems to be well qualified. Mr. Burns asked if in early December he could get a permit signed. Mr. Carmichael stated that he was not prepared to answer that question at this time. Mr. Carmichael advised that there is a backlog of permits and applications as well as a learning curve as it pertains to the Town of Montreat Zoning Ordinances. He is more focused at getting the candidate interviewed and vetted at this time.

**Adjournment**

There being no further discussion, Commissioner Vinson moved to adjourn the Public Forum

**Montreat Board of Commissioners  
Public Forum Minutes  
November 9, 2017**

---

Meeting. Mayor Pro Tem Fouche seconded and the motion carried 4/0. The meeting was adjourned at 6:38 p.m.

---

Tim Helms, Mayor

---

Angie Murphy, Town Clerk

**Town of Montreat  
Board of Commissioners  
Town Council Agenda Meeting  
November 2, 2017  
Moore Center – Thompson Brown Meeting Room**

---

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  
Angie Murphy, Town Clerk  
Justyn Whitson, Police Officer

Approximately 11 members of the public were also present. Mayor Helms called the meeting to order at 7:04 p.m., led the group in reciting the Pledge of Allegiance, and held a moment of silence.

**Agenda Approval**

Town Administrator Alex Carmichael asked to pull the Liquid Engineering Contract from the agenda. This document can be transacted without Council approval. Commissioner Vinson moved to adopt the agenda as amended. Mayor Pro Tem Fouche seconded the motion. Commissioner Standaert had a question about whether there was going to be a Closed Session this evening because the date stated 10/02/2017 on the agenda. Commissioner Standaert questioned whether this would be a notification violation. Mr. Carmichael stated that this was a typographical error that would not impact any notification guidelines. Commissioner Vinson moved to amend the agenda to indicate the date of the Closed Session as 11/02/2017. Mayor Pro Tem Fouche seconded the motion and the motion carried 5/0. Commissioner Vinson moved to adopt the amended agenda. Mayor Pro Tem Fouche seconded and the motion carried 5/0.

**Audit Presentation**

Mr. Carmichael stated that Mr. Brian Lee of Martin and Starnes would be in attendance to deliver the Audit Presentation and would have bound copies of the audit for the Commission. Commissioner Vinson requested to have the findings of the audit detailed and plans for corrections outlined. Commissioner Standaert questioned whether the new Interim Finance Officer Erin Marie Wheeler would be in attendance. Mr. Carmichael stated that Ms. Wheeler was also a teacher at AB-Tech and would not be in attendance for the Audit Presentation.

**Mayor's Communications**

Mayor Helms stated that he had no communications this evening.

**Consent Agenda Review**

The proposed Consent Agenda will include the following items:

- September 7, 2017, Town Council Agenda Meeting Minutes
- September 14, 2017, Town Council Public Forum Minutes
- September 14, 2017, Town Council Meeting Minutes
- October 2, 2017, Town Council Special Meeting Minutes
- October 5, 2017, Town Council Agenda Meeting Minutes
- October 12, 2017 Town Council Public Forum Minutes
- October 12, 2017, Town Council Meeting Minutes

**Town Administrator's Communications**

- Mr. Carmichael stated that he had no communications this evening.

**Administrative Reports**

The Board will hear administrative reports as written with the ability to ask questions from the Police Chief, Public Works Director, Finance Officer and Building Inspector/Code Administrator during next week's Town Council Meeting.

Commissioner Standaert would like some further information on the parking issues that are occurring in Town between the major institutions.

**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. Martha Campbell of 149 Maryland Place wanted to speak to Item A under Old Business. Mrs. Campbell quoted Webster's Dictionary's definition of welcoming as being "to greet someone arriving in a glad, polite or friendly way". Mrs. Campbell stated that Montreat has not always been a welcoming community. There has been a history of restrictive access to even enter Montreat as well as discrimination. Mrs. Campbell's parents had to purchase a Gate Pass to even access their property before the Town was incorporated. Mrs. Campbell finds it unfortunate that Montreat has that history. Recently a new family who was thinking of moving into Montreat knocked on a door of a would-be neighbor and asked if they would be welcome because they practice another faith. Mrs. Campbell feels that the statement to "strive to be welcoming" is important to the

Town.

**Old Business**

- A. Montreat as a welcoming community: There will be a discussion of this at next week's meeting. There is some interest in adding the phrase "strive to be a welcoming community" to the Town of Montreat's Mission Statement.

**New Business**

- A. Discussion of Montreat Physical Addressing As It Pertains to Services: Commissioner Standaert directed everyone's attention to the email she had sent to the Board of Elections which was located in the agenda packet. The email addressed the election polling issues as well as the GIS/GPS portion of addressing.
- B. Land of Sky Contract: Commissioner Standaert felt that travel costs were missing from the contract in question. She would like to know what is budgeted for travel costs. Commissioner Standaert also had some questions about the individual who was mentioned as a possible interim Zoning Administrator who would be traveling from Saluda, SC. Mr. Carmichael stated that the Land of Sky Contract did not include travel costs to the job site. The travel and training budget line for the former Building Inspector/Zoning Administrator is still intact and available for any conferences or training needed. Mr. Carmichael stated that Land of Sky will be using Federal Grant Funding for part of this position and they are required to charge a consistent indirect cost allocation. Indirect costs typically cover telephone, lights and use of a copier. Land of Sky could not forego this cost so we have been negotiating a lower salary rate because of this.
- C. Approval of Electronic Notice of Bidding: Commissioner Standaert asked if this would include newspaper ads as well as electronic ads. Commissioner Standaert would like more information about to whom electronic notice of bidding will be sent out. She feels that there are a lot of people who still read printed legal ads. Mr. Carmichael stated that this is for bidding authority for contracts only: construction or repair, purchase of apparatus, supplies, materials and equipment within the formal bidding thresholds. This would not pertain to the Florida Terrace Property.

**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.

**Montreat Board of Commissioners  
Town Council Agenda Meeting Minutes  
November 2, 2017**

---

Mr. Eric Nichols of 527 Suwannee Drive wanted to say to those present to consider voting for the person most qualified for the job of Commissioner: his wife Grace Nichols.

**Commissioner Communications**

There were no Commissioner Communications at this time.

**Upcoming Meeting Dates**

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

<u>November Town Council Meeting:</u>	November 9, 2017, 7:00 p.m. Public Forum begins at 6:30 p.m. Walkup Building
<u>Open Spaces Conservation Meeting:</u>	November 14, 2017, 3:30 p.m. Town Services Building
<u>Montreat Tree Board:</u>	November 28, 2017, 9:30 a.m. Town Services Building
<u>Planning and Zoning:</u>	November 30, 2017, 7:00 p.m. Walkup Building
<u>Montreat Landcare:</u>	December 6, 2017, 9:00 a.m. Allen Building Swannanoa Room
<u>December Town Council Agenda Meeting:</u>	December 7, 2017, 7:00 p.m. Walkup Building
<u>December Town Council Meeting:</u>	December 14, 2017, 7:00 p.m. Public Forum begins at 6:30 p.m. Walkup Building

**Closed Session**

Commissioner Vinson moved to enter in Closed Session in accordance with North Carolina General Statute 143-318.11(5) for discussion of the proposed acquisition of real property identified as PIN Number 0710-539360 located on Montreat Road for potential Montreat Town Hall. Commissioner Gilliland seconded and the motion carried 5/0.

**Montreat Board of Commissioners  
Town Council Agenda Meeting Minutes  
November 2, 2017**

---

Upon a motion by Commissioner Gilliland and a second by Commissioner Vinson with the motion carrying 5/0, the Board returned to Open Session.

**Adjournment**

There being no further business, Commissioner Standaert moved to adjourn the Town Council Agenda Meeting. Commissioner Gilliland seconded and the motion carried 5/0. The meeting was adjourned at 7:49 p.m.

---

Tim Helms, Mayor

---

Angela Murphy, Town Clerk

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

---

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

Board members absent: Commissioner Bill Gilliland

Town staff present: Alex Carmichael, Town Administrator  
David Arrant, Chief of Police  
Angie Murphy, Town Clerk  
Barry Creasman, Public Works Director

Approximately 23 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.

**Agenda Approval**

Commissioner Vinson moved to adopt the agenda as presented. Commissioner Otto seconded and the motion carried 4/0.

**Audit Presentation**

Mr. Brian Lee, CPA and Field Auditor of Martin, Starnes & Associates presented and reviewed the 2016-2017 Fiscal Year Audit Report. The Report reflected an unmodified opinion, meaning that the Town's financial statements were fairly presented in all material aspects. Mr. Lee summarized the procedures and stages of review performed at each phase of the audit process, as well as, the definition, purpose and calculation of the Town's Fund Balance. Mr. Lee then gave comparison data including Fund Balance levels over the past three fiscal years. The Fund Balance for the General Fund is \$1,923,120, an increase of \$101,239 from last year. Mr. Lee reviewed significant revenue sources and expenditures for the General and Water Funds, comparing each figure to the balances reported at the end of the prior fiscal year. The Water Fund is an enterprise fund, which operates like a business, and must be self-sustaining. Mr. Lee then reviewed the 6 Audit Findings found this year: segregation of duties, preparation of full accrual financial statements, significant audit adjustments, budget (pre-audit) violation, lack of controls over journal entries and lack of controls over payroll. Commissioner Standaert asked what the audit findings really mean to the Town. Mr. Lee stated that he and Mr. Carmichael discussed that adding layers of internal controls could help mitigate the segregation of duties but with a Staff of our size it would be hard to eliminate this finding altogether. Mr. Lee stated that preparation of full accrual financial

statements was very common with all their clients because they typically draft the statements themselves. The third finding of significant audit adjustments is one that Mr. Lee hopes can be rectified in the future. It is not the number of audit adjustments but the size that contributes to the negative findings report. Mr. Carmichael felt that this was a time management issue that could definitely be addressed in the future. The pre-audit violation was the retroactive budget amendment where you make sure you have the funds on hand before you attempt to allocate the money. Mr. Lee felt confident that the majority of these could be corrected prior to next year's audit. Mr. Lee thanked the Audit Committee and Town Staff for their participation and cooperation in this year's audit. The Local Government Commission has approved both the Town's Audit Report and the Comprehensive Annual Financial Report (CAFR).

### **Ruling on Motion to Defer (report only)**

Town Attorney Susan Taylor Rash prepared a written report outlining why the "welcoming community" was allowed back on the agenda. This was not discussed in Open Session of the meeting.

### **Mayor's Communications**

Mayor Helms stated that he had no communications this evening.

### **Consent Agenda Review**

The proposed Consent Agenda will include the following items:

- September 7, 2017, Town Council Agenda Meeting Minutes
- September 14, 2017, Town Council Public Forum Minutes
- September 14, 2017, Town Council Meeting Minutes
- October 2, 2017, Town Council Special Meeting Minutes
- October 5, 2017, Town Council Agenda Meeting Minutes
- October 12, 2017 Town Council Public Forum Minutes
- October 12, 2017, Town Council Meeting Minutes

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

- Mr. Carmichael announced that Ms. Erin Marie Wheeler has stepped into the Interim Finance Officer position on a part time basis. Ms. Wheeler is a professor of accounting and payroll at AB-Tech. Ms. Wheeler is a CPA and she has come into the Town to address some of the issues brought up in the audit this evening. She is interested in forward automation and eliminating redundancies that are ineffective to the Town. Because Ms. Wheeler is actively teaching this semester she is unable to attend Town Council Meetings.

- Staff enjoyed a lovely luncheon hosted by Mayor Pro Tem Fouche and others in the community.
- The Town Services Building experienced some severe flooding earlier in the month and the Public Works Department worked hard to address the issues as they were occurring. Mike Harrison used a dry vacuum and removed over 300 gallons of water as it came into the lower area of the Town Service Building.
- Town Clerk Angie Murphy completed her certification training through the UNC Chapel Hill School of Government Clerks Certification Program. She has been working on this training for over a year.
- Mr. Carmichael mentioned that the bears are out and about wreaking havoc on sanitation containers. A member of the community has made some adjustments to his bear proof box to alleviate the intrusion and if anyone is interested please email for photos and more information.

### **Administrative Reports**

Police Chief: Reports were in written form as requested by Council. Chief Arrant reported that leaf lookers seemed to be down in the month of October leading to less traffic than what was expected. Another big October event was a search and rescue operation that took place off of Lookout Trail. The event attracted personnel from several different agencies throughout the county. Members of the Black Mountain Police Department, Black Mountain Fire Department, Skyland Fire Department, Fairview Fire Department, Garren Creek Fire Department, Broad River Fire Department and West Buncombe Fire Department participated throughout the duration of the event. Chief Arrant wanted to give a special thanks to MRA employees Jason Nanz and Tanner Pickett who were instrumental in closing the trails down and assisting with directions on the trails. Kerry Williams of Williams Canine LLC provided a search and rescue canine for the operation. The individual was found safe and sound.

Chief Arrant, Mr. Carmichael and Mr. Creasman met with Montreat College's Daniel Bennett to discuss the College's parking challenges. The College continues to enroll more and more students but the infrastructure is not growing. This is just a preliminary discussion. Mr. Carmichael and Mr. Creasman also spoke with Mr. Chuck Brown of South Carolina Home about some parking challenges he is facing as well.

Chief Arrant also reported on a car breaking and entering that occurred in the middle of the night. Mayor Helms stated that the suspect was caught because a resident, who could not sleep, noticed a suspicious car driving around and stopping at driveways and called 911 to report the suspicious activity.

Commissioner Standaert stated that she would like to hear more specific information about the parking situations rather than generalities. She stated that not only is the College growing but the Conference Center has increased attendance in year round conferences as well. Chief Arrant stated that they were looking at what property belonged to each entity and what was right-of-way. Mr. Carmichael advised that Daniel Bennett reached out to him to discuss the parking

constraints. There are a lot of “No Parking” signs around the College Campus and beyond with cars continually parked in front of them and the College and the Town are aware of the problems this presents. The Police Department does a great job in separating what is a public safety problem and what is a nuisance problem. Mr. Carmichael stated that at this point there are no specifics to present that they had a lunch and a walk and it is all in the preliminary stages.

Commissioner Otto stated that the College has a huge percentage of student athletes and in the past few months he has heard multiple coaches address their players about the parking issues. Mr. Carmichael stated that this is a really healthy conversation to have and brings up a lot of collaborative efforts between the entities.

Public Works Director: Reports were in written form as requested by Council. Mr. Creasman reported that there would be change to the November leaf and brush pickup due to the Thanksgiving holiday. Leaf and brush will be picked up on November 29<sup>th</sup> rather than November 22<sup>nd</sup>. Due to the high rains experienced during the month there was some road shoulder damage on Mecklenburg and Louisiana that had to be repaired. The patching and curbing is wrapped up for the winter. There was one water leak that was repaired. Mayor Helms reminded everyone in attendance that the leaves needed to be placed at the curb in paper biodegradable bags. Mayor Pro Tem Fouche thanked Mr. Creasman for removing the orange barricade on the Texas Road Bridge.

Finance Officer: Reports were in written form as requested by Council. No questions were asked of the Town Administrator.

Building Inspector/Code Enforcement Officer: Mr. Carmichael stated that he is still trying to figure out the compilation software to prepare the monthly reports.

### **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.

There were no public comments this evening.

### **Old Business**

- A. Montreat as a welcoming community: Commissioner Standaert moved to add the phrase “to strive to be a welcoming community to the Board of Commissioners Mission Statement”. Commissioner Vinson seconded the motion. Commissioner Standaert stated that she feels that striving to be a welcoming community is something that everyone should aspire to and she hopes the Board will vote unanimously with her tonight. Commissioner Otto reflected on what a neighbor stated at the Agenda Meeting last week. Commissioner Otto wants us to be

a welcoming community and feels that we are but he does not feel that government should have to define “welcoming”. Mayor Pro Tem Fouche thinks that if you are going to be welcoming you show it by your actions. She does not feel like legislating “welcoming” will make a difference. Commissioner Vinson stated that this was not legislating the issue but rather adding the words to the Mission Statement and as she looks around the room she thinks a lot of people have not felt welcome in this community and to say we are welcoming is not totally accurate. Commissioner Vinson would like to see this added to the Mission Statement to remind us to be welcoming. Mayor Helms called for a vote and it was a tie 2/2 with Commissioners Vinson and Standaert voting in favor of the motion and Commissioners Otto and Fouche opposing the motion. Mayor Helms voted and broke the tie. The motion failed 3/2.

### **New Business**

- A. Discussion of Montreat Physical Addressing As It Pertains to Services: Commissioner Standaert addressed that the Board of Elections listed Montreat’s new polling location as being the Walkup Building at 300 Community Circle in Black Mountain. Commissioner Standaert stated that at some point it was discussed that voter identification would become the law of the land and for Montreat residents their driver’s licenses do not match up with their voter identification cards. Commissioner Standaert brought this up to the Board of Elections several years ago and she was under the impression that it had been fixed. She took this all the way up to the State Board of Elections and Patrick McHenry’s office and has a series of emails if anyone is interested. Recently she sent an email to the Board of Elections and brought it up at the Board of Elections meeting and they consider this matter closed. Commissioner Standaert stated that this effects more than just voting and she hopes there will be more leadership from the upcoming Council to address this matter in the future.
  
- B. Land of Sky Contract: Commissioner Vinson moved to approve the Land of Sky Contract as presented. Mayor Pro Tem Fouche seconded the motion. Mr. Carmichael stated that the contract before Council this evening is to provide Zoning Administration support for the Town. Staff has contracted the permit process out since July but has yet to fill the zoning administration position. Land of Sky is our regional council of government. The contract presents a position which Land of Sky would hire a full time planner who would be contracted to work for the Town of Montreat two days a week and the Town of Biltmore Forest for two days a week and Land of Sky one day a week. The costs associated with this position are divided up into 5ths: Montreat would be responsible for 2/5ths of the salary. The Land of Sky has indentified a strong candidate and we intend to interview them on the 20<sup>th</sup> of this month. These services would cost the Town \$30,400 annually. The monthly payment obligation will begin when the service begins. Staff recommends approving this contract as permitted. Mayor Helms asked if this would allow us to continue to collect all of our posted fees. Mr. Carmichael advised that would be the case. Commissioner Standaert asked if this hired individual would

attend the Board of Adjustment and Planning and Zoning Meetings. Mr. Carmichael stated that this would be included in their position. The motion carried 4/0.

Approval of Electronic Notice of Bidding: Commissioner Vinson moved to approve electronic notice of bidding opportunities for contracts for construction or repair, for the purchase of apparatus, supplies, materials, and equipment, within the formal bid thresholds as authorized by G.S. 143-129. Commissioner Otto seconded the motion. G.S. 143-129 requires counties and cities to advertise opportunities to bid on contracts for construction or repair, for the purchase of apparatus, supplies, materials, and equipment, within the formal bid thresholds. The advertisement must list the date, time, and location of the bid opening, identify where specifications may be obtained, and contain a statement that the board reserves the right to reject any or all bids. For construction projects, the advertisement may also contain information about contractor licensing requirements that apply to the project. The statutes requires the advertisement to be published in a newspaper of general circulation within the given county or city, unless the governing board approves the use of electronic advertising for bidding opportunities instead of published notice. The board may authorize electronic advertisement for bids for particular contracts or in general. Posting the bidding opportunities electronically would save the Town money and time. The motion carried 4/0.

### **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. Joe Standaert of 118 Shenandoah Terrace announced that almost 1,000 predator beetles were released last Saturday to combat the woolly adelgid. Mr. Standaert, John Johnson and Rusty Frank did some beetle monitoring and found some offspring of the original beetles that were released. They also noticed that the beetles had moved from their original locations which was a good thing. The beetles are now being relocated from Grandfather Mountain instead of out west. We hope to receive another 1,000 beetles in the near future.

### **Commissioner Communications**

Commissioner Vinson acknowledged the hard work of Mr. Standaert, Mr. Johnson and Mr. Frank for their ongoing work with the beetles. Commissioner Vinson also announced some openings on the Tree Board and the Open Spaces Conservation Boards.

Commissioner Standaert congratulated Mr. Otto, Ms. Lentz and Mr. Widmer on their recent election to the Montreat Board of Commissioners. She wishes the entire Board nothing but success in the future.

### **Upcoming Meeting Dates**

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

---

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

<u>Open Spaces Conservation:</u>	November 14, 4:00 p.m. Town Services Building
<u>Montreat Tree Board:</u>	November 28, 2017, 9:30 a.m. Town Services Building
<u>Planning &amp; Zoning:</u>	November 30, 2017, 7:00 p.m. Walkup Building
<u>Montreat Landcare:</u>	December 6, 2017, 9:00 a.m. Allen Building Swannanoa Room
<u>December Town Council Agenda Meeting:</u>	December 7, 2017, 7:00 p.m.
<u>December Town Council Meeting:</u>	December 14, 2017, 7:00 p.m. Public Forum begins at 6:30 p.m. Walkup Building

Commissioner Vinson announced that on Wednesday, December 6<sup>th</sup> the Presbyterian Heritage Center will hold their “high tea” from 3:00 – 5:30 and everyone is invited.

**Adjournment**

There being no further business, Mayor Pro Tem Fouche moved to adjourn the Town Council Meeting. Commissioner Vinson seconded and the motion carried 4/0. The meeting was adjourned at 8:17 p.m.

---

Tim Helms, Mayor

---

Angela Murphy, Town Clerk

## MONTHLY POLICE STATISTICS REPORT

<b>November</b>	<b>2017</b>	<b>2016</b>	<b>2015</b>	<b>2014</b>	<b>2013</b>
Mileage	2673	2800	3239	2734	2724
Dispatched Calls	50	93	84	66	94
Officer-Initiated Calls	518	316	208	187	220
Fire/EMS Assistance Calls	1F/1EMS	10F/6E	9F/4E	5F 1E	6F 3E
Motorist/Other Assistance Calls	66	64	44	40	61
Traffic Stops	30	21	25/55CP	47	35
Parking Issues	9	6	7	2	3
Burglar/Fire Alarm Responses	0	2B/1F	1B	2B 1F	1B
Residential/Building Checks	278	245	228	248	118
Ordinance violations	13	3	8	7	10
LE Agency Assistance Calls	7	3	13	22	19
Animal Calls	1	3	6	2	4
Larcenies	0	1	0	1	1
B&E Calls	0	0	0	0	0
Suspicious Person/Vehicle Investigations	1P/15V	7P/11V	6P/18V	22V 11P	15V 12P
Disturbance Calls	4	4	3	4	0
Accident Responses	1	1	0	0	0
Auxiliary Hours Worked	32R/112T	32R/36T	32R/12T	32R 38/T	32R 120O
Truck turns at gate	6	1	1	0	1

- Town service: 436
- MRA Service: 170
- College service: 7

The month of November has been particularly quiet, from a law enforcement stand point. There were no occurrences of any significance. Along with our normal regiment of patrol and house/building checks; we have increased our focus on parking and speeding issues. Also, in taking advantage of the less hectic times; MPD had a member in a week long class addressing Critical Incident Management and Risk Assessment at the NC Justice Academy.

I would also like to note how glad we are to have Officer Ed Teters back on rotation with us after a prolonged absence.

The Department hopes that everyone enjoyed a wonderful Thanksgiving! The Town was certainly more active this year due to the beautiful weather conditions. Christmas is now upon us and MPD would like to remind the community to call the Police Department with any suspicious activity.

## **December Status Report**

### **Sanitation:**

- **Brush and leaf pickup is back on its regular schedule**
- **The crew picked up 80 cubic yards of Bulk Sanitation on Bulk Pickup Day which was Oct 31.**
- **Sanitation pickup has been moved from December 25<sup>th</sup> to December 26<sup>th</sup> for the Christmas Holiday**
- **Sanitation pickup has been moved from January 1st to January 2<sup>nd</sup> for New Years Day, January 15th pickup has been moved to January 16th for the Martin Luther King Jr Holiday.**

### **Streets:**

- **Leaf removal is underway**
- **Road shoulder repair continues**

**Please be mindful of the crews in the roadways .Thank you**

### **Water:**

- **Winter flushing has begun**
- **If anyone experiences any discolored water please contact us and we will get it taken care of**

**\*\*Lastly I would like to thank everyone , Town staff , Town Commissioners , and the entire Town for being very supportive over the past year and I would like to wish everyone a very Merry Christmas and a Happy New Year.\*\***

## Angela Murphy

---

**From:** Mary Standaert  
**Sent:** Thursday, October 26, 2017 4:12 PM  
**To:** Alex Carmichael; Angela Murphy  
**Subject:** : Registration Card sent to Buncombe PCT 36.1 Voters Gives Incorrect Address for New Voting Location

Please include this e-mail in the agenda packet.

**From:** Mary Standaert <[mstandaert@townofmontreat.org](mailto:mstandaert@townofmontreat.org)>  
**To:** Jay Watson <[jay@watsonlawpa.com](mailto:jay@watsonlawpa.com)>; Lucy Smith <[lmsfrogs@gmail.com](mailto:lmsfrogs@gmail.com)>; George Keller <[gakeller@gakeller.com](mailto:gakeller@gakeller.com)>; Trena Parker <[trena.parker@buncombecounty.org](mailto:trena.parker@buncombecounty.org)>  
**Cc:** Jeff Rose <[jeffrey.e.rose@gmail.com](mailto:jeffrey.e.rose@gmail.com)>; Carl Mumpower <[DrMumpower@aol.com](mailto:DrMumpower@aol.com)>; Jake Quinn <[jqsunset@gmail.com](mailto:jqsunset@gmail.com)>; Patsy Gardin <[pgardin@bellsouth.net](mailto:pgardin@bellsouth.net)>; Alex Carmichael <[acarmichael@townofmontreat.org](mailto:acarmichael@townofmontreat.org)>  
**Sent:** Monday, October 16, 2017 11:13 AM  
**Subject:** Registration Card sent to Buncombe PCT 36.1 Voters Gives Incorrect Address for New Voting Location

Dear Mr. Watson, Mr. Keller and Mrs. Smith,

As members of the Buncombe County Board of Elections, I writing to inform you that the recently mailed voter registration card sent to voters in PCT 36.1 incorrectly states the physical address of the new voting location for the November 2017 elections.

The card lists the new Voting Location as:

Montreat Conference Center-Walkup Building  
300 Community Center Circle  
Black Mountain, NC 28711

There is no such physical address. The legal physical address is:

Montreat Conference Center-Walkup Building  
300 Community Center Circle  
Montreat, NC 28757

You may be aware this is not the first time this has happened. Action again needs to be taken by the BOE to ensure that the correct legal street address is provided to all voters.

At the October 12, 2017 meeting of the Montreat Town Council, members of the public expressed concern over this confusion.

We ask that this be resolved and efforts made to ensure that it does not occur yet again.

The citizens of PCT 36.1 look forward to your response and attention to this matter.

Cordially,,

Dr. Mary L. Standaert  
Commissioner, Town of Montreat

Additional Topic:

At the Town Council meeting, concern was expressed that the physical address of all Montreat voters on their voter registration card are listed with their street address being located in the the Town of Black Mountain with a Black Mountain zipcode of 28711, rather than Montreat with a zipcode of 28757 (as it appears on our NC Drivers License).

This is a related but separate matter from the immediate issue discussed above and may well require extensive and coordinated action by multiple government agencies including the Towns of Montreat and Black Mountain, the BOE, the Buncombe County Board of Commissioners, the US Postal Service and perhaps even the NC General Assembly.

While this may seem a small matter, this confusion does impact the daily lives of Montreat residents, including the ability to get service contracts, home delivery, phone cell coverage. I will be glad to discuss this issue with anyone on this distribution list. My phone number is 828-669-1008.

Mary



## TOWN OF MONTREAT

---

P. O. Box 423  
Montreat, NC 28757  
Tel: (828)669-8002 Fax: (828)669-3810  
[www.townofmontreat.org](http://www.townofmontreat.org)

I, Alice Lentz, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

---

Commissioner Alice Lentz

---

Mayor Tim Helms



## TOWN OF MONTREAT

---

P. O. Box 423  
Montreat, NC 28757  
Tel: (828)669-8002 Fax: (828)669-3810  
[www.townofmontreat.org](http://www.townofmontreat.org)

I, Kent Otto, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

---

Commissioner Kent Otto

---

Mayor Tim Helms



## TOWN OF MONTREAT

---

P. O. Box 423

Montreat, NC 28757

Tel: (828)669-8002 Fax: (828)669-3810

[www.townofmontreat.org](http://www.townofmontreat.org)

I, Tom Widmer, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

---

Commissioner Tom Widmer

---

Mayor Tim Helms



## TOWN OF MONTREAT

---

P. O. Box 423

Montreat, NC 28757

Tel: (828)669-8002 Fax: (828)669-3810

[www.townofmontreat.org](http://www.townofmontreat.org)

I, \_\_\_\_\_, do solemnly and sincerely swear that I will support the Constitution of the United States as Mayor Pro Tem for the Town of Montreat; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United State, to the best of my knowledge and ability; so help me God.

\_\_\_\_\_  
Mayor Pro Tem

\_\_\_\_\_  
Mayor Tim Helms



## TOWN OF MONTREAT

P. O. Box 423  
Montreat, NC 28757  
Tel: (828)669-8002 Fax: (828)669-3810  
[www.townofmontreat.org](http://www.townofmontreat.org)

### BOARD OF COMMISSIONERS & ADVISORY BOARD/COMMITTEE MEMBERSHIP APPLICATION

Full Legal Name: James Eleanor  
(Last) (First) (Middle)  
Physical Address: 372 Nisbet Lane  
Mailing Address: PO Box 911  
Home Phone: 910-232-5237 Alternate Phone: \_\_\_\_\_  
Email Contact Information: eleanorjms14@gmail.com

On which Board or Committee do you wish to serve?

- ☒ Board of Adjustment ☐ Planning and Zoning Commission  
☐ Comprehensive Plan Steering Committee ☐ Board of Commissioners  
☐ Montreat Landcare Committee  
☐ Open Space Conservation Committee

Please explain why you want to be a member of this board/committee:

Have knowledge  
of the construction industry

Briefly explain what you believe are the three most important issues facing our community at this time and how you believe serving on the selected board/committee can play a role in addressing each issue:

Making Montreat residences accessible  
to residents owners no matter their  
financial situations. Increase affordable  
housing for residents and students

List any abilities, skills, specialized training or interest you have which are applicable to this board/committee:

Interior Design MFA

Have you ever attended a regularly scheduled meeting of the selected board/committee? NO

How much time are you able to devote to fulfill this obligation? plenty



## TOWN OF MONTREAT

P. O. Box 423  
Montreat, NC 28757  
Tel: (828)669-8002 Fax: (828)669-3810  
[www.townofmontreat.org](http://www.townofmontreat.org)

### ADVISORY BOARD/COMMITTEE MEMBERSHIP APPLICATION

Full Legal Name: FRANK RUSTY  
(Last) (First) (Middle)

Physical Address: 205 HARMONY LANE

Mailing Address: BOX 129 MONTREAT 28757

Home Phone: 669-8413 Alternate Phone: \_\_\_\_\_

Email Contact Information: rustyfrank @ gmail.com

On which Board or Committee do you wish to serve?

- ☐ Board of Adjustment ☐ Open Space Conservation Committee
- ☐ Comprehensive Plan Steering Committee ☐ Planning and Zoning Commission
- ☐ Montreat Landcare Committee ☒ Tree Board

Please explain why you want to be a member of this board/committee:

I BELIEVE I CAN BRING ECOLOGIC AND SILVICS KNOWLEDGE AND CAN WORK WITH AGENCIES THAT CAN  
SUPPORT OUR WORK.

Briefly explain what you believe are the three most important issues facing our community at this time and how you believe serving on the selected board/committee can play a role in addressing each issue:

1. MENDING FENCES - ESTABLISHING OPPORTUNITIES FOR FOLKS TO WORK TOGETHER ON ECOLOGICAL AND SILVIC PRACTICES.
2. CONSTRUCTION OF THE NEW TOWN HALL AND MAINTENENCE BUILDING - HELP IN SELECTION OF TREE PLANTING
3. CONSTRUCTION/CREATION OF THE WALKING BRIDGE AT THE SOFTBALL FIELD - ASSIST WITH ECOLOGICAL AND SILVIC PRACTICES AT THE SITE LOCATION.

List any abilities, skills, specialized training or interest you have which are applicable to this board/committee:

1. My undergraduate BS degree was in FORESTRY AND BIOLOGY. MY AREA OF INTEREST WAS ECOLOGY AND SILVICULTURE.
2. FOR SEVERAL YEARS I HAVE WORKED WITH JOHN JOHNSON AND JOE STANDARD ON HEMLOCK WOOLY ADELGID TREATMENT AND MONITORING.
3. I SERVED FOR FOURTEEN YEARS ON THE MRA WILDERNESS COMMITTEE.

Have you ever attended a regularly scheduled meeting of the selected board/committee? NO

How much time are you able to devote to fulfill this obligation? I AM RETIRED AND CAN MANAGE MY TIME.



## TOWN OF MONTREAT

P. O. Box 423  
Montreat, NC 28757  
Tel: (828)669-8002 Fax: (828)669-3810  
[www.townofmontreat.org](http://www.townofmontreat.org)

### BOARD OF COMMISSIONERS & ADVISORY BOARD/COMMITTEE MEMBERSHIP APPLICATION

Full Legal Name: Vinson Jennie Ann  
(Last) (First) (Middle)

Physical Address: 136 Quillan Lane, Montreat, NC 28757

Mailing Address: PO Box 699, Montreat, NC 28757

Home Phone: 828-669-2975 Alternate Phone: \_\_\_\_\_

Email Contact Information: momevinson@bellsouth.net

On which Board or Committee do you wish to serve?

☐ Board of Adjustment

☐ Planning & Zoning

☒ Tree Board

Please explain why you want to be a member of this board/committee:

Having served on the Board as chair of the board in my capacity as Environmental Commissioner since the Board's inception, I feel very strongly about the work it is doing and has been charged with doing and would like to continue to serve the community through the work of the Board.

Briefly explain what you believe are the three most important issues facing our community at this time and how you believe serving on the selected board/committee can play a role in addressing each issue:

Our trees are an important part of the spirit of the community. I would like to continue to help maintain the health of the trees and forests of the area by being proactive in their care through education with the public, obtaining grant money for the continued care (to augment town budget \$\$), and helping to continue the vision and mission of the board.

List any abilities, skills, specialized training or interest you have which are applicable to this board/committee:

Able to help the current board obtain grant dollars for a initial inventory of our at risk trees; have led the Board in the development of a Tree Management Plan for the Town; served as Environmental Commissioner for the Town for 4 years.

Have you ever attended a regularly scheduled meeting of the selected board/committee? yes

How much time are you able to devote to fulfill this obligation? as needed as necessary

Please return to the Town Services Building!! Thanks

3 years



## TOWN OF MONTREAT

---

P. O. Box 423  
Montreat, NC 28757  
Tel: (828)669-8002 Fax: (828)669-3810  
[www.townofmontreat.org](http://www.townofmontreat.org)

I, Adrienne Isenhower, do solemnly and sincerely swear that I will support the Constitution of the United States as Zoning Administrator for the Town of Montreat; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

---

Adrienne Isenhower

---

Angie Murphy



## TOWN OF MONTREAT

---

P. O. Box 423  
Montreat, NC 28757  
Tel: (828)669-8002 Fax: (828)669-3810  
[www.townofmontreat.org](http://www.townofmontreat.org)

I, Erin Marie Wheeler, do solemnly and sincerely swear that I will support the Constitution of the United States as Interim Finance Officer for the Town of Montreat; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

---

Erin Marie Wheeler

---

Angie Murphy



JKHARTT/CITIZEN-TIMES

## s new Hospital

provider's larger goal of becoming "Future Ready," which includes upgrades to the Highlands-Cashiers Hospital, the Transylvania Regional Hospital as well as the \$400 million Asheville project.

Mission held a groundbreaking for the site in October 2015 after months of planning. Its new McDowell Hospital features 30 beds, split between 25 inpatient beds and five birthing suites, and 15 ER beds, making the new facility larger than the existing hospital.

The new site measures about 105,000 square feet between the new hospital and the medical office building being built on site.

Moving day is scheduled for Feb. 23, at which time the majority of the hospital's operations will transfer over. The outgoing McDowell Hospital is slated for a September 2018 demolition. It will become a parking lot for

## Henderson wants to keep sending sewage to Buncombe

**Mark Barrett**

Asheville Citizen-Times  
USA TODAY NETWORK

**WOODFIN** – Officials in Buncombe and Henderson counties have had trouble sharing water but may be headed to an agreement to combine sewer services that would affect residents and businesses in Fletcher and Mills River.

The Woodfin-based government utility that treats sewage from most of Buncombe County, the Metropolitan Sewerage District, is considering expanding to take in a much smaller agency that serves northern Henderson County.

MSD already treats sewage from the Cane Creek Water and Sewer District under a contract and Henderson County commissioners have requested that MSD take over the agency. The switch would lower sewer rates for customers of the district and give MSD responsibility for maintaining the Cane Creek sewage collection system.

But some Buncombe officials are concerned about how much control Henderson County would have over the combined utility and by a recently authorized legislative study of laws on government providers of water and sewer that might affect MSD or the Asheville water system.

Those issues have slowed, but not stopped, consideration of MSD taking over Cane Creek. MSD's board had been on the verge of moving ahead with the expansion process, but voted Nov. 15 to instead consult with local governments in Buncombe County first.

They are scheduled to return to the issue Dec. 20.

The expansion could affect sewer costs for residents and businesses in Fletcher, Mills River and nearby areas and impact any future discussions over regional water issues.

It would also make MSD more of a player in the development of northern Henderson County, already one of Western North Carolina's fastest growing areas, although an MSD official says the utility follows plans of other

# Merger

Continued from Page 1A

local government instead of trying to shape development patterns itself.

## Lots of room

Officials representing Asheville, Buncombe County and Henderson County argued for years over water issues. The debate faded after a December 2016 decision by the state Supreme Court struck down a 2013 law that would have given the Asheville water system to MSD.

The 2013 law would have advanced the desires of Buncombe and Henderson officials to further ensure access to Asheville water for residents outside the city, although the city system already serves many customers outside its limits and an older law prevents Asheville from charging non-city residents more for water.



**Rep. Chuck McGrady** The state General Assembly earlier this year passed a bill sponsored by Rep. Chuck McGrady, R-Henderson, that would add three seats for Henderson County residents to the 12-member MSD board if MSD takes over Cane Creek.

Earlier this month, a legislative commission approved a statewide study sought by McGrady of local government water and sewer charges, whether government utilities are properly maintained and funded and whether combining utilities would make them more efficient and financially stable. McGrady is a co-chair of the study.

People on both sides of the Buncombe-Henderson line say it makes some sense for sewage from northern Henderson County to be treated at the MSD plant in Woodfin.

The plant has the capacity to treat 40 million gallons of sewage a day but only sees half that amount, said Tom Hartye, MSD's general manager.

He said 700,000 to 800,000 gallons a day come from the Cane Creek district to the Woodfin plant now.

Because MSD has so much extra capacity, the impact of a merger would be "small financially, small physically."

Hartye says the "real winners" would be Cane Creek customers. A typical customer's bill would drop from \$38 a month to \$30 if the merger goes through, he has estimated.

Bill Lapsley, a Henderson County commissioner and retired civil engineer, said Henderson County could build its own sewage treatment plant on the French Broad River to treat Cane Creek sewage or pump it uphill to a city of Hendersonville plant. Both would be less efficient than sending the sewage on to MSD.

"You've got this huge treatment plant that MSD owns and they can treat the Cane Creek wastewater cheaper than if (Cane Creek) did it on their own," Lapsley said.

Hartye and Lapsley said Cane Creek's



Henderson County wants to lock in place an arrangement whereby the Metropolitan Sewerage District treats sewage from the Fletcher and Mills River areas at the MSD treatment plant in Woodfin. MARK BARRETT/CITIZEN-TIMES

collection system is in good condition and would not create a burden for MSD.

## Who's in control?

Chris Pelly, a former Asheville city councilman who sits on the MSD board, said the utility has the capacity to take over the Cane Creek system, but he is concerned by the disproportionate influence Henderson residents would have on the MSD board.

MSD has about 50,000 customers and 3,700 are served by Cane Creek.

The law McGrady got passed this year would mean Henderson County would control 20 percent of the seats on the MSD board even though only about 7 percent of the customers of the expanded MSD would be in Henderson.

"That's a concern. That doesn't mean I'm going to vote against" an MSD expansion, Pelly said.

Asheville Mayor Esther Manheimer, Weaverville Mayor Al Root and Woodfin



**Esther Manheimer**

Mayor Jerry VeHaun, all members of the MSD board, said the composition of the MSD board after expansion is also an issue for them.

McGrady, a co-sponsor of the 2013 law that would shift control of the Asheville water system, could not be reached for comment for this story. He has said in the past that the number of Henderson residents on the MSD board should be high because past disputes with Buncombe County have left Henderson residents distrustful of their neighbors to the north.

Manheimer says Asheville already is underrepresented on the board.

"I've always found it perplexing that more than half of the MSD customers

are inside the city of Asheville but the city only gets three of the 12 seats," she said.

State law says Henderson and Buncombe commissioners and a state commission would have to hold public meetings before an MSD expansion could take place. Hartye said a merger could occur as soon as July 2018.

The city of Hendersonville and Henderson County commissioners have had disputes recently over that city's water system. About three-quarters of its customers live outside the city and commissioners say they are concerned that they have no say over governance of the system. Hendersonville says it runs a good water system.

McGrady introduced a bill in April to more tightly regulate local government utilities and the way counties and municipalities use the proceeds that would apply across the state. (Asheville's system already operates under tighter restrictions.) It passed the House after it was amended to set up a study of utility issues but the Senate did not take it up.

The Legislative Research Commission on Nov. 9 authorized the study us-

ing language identical to that in McGrady's bill.

Root said he wants to know more about the study before MSD adds Cane Creek.

"We need to have some clarity ... before expanding the system," he said.

Barry Summers, an Asheville activist who fought the proposed transfer of the Asheville water system, said MSD members should get assurances from McGrady that he will not pursue a transfer further.

"They should put the Cane Creek expansion on permanent hold until they're satisfied that (McGrady) is not going to grab Buncombe infrastructure," he said.

Manheimer said she discussed the study with McGrady because it brought up "echoes" of the Asheville water battle. She hopes it won't be used to as a way to renew that fight.

"I am looking for an opportunity to bury the hatchet," she said.

VeHaun, who chairs the MSD board, predict it will approve expansion despite some worries.

MSD is already treating sewage from Cane Creek, he noted: "It's a plus for us."

Special Holiday Offer

PURCHASE  
10 TOP SIRLOIN  
STEAKS FOR \$49.99\* AND RECEIVE  
10 FREE STEAKBURGERS



PLANNING  
COMMITTEE

**Metropolitan Sewerage District  
of Buncombe County, NC**

**Agenda For: November 15, 2017  
Meeting Time: 1:00 pm**

	Agenda Item	Presenter
1.	Call to Order	Al Root, Chair
2.	Consideration of Cane Creek WSD Merger with MSD	Tom Hartye, GM
3.	Other Business	Al Root, Chair
4.	Adjourn	Al Root, Chair
Date of next meeting: To Be Announced		

Committee Members:

Al Root, Chair  
Don Collins  
Jon Creighton  
Esther Manheimer  
Chris Pelly  
Robert Pressley

# **Metropolitan Sewerage District of Buncombe County**

## **Planning Committee**

**COMMITTEE MEETING DATE:** November 15, 2017

**SUBMITTED BY:** Thomas Hartye, PE, General Manager

**SUBJECT:** Consideration of Merging Cane Creek Water and Sewer District with MSD

### **BACKGROUND:**

The recent passage of House Bill 764 amended MSD's enabling legislation to allow Henderson County to have 3 representatives while all other existing local governments would retain their representation in the event MSD allows the Cane Creek Water and Sewer District (CCWSD) to become part of MSD.

At the August 16, Regular Meeting of the MSD Board, Henderson County representatives expressed their desire to have CCWSD consolidate with MSD. The MSD Board asked the Planning Committee to evaluate and make a recommendation to the full Board.

MSD entered into an agreement with Cane Creek Water and Sewer District (CCWSD) in 1988. The agreement was amended in March, and again in October, 1990. Under the agreement, as amended, MSD is obligated to treat up to 1.35 MGD of wastewater. Recent master planning by Henderson County for the CCWSD area estimates a future need of 3.0 million gallons a day.

MSD does not own or operate the collection system in the Cane Creek District. MSD charges the CCWSD customers treatment service charges based upon their usage, but not the flat rate meter fee which is for local collection system maintenance.

CCWSD has operations personnel and contractors to work on the system and charges an additional fee to their customers for maintenance in addition to the MSD treatment charge. CCWSD owns and operates approximately 60 miles of sewer mains and 9 pump stations.

### **DISCUSSION:**

MSD staff has performed some "due diligence" analyses in the last few weeks based upon the information provided by Henderson County thus far. Most of the requested information has been received from Henderson County, however we expect minor adjustments as the remainder of the information is provided. Staff will review the results at the meeting. These analyses confirm findings from due diligence done in 2010 and 2013. Those analyses showed that, considering all operations, assets, and liabilities, the impact to MSD would be minimal and have no rate implications.

In short the real winners are the CCWSD customers. The average residential bill for 5 CCF in CCWSD is \$39 per month, which would be reduced to \$31 per month, consistent with what customers in the rest of the District pay.

Attached are the following exhibits staff will review at the meeting:

- A ten-year financial model showing CCWSD revenues and expenses.
- A ten-year Capital Improvement Plan.
- A spreadsheet of pump stations showing a condition assessment.

MSD does not typically prepare financial models for each member agency but chose to do so to get a close-up picture of the inputs and outputs of the Cane Creek WSD. Rate assumptions were made to parallel the current model for MSD. When incorporating Cane Creek WSD into the overall MSD model, the impact is *de minimis*.

MSD is currently conducting an engineering study of future interceptor capacity that will serve this area along with South Asheville. It will involve new projects in addition to those already included in the current MSD ten-year CIP.

Due to the relative size of Cane Creek WSD, considerations of both benefits and concerns to the MSD operation are minor, but we have attempted to delineate some of the salient ones below:

Minor Benefits:

- Better coordination of service and planning.
- Better timing and flexibility of Capital Improvements in the CCWSD area.
- Greater operational resources to aid in Customer service and environmental protection.
- Less Cost to CCWSD customers.
- More efficient use of resources.

Minor Concerns:

- Agreement with Fletcher Academy for the \$1.025 million participation in the Mud Creek Interceptor project. This should be renegotiated directly with MSD.
- Billing arrangements/agreements with Henderson County and Hendersonville.
- Receivables
- Personnel transfer
- Timing
- Update estimates for future projects.
- Geopolitical

Taken as a whole with a wide angle view, staff believes that the consolidation would be beneficial in the same way it was back in 1991 with all the other member agencies and special districts.

**RECOMMENDATION:**

That the Planning Committee recommend that the MSD Board approve the attached resolution (last page of this item).



CANE CREEK WATER AND SEWER DISTRICT

HENDERSON COUNTY, NORTH CAROLINA

TEN YEAR CAPITAL IMPROVEMENT PROGRAM

			TEN YEAR CIP										
PROJECT NAME	TOTAL ESTIMATED COST	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
INTERCEPTORS													
Mud Creek Interceptor Phase II (Fletcher Academy)	\$5,333,000	\$500,000	\$1,000,000	\$1,500,000	\$1,500,000	\$833,000							
Mud Creek Interceptor Phase III (Mtn. Home)	\$1,800,000					\$200,000	\$800,000	\$800,000					
Mill Pond Creek Interceptor	\$2,747,820	\$1,400,000											
Boylston Creek P.S. & Boylston Creek Interceptor	\$2,100,000									\$2,100,000			
Shaws Creek P.S. & Interceptor	\$1,982,045												\$1,982,045
French Broad Interceptor	\$1,800,000								\$1,800,000				
Fletcher Warehouse Interceptor Phase 2 (Fox Glen)	\$1,000,000							\$1,000,000					
McDowell Creek Interceptor	\$818,756						\$818,756						
SUBTOTAL	\$17,581,621	\$1,900,000	\$1,000,000	\$1,500,000	\$1,500,000	\$1,033,000	\$1,618,756	\$1,800,000	\$1,800,000	\$2,100,000	\$0	\$0	\$1,982,045
Inflation per ENR Const. Cost Index	2.92%	1.0000	1.0000	1.0292	1.0593	1.0902	1.1220	1.1548	1.1885	1.2232	1.2589	1.2957	1.3335
SUBTOTAL with inflation	\$18,404,820	\$1,900,000	\$1,000,000	\$1,543,800	\$1,588,879	\$1,126,159	\$1,816,270	\$2,078,602	\$2,139,297	\$2,568,726	\$0	\$0	\$2,643,086

PROJECT NAME	TOTAL ESTIMATED COST	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
GENERAL SEWER REHABILITATION													
Norafin Extension (School House Road)	\$230,000												
General Sewer Rehabilitation Projects (Future)	\$1,600,000					\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000
Emergency Line Replacements & Repairs	\$680,000	\$50,000	\$80,000	\$50,000	\$50,000	\$50,000	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$100,000	\$100,000
Line Cleaning & CCTV	\$160,000			\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
SUBTOTAL	\$840,000	\$50,000	\$80,000	\$70,000	\$70,000	\$270,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$320,000	\$320,000
Inflation per ENR Const. Cost Index	2.92%	1.0000	1.0000	1.0292	1.0593	1.0902	1.1220	1.1548	1.1885	1.2232	1.2589	1.2957	1.3335
SUBTOTAL with inflation	\$3,196,109	\$50,000	\$80,000	\$72,044	\$74,148	\$294,349	\$336,605	\$346,434	\$356,550	\$366,961	\$377,676	\$414,618	\$426,725

PROJECT NAME	TOTAL ESTIMATED COST	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
TREATMENT PLANT, PUMP STATIONS & GENERAL CAPITAL IMPROVEMENTS													
Howard Gap Pump Station	\$1,500,000								\$1,500,000				
Pump Station Upgrades & Equipment	\$160,000			\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
GIS Mapping	\$0												
Vehicles	\$100,000			\$50,000					\$50,000				\$50,000
SUBTOTAL	\$1,760,000	\$0	\$0	\$70,000	\$20,000	\$20,000	\$20,000	\$20,000	\$1,570,000	\$20,000	\$20,000	\$20,000	\$70,000
Inflation per ENR Const. Cost Index	2.92%	1.0000	1.0000	1.0292	1.0593	1.0902	1.1220	1.1548	1.1885	1.2232	1.2589	1.2957	1.3335
SUBTOTAL with inflation	\$2,195,413	\$0	\$0	\$72,044	\$21,185	\$21,804	\$22,440	\$23,096	\$1,865,943	\$24,464	\$25,178	\$25,914	\$93,346

BUDGET SUMMARY	TOTAL ESTIMATED COST	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Sub-Totals with Inflation	\$23,796,342	\$1,950,000	\$1,080,000	\$1,687,888	\$1,684,212	\$1,442,312	\$2,175,316	\$2,448,132	\$4,361,790	\$2,960,151	\$402,854	\$440,531	\$3,163,157
Line Extensions/Reimbursements/Developer Projects	\$450,000	\$50,000		\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Fiscal Year Totals	\$24,346,342	\$2,000,000	\$1,080,000	\$1,737,888	\$1,734,212	\$1,492,312	\$2,225,316	\$2,498,132	\$4,411,790	\$3,010,151	\$452,854	\$490,531	\$3,213,157
			Total Ten Year CIP \$19,133,185										

Cane Creek Water & Sewer District Pump Station Inspection  
Critical Needs List  
Latest Inspection Date: Thursday, October 29 & Friday October 30, 2015.  
Inspectors: Hunter Carson, Tim Coates

Critical needs component

To be removed from system

MSD Pump Station Criteria	Cane Creek Water &Sewer District Pump Station I.D.								
	ITT	Mud Creek	Naples	Rockwell	Mountain Home	New Bern	Fanning Bridge Road	New Mill Pond	School House Road
<b>Site Requirements</b>									
Paved Entrance	No (gravel)	No (gravel)	No (gravel)	No (gravel)	Yes	No (gravel)	No (gravel)	No (gravel)	No (gravel)
Accessible by flusher truck	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
RPZ Backflow Preventer	No	Yes	No	No	No	No	Yes	Yes	Yes
16' wide access gate	Yes	Yes	Yes	Yes	No - 14'	Yes	Yes	Yes	Yes
Sign on Gate	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
6' chain link fence	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Emergency Generator	Yes (permanent)	Yes (permanent)	Yes (portable on site with generator quick connect)	Yes (permanent)	Yes (permanent)	Yes (permanent)	No - Godwin DBS	No - Godwin DBS	Yes (permanent)
Influent Manhole	No	Yes (see below)	No	Yes (see below)	No	Yes	Yes	Yes	Yes
Area Light	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Yard Hydrant	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Davit Crane	No (base only)	No	Yes	No	Yes	Yes	No	No	No
<b>Wetwell and Valve Vault Requirements</b>									
Wetwell Float Switches	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Level Indicator	Yes (Multitrode Level Probe)	Yes (Millitronics Hydromanager)	Yes (Multitrode Level Probe)	Yes (Multitrode Level Probe)	Yes (Multitrode Level Probe)	Yes (Multitrode Level Probe)	Yes (Multitrode Level Probe)	Yes (Multitrode Level Probe)	Yes (Multitrode Level Probe)
Aluminum Access Hatches	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Force Main bypass	No	No	No	No	No	No	No	No	Yes (see below)
Force Main Pressure Gauge	Yes	No	No	No	No	No	No	No	No
Valve Vault Drain	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
<b>Electrical Equipment Rack Requirements</b>									
Service Entrance Disconnect/Voltage	Yes/480V	Yes/480V	Yes/480V	Yes/480V	Yes/480V	Yes/480V	Yes/480V	Yes/480V	Yes/480V
GFI Outlet	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Automatic Transfer Switch	Yes	Yes	No	Yes	Yes	Yes	No - N/A	No - N/A	Yes
Pump Control Panel Audible and Visual Alarm	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Concrete pad	No	Yes	No	Yes	Yes	No	Yes	Yes	Yes
Scada Equipment	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
<b>Estimated Cost of Critical Needs Improvements</b>	<b>\$26,000</b>	<b>\$36,000</b>		<b>\$30,000</b>	<b>\$20,000</b>	<b>\$39,000</b>	<b>\$31,000</b>	<b>\$20,000</b>	<b>\$12,000</b>

**General Notes:** \*Pump station to be eliminated per CCWSD. All SCADA is GuardDog web-based software manufactured by OmniSite. All costs are based on current PS condition and current flow rate. Available PS capacity, estimated future flow rate and potential capacity upgrades have not been considered. Force main bypass costs assume installation is completed via "hot tap" isolation valve and downstream tapping sleeve and valve. Valving and bypass connection is contained in precast doghouse vault with aluminum access hatch. General rule of thumb used for pricing of Insert valves and tapping S&V is \$1000/inch pipe diameter. Precast vaults, including hatch is also priced as \$1000/ft. Pricing assumes 15% contractor O&P for installation.

Force main badly corroded inside wetwell. Pump station overall in fair condition. Greg Wiggins mentioned that ITT pump station would require future expansion due to other PS elimination projects. Wet well is very deep, approx. 30-40'. Cost estimate includes addition of force main bypass only. Assume force main is 8" diameter based on firm capacity flow rate of 650gpm. Bypass connection contained in 6'x6' vault.

Valve vault access is via manhole lids and will prove difficult for future valve replacement. Pump station overall is in good condition. Mud Creek has three wetwells and is essentially two pump stations. Mud Creek #1 has a 24" incoming line with head manhole. Mud Creek #2 has an 8" incoming line, but no head manhole. MC #1 pumps into MC #2, and MC #2 pumps all flow out via 2 mile force main. Per CCWSD, planning to change out Millitronics unit with Multitrode unit. Cost estimate includes addition of force main bypass and pump guide rail extension. Force main is 10" diameter. Bypass connection contained in 6'x6' vault.

Pump station overall is in fair condition; access could be difficult with multiple vehicles. To be eliminated in March/April 2018 per Greg Wiggins.

Pump station has two wetwells, the second for wet weather equalization. Pump station overall is in good condition. Wetwell has two incoming lines, 10" and 18". Both lines have influent manholes within PS property, but not a common influent MH. Cost estimate includes addition of force main bypass only. Force main is 10" diameter. Bypass connection contained in 6'x6' vault.

Pump station overall is in fair condition. Cost estimate includes addition of force main bypass only. Assume force main is 6" diameter based on firm capacity flow rate of 320gpm. Bypass connection contained in 5'x5' vault.

Generator disconnect is approx. 100 yds. from pump station. Access road to pump station is very narrow and not accessible by flusher truck. Pump station overall is in poor condition. Adjoining property is 86.5 acres (Fletcher Lime Stone Co. PIN 9652-29-2964) and taxed at \$77,800. Cost estimate includes property acquisition/easement (\$5000), driveway widening and fence rerouting (\$20,000), and addition of force main bypass . Force main is 4" diameter. Bypass connection contained in 4'x4' vault.

This station placed on line in Fall 2016. Godwin DBS pump is natural gas powered. Godwin DBS capable of conveying peak hour flow (i.e.capacity equals that of submersible). Cost estimate includes heat-tracing of Godwin DBS exposed suction/discharge piping (\$5,000). SCADA monitoring of Godwin DBS, and addition of force main bypass. Assume force main is 8" diameter based on firm capacity flow rate of 695gpm. Bypass connection contained in 6'x6' vault.

This station placed on line in July 2017. Godwin DBS pump is natural gas powered. Godwin DBS capable of conveying peak hour flow (i.e.capacity equals that of submersible). Cost estimate includes heat-tracing of Godwin DBS exposed suction/discharge piping (\$5,000). SCADA monitoring of Godwin DBS, and addition of force main bypass. Assume force main is 4" diameter based on firm capacity flow rate of 195gpm. Bypass connection contained in 4'x4' vault.

This station placed on line in Oct. 2015. Permanent generator is natural gas powered. There is currently a bypass tie-in on the force main, but it is approx. 3/4 mile downstream of PS. Cost estimate includes addition of (more accessible) force main bypass only. Assume force main is 3" diameter based on firm capacity flow rate of 95gpm. Bypass connection contained in 4'x4' vault.

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE METROPOLITAN SEWERAGE DISTRICT**

**WHEREAS**, the Henderson County Board of Commissioners, in its capacity as the governing body of the Cane Creek Water and Sewer District, adopted on July 19<sup>th</sup>, 2017, a *Resolution to Provide for the Inclusion of the Sewer System of the Cane Creek Water and Sewer District into the Metropolitan Sewerage District of Buncombe County*; and

**WHEREAS**, the District Board of the Metropolitan Sewerage District of Buncombe County (“MSD”) has considered the Resolution, and MSD Staff has conducted preliminary due diligence on the possible inclusion of the Cane Creek Water and Sewer District (“CCWSD”) into MSD; and

**WHEREAS**, MSD currently accepts for treatment wastewater generated in CCWSD pursuant to contract; and

**WHEREAS**, the District Board believes the inclusion of the CCWSD into MSD will preserve and promote the public health and welfare; and

**WHEREAS**, the District Board favors the inclusion of the CCWSD into MSD in accordance with the terms and conditions set forth herein.

**It is Now Hereby Resolved as Follows:**

1. The District Board directs its General Manager to proceed with those items set forth in N.C.G.S. § 162A-68 necessary to make CCWSD part of MSD;
2. MSD and CCWSD shall enter into an agreement, satisfactory to the District and its counsel, transferring all assets and liabilities of CCWSD to MSD.
3. CCWSD and MSD shall execute and record, where necessary, instruments transferring such assets and liabilities
4. The CCWSD shall cooperate with MSD in preparation of the aforementioned documents, the transfer of assets and liabilities, and the operation and maintenance of the CCWSD Sewerage System.
5. The inclusion of the CCWSD into MSD shall be subject to satisfactory agreement between CCWSD and MSD, the approval of the Environmental Management Commission and the other provisions of N.C. Gen. Stats. §162A -68.

**DRAFT**

\_\_\_\_\_  
M. Jerry Vebaun, Chair  
Metropolitan Sewerage District of Buncombe County, NC

ATTEST:

**DRAFT** \_\_\_\_\_

Jackie W. Bryson  
Secretary / Treasurer

**From:** Alex Carmichael  
**Sent:** Tuesday, December 12, 2017 8:29 AM  
**To:** Angela Murphy  
**Subject:** FW: Metropolitan Sewerage District  
**Attachments:** Planning Nov 2017.pdf

Angie,

Please add this email and it's attachment to the agenda packet for the MSD item.

**Alex Carmichael**

Town of Montreat  
Town Administrator  
P.O. Box 423  
Montreat, NC 28757  
O: 828.669.8002, ext. 305  
C: 828.779.6223  
F: 828.669.3810  
[acarmichael@townofmontreat.org](mailto:acarmichael@townofmontreat.org)  
[www.townofmontreat.org](http://www.townofmontreat.org)



*Pursuant to North Carolina General Statutes, Chapter 132, Public Records, correspondence to and from this e-mail address may be considered public records subject to requests for review and copying by third parties.*

---

**From:** Hartye, Tom [<mailto:THartye@msdbc.org>]  
**Sent:** Wednesday, November 15, 2017 4:28 PM  
**To:** [jkanipe@biltmoreforest.org](mailto:jkanipe@biltmoreforest.org); [scoffey@weavervillenc.org](mailto:scoffey@weavervillenc.org); [matt.settlemyer@townofblackmountain.org](mailto:matt.settlemyer@townofblackmountain.org); Alex Carmichael <[acarmichael@townofmontreat.org](mailto:acarmichael@townofmontreat.org)>; [jasonyoung@woodfin-nc.gov](mailto:jasonyoung@woodfin-nc.gov); Jon Creighton <[jon.creighton@buncombecounty.org](mailto:jon.creighton@buncombecounty.org)>; Gary Jackson <[GJackson@ashevillenc.gov](mailto:GJackson@ashevillenc.gov)>; Joe Martin <[woodfindirector@charter.net](mailto:woodfindirector@charter.net)>  
**Cc:** BoardMembers <[BoardMembers@msdbc.org](mailto:BoardMembers@msdbc.org)>; William Clarke <[BClarke@roberts-stevens.com](mailto:BClarke@roberts-stevens.com)>  
**Subject:** Metropolitan Sewerage District

Dear Member Agencies,

The MSD Board is being asked to consider the merging of the Cane Creek Water and Sewer District with MSD. At the November 15, 2017 Regular Board Meeting the MSD Board asked that

I share the attached information with you so that we may get any feedback that you may have.

Attached you will find a Planning Committee Packet with information prepared by MSD. This information is a result of field investigations and engineering review along with analyzing the FY 18 budget and Draft Audited FY 17 financials.

Please call with any questions or if you should need some additional information.

Thanks

Tom Hartye

Thomas E. Hartye, PE  
General Manager  
Metropolitan Sewerage District of Buncombe County  
2028 Riverside Drive  
Asheville, NC 28804  
828.225.8399  
[Thartye@msdbc.org](mailto:Thartye@msdbc.org)



MEMORANDUM

*Embl*

TO: Board of Commission, Town of Montreat

FROM: Emory Underwood, Chair of Planning and Zoning Commission

DATE: December 4, 2017

SUBJECT: Recommendation to Rezone Well Site 4 from Conservation Zoning District to Institutional Zoning District.

The Planning Zoning Commission met on November 30th to consider this review. Four appointed members of the Commission were present along with three members of Town staff and three members of the public.

The Commission heard staff's request to rezone the area around Well Site four and found the proposal to be in conformity with the Comprehensive Plan. The Planning and Zoning Commission voted unanimously to recommend to the Town of Montreat Board of Commissions to rezone Well Site 4 from Conservation District Zoning District to Institutional District.

# EXCERPTS FROM TOWN OF MONTREAT ZONING ORDINANCE

## Article VII - Zoning District Regulations

### 700 Permitted Uses Table.

700.1 The following table establishes what principal uses will be allowed in which Zoning Districts in the Town of Montreat. The uses in this table will be permitted as indicated and shall conform to all regulations of the applicable Zoning District. Uses which are not listed in the Table are not permitted in the Town of Montreat.

700.2 When shown with an asterisk (\*), the use is permitted only as a "Conditional Use" and will be approved in accordance with the provisions of Article VIII of this Ordinance. When shown with a double asterisk (\*\*), the use is permitted only as an "Accessory Use."

USE	DISTRICT								
	R-1	R-2	R-3	IR	I	WL	RPO	CD	TCO
Accessory Buildings or Uses	X	X	X	X	X				X
Agriculture excluding logging and timber harvest						X	X	X*	
Amusements, Commercial: including, but not limited to miniature golf, bowling lanes, indoor theaters, dance halls, skating rinks, swimming pools, and tennis courts					X*				X*
Art Galleries				X*	X*				X*
Auditorium				X*	X*				X*
Bakeries				X*					X*
Banks				X*					X*
Barber and Beauty Shops				X*					X*
Bed and Breakfast, Home		X*		X*	X				X
Bed and Breakfast, Inn		X*		X*	X				X
Boarding Houses		X*		X*	X				X
Camps, Summer					X*	X*			
Campgrounds					X*	X*			
Conference Center				X*	X				X

# EXCERPTS FROM TOWN OF MONTREAT ZONING ORDINANCE

USE	DISTRICT								
	R-1	R-2	R-3	IR	I	WL	RPO	CD	TCO
Churches				X*	X				X
Columbarium			X*	X*	X*	X*		X*	X*
Copying and Duplicating Services				X*	X				X
Community Facility		X*		X*	X				X
Customary Home Occupations	X**	X**	X**	X**					X**
Dancing Instruction				X*					X*
Dormitory					X				X
Drug Stores and Pharmacies				X*	X				X
Dwellings:									
Single-family	X	X	X	X					X*
Two-Family	X	X	X	X					X*
Multi-Family		X*		X					X*
Group		X*		X*	X*				X*
Eating Establishments (Excluding Drive-ins)				X*	X				X
Educational Facility				X	X				X
Family Care Homes	X	X	X	X					X
General Merchandise Retail				X*	X				X
Grocery Stores – Convenience				X*	X				X
Group Care Facility		X*		X*					X*
Hospitals				X*	X*				X*
Inn				X*	X				X
Laundries, Dry Cleaning, Linen Supply Services				X*	X				X
Laundries, Self-Service		X*		X*	X				X
Libraries, Public				X*	X*				X*
Lodge				X*	X				X
Medical and Dental Clinics					X*				X*

# EXCERPTS FROM TOWN OF MONTREAT ZONING ORDINANCE

USE	DISTRICT								
	R-1	R-2	R-3	IR	I	WL	RPO	CD	TCO
Manufactured Homes (See Section 623)	X*								
Motel					X				X
Municipal Government Facilities	X*	X*	X*	X	X				X
Museums, Public				X	X				X
Nursing Homes, Rest Homes, Homes for the Aged and Similar Establishments (See Group Care Facility)									
Professional Offices, including but not limited to medical, dental, law, or real estate				X*	X*				X*
Parks or other Public Recreational Facilities	X*	X*	X*	X*	X*	X*		X*	X*
Printing, Publishing, Blue-Printing, Photostatting, Newspaper and Job Printing				X*	X*				X*
Public Streets and Utilities	X	X	X	X	X	X		X*	X
Public Works Maintenance Facility	X*	X*	X*	X	X				X
Riding Stables						X*			
Signs: Subject to Article X	X	X	X	X	X			X*	X
Studios	X**	X**	X**	X**	X				X
Swimming Pools, Private	X**	X**	X**	X**					
Swimming Pools, Public				X*	X*				X*
Theaters, Privately Operated					X*				X*
Theaters, Public Outdoor					X*				X*
Veterinarians				X*					X*

## 705 I – Institutional.

### 705.1 Purpose.

The Institutional Zoning District is established to permit certain institutional uses as defined in Article V, Definitions, Educational Facility.

## EXCERPTS FROM TOWN OF MONTREAT ZONING ORDINANCE

- 705.2 Permitted Uses. See Section 700 and Article V, Definitions, Educational Facility.
- 705.3 Conditional Uses. See Section 700 and Article VIII.
- 705.4 Minimum Lot Area. Seven thousand five hundred (7,500) square feet.
- 705.5 Minimum Lot Width. Seventy-five feet (75').
- 705.6 Minimum Lot Depth. One hundred feet (100').
- 705.7 Yard Requirements.
- 705.71 Adjacent lots within the Institutional District shall have no front, side, or rear yard requirements except that a twenty five foot (25') Building setback shall be required from the right-of-way lines of any adjacent streets.
- 705.72 Lots within the Institutional District and abutting a different Zoning District shall be required to provide a twenty five foot (25') side, rear, and/or front yard on the perimeter facing the different Zoning District.
- 705.8 Maximum Building Height. Sixty feet (60'). All proposed Buildings, other than single family, must be approved by the authority having jurisdiction for fire code enforcement. Structures over 35 feet will require special fire protection systems.
- 705.9 Off-Street Parking and Loading Regulations. See Article IX.
- 705.10 Screening Regulations. It shall be the responsibility of the property owner or lessee to provide the following screening measures:
- 705.101 Like or similar uses abutting each other in different Districts: None.
- 705.102 Unlike or dissimilar uses abutting each other in same or different Districts: Six feet (6') high closed fence or evergreen vegetation of sufficient density to serve the purpose of a solid fence.
- 705.11 Signs. See Article X.
- 709 CD – Conservation District. That area along Flat Creek from the Montreat Gate to Lookout Road and delineated on the Official Zoning Map of the Town of Montreat as Conservation District.
- 709.1 Purpose. This Zoning District is established to protect tracts of land from residential, commercial, and institutional development and to preserve land for parks, open space, recreational areas, greenways, trails, waterways and flood plain areas.
- 709.2 Signs. See Article X, Section 1004.9.

## EXCERPTS FROM TOWN OF MONTREAT ZONING ORDINANCE

### *Article XI - Planning and Zoning Commission*

- 1100 Establishment of the Planning and Zoning Commission. The Planning and Zoning Commission shall be composed of seven members for matters within the Town of Montreat and for extraterritorial matters. The seven-member Planning Commission shall be composed of five members residing in the Town of Montreat, one member residing in Buncombe County, and one residing in McDowell County. Two alternate members shall reside in the Town of Montreat. Members shall serve a term of three years. No member shall serve more than two consecutive terms. When a vacancy occurs on the Board for the member representing Buncombe or McDowell County, the Town shall notify the respective Board of County Commissioners and request an appointment within 90 days. If no appointment is made during that period the Town Board of Commissioners shall fill the vacancy. All appointments to the Planning Commission shall comply with the requirements of N.C.G.S. § 160A-362.
- 1101 Proceedings of the Planning and Zoning Commission. The Planning and Zoning Commission shall elect from the members a chair and a vice-chair who shall serve for one (1) year or until reelected or until a successor is elected. The Planning Commission shall appoint a secretary who may be a municipal officer, an employee of the Town, or a member of the Planning and Zoning Commission. The Planning Commission shall adopt rules for transaction of its business and shall keep records of its resolutions and discussions, findings and recommendations. Such records shall be public records and filed in the Town office. Meetings of the Planning Commission shall be held quarterly, at the call of the chair, and at other times as the Planning Commission may determine. There shall be a quorum of four (4) members for the purpose of taking an official action required by this Ordinance. The alternate member may vote in the absence of a regular member but his/her presence shall not be counted when establishing a quorum. All meetings of the Planning Commission shall be open to the public.
- 1102 Powers and Duties of the Planning and Zoning Commission. In addition to its powers and duties under the Subdivision Ordinance, it shall be the duty of the Planning Commission:
- A. To acquire and maintain, in current form, such basic information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in those conditions;
  - B. To prepare, and from time to time, amend and revise a comprehensive plan for the physical development of the Town;
  - C. To establish principles and policies for guiding action in the development of the area;

## EXCERPTS FROM TOWN OF MONTREAT ZONING ORDINANCE

- D. To prepare and recommend to the Town Board of Commissioners Ordinances promoting orderly development along the lines indicated in the comprehensive plan;
  - E. To receive, review and make recommendations upon those applications for permits for Conditional Use Permits as required by the provisions of this Ordinance;
  - F. To receive and review all applications for amendment to this Zoning Ordinance and to make recommendations thereon to the Town Board of Commissioners;
  - G. To keep the Town Board of Commissioners and the general public informed and advised as to these matters;
  - H. To serve as the Stormwater Advisory Committee and assist the Town Board of Commissioners in meeting the mission and achieving the identified goals and objectives of the Town's Stormwater Management Program; and
- (4) To perform any other duties to which it may be lawfully assigned

### *Article XIII – Amendments*

- 1300 Authority. This Ordinance, including the Official Zoning Map of Montreat, North Carolina, may be amended from time to time by the Board of Commissioners in accordance with the provisions of this Article.
- 1301 Requirement for Change. When the public necessity, convenience, general welfare, or good zoning practices justify such action, and after the review and report by the Planning and Zoning Commission if required, the Board of Commissioners may undertake the necessary steps to amend the Zoning Ordinance. However, the Board of Commissioners may, in its sole discretion, make changes to the Zoning Ordinance which are necessary (1) to correct typographical errors, (2) to bring the Zoning Ordinance in compliance with any applicable North Carolina or federal law or (3) for which N.C.G.S. § 160A-387 does not require planning agency review. The Board of Commissioners can schedule such amendments for a public hearing under Section 1303 without complying with Section 1302 below.
- 1302 Procedure for Amendments. Requests to amend the Zoning Ordinance or the Official Zoning Map shall proceed in accordance with the following requirements:
- A. Initiation of Amendments. A proposed change or amendment to the Zoning Ordinance or the Official Zoning Map may be initiated by the Board of Commissioners, the Planning and Zoning Commission, the Board of Adjustment, or one or more owners of property within the area affected by the proposed amendment. For purposes of this Article only, the term “property owner” shall

## EXCERPTS FROM TOWN OF MONTREAT ZONING ORDINANCE

include the holder of a sales contract or option to purchase property affected by the proposed change.

### B. Application Procedure.

- 1) Application forms for amendment requests shall be obtained from the Town Office. Completed application forms, plus any additional information that the Chair or applicant feels to be pertinent, shall be filed with the Zoning Official within at least ten (10) days prior to the Planning and Zoning Commission's meeting at which the application is to be considered. An application requesting a change in the Official Zoning Map shall include a description of the property in question. Any communication purporting to be an application for an amendment shall be regarded as mere notice to seek relief until it is made in the required form.
- 2) An application fee as set forth in the Town of Montreat Fee Schedule shall accompany each application and this fee shall be nonrefundable except in any case where the application is withdrawn prior to its consideration by the Planning and Zoning Commission. Provided, that no application fee shall be required for an application submitted by the Board of Commissioners, the Board of Adjustment or any other Town board or commission.
- 3) Once the Zoning Official has received the complete application and all other pertinent materials necessary for the consideration of the application, he/she shall forward the application and other materials to the Chair of the Planning and Zoning Commission who shall call for a meeting of the Planning and Zoning Commission to review said application within thirty (30) days of the date the completed application is received by the Chair. The regular meeting of the Planning and Zoning Commission may serve in the place of a called meeting if it falls within the time period set forth in this Subsection below.

### C. Hearing by the Planning and Zoning Commission. The Chair of the Planning and Zoning Commission shall transmit copies of all papers and other data submitted by the applicant on behalf of the amendment request to the members of the Planning and Zoning Commission.

- 1) The Planning and Zoning Commission shall review and prepare a report, including its official recommendation to accept or reject the proposed amendment. The Planning and Zoning Commission shall deliver its written report containing its official recommendation to the Board of Commissioners within ninety (90) days of the date of the meeting at which it considered an application. Failure of the Planning and Zoning Commission to submit recommendations within the ninety (90) day period shall constitute a favorable recommendation.

## EXCERPTS FROM TOWN OF MONTREAT ZONING ORDINANCE

- 2) All meetings of the Planning and Zoning Commission shall be open to the public. At a meeting, any party may appear in person, by agent, or by attorney.
- 3) No member shall be excused from voting except upon matters involving the consideration of his/her own financial interest or official conduct. In all other cases, a failure to vote by a member who is physically present in the meeting room, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote. The question of compensation and allowances of members of the Planning and Zoning Commission is not a matter of involving a member's own financial interest or official conduct.

### 1303 Public Hearing by the Board of Commissioners.

- A. Amendment to the Zoning Ordinance. Before enacting an amendment to the Ordinance, the Board of Commissioners shall hold a public hearing. Public hearings shall be held during the regularly scheduled meeting of the Board of Commissioners.
  - 1) At least ten (10) days notice of time and place of the hearing shall be published in a newspaper of general circulation in Montreat for two (2) consecutive weeks.
  - 2) At the public hearing, the Board of Commissioners may adopt the proposed amendment, reject the proposed amendment, refer the proposed amendment back to the Planning and Zoning Commission for further consideration or hearing, or modify the proposed amendment and adopt it as modified.
  - 3) In the case of a protest against a proposed amendment, signed by the owners of at least twenty percent (20%) either (1) of the area of lots affected by such proposed amendment, or (2) of those immediately adjacent thereto, either in the rear thereof or on either side thereof, extending one hundred feet (100') therefrom, or (3) of those directly opposite thereto, extending one hundred feet (100') from the street frontage of such opposite lots, then such amendment shall not become effective except by favorable vote of three-fourths of all members of the Board of Commissioners.
- B. Changes in the Official Zoning Map. Before enacting a change to the Official Zoning Map, the Board of Commissioners shall hold a public hearing. Public hearings shall be held during the regularly scheduled meeting of the Board of Commissioners.

## EXCERPTS FROM TOWN OF MONTREAT ZONING ORDINANCE

- 1) If the proposed change to the Official Zoning Map affects fewer than fifty (50) different properties, the owners (as shown on county tax listing) of the parcel(s) of land affected by the proposed change in the zoning map and the owners (as shown on the county tax listings) of all parcels of land abutting that parcel of land shall be mailed a notice of a public hearing on the proposed change by first class mail at the last addresses listed for such owners on the county tax abstracts. This notice must be deposited in the mail at least ten (10) but not more than twenty-five (25) days prior to the date of the public hearing. The person(s) mailing such notices shall certify to the Board of Commissioners that the notices were mailed in accordance with this section, and such certificate shall be deemed conclusive in the absence of fraud.
- 2) If the proposed change to the Official Zoning Map affects at least fifty (50) different properties, then the Town may elect to mail notices as provided above or may, as an alternative, elect to publish once a week for four successive weeks in a newspaper having general circulation in Montreat an advertisement of the public hearing that shows the boundaries of the area affected by the proposed change to the Official Zoning Map and explains the nature of the proposed change. The final two advertisements shall comply with and be deemed to satisfy the provisions of N.C.G.S. §160A-364. The advertisement shall not be less than one-half of a newspaper page in size. The advertisement shall only be effective for property owners who reside in the area of general circulation of the newspaper which publishes the notice. Property owners who reside outside the newspaper circulation area, according to the address listed on the most recent property tax listing for the affected property, shall be notified by first class mail pursuant to this ordinance. The person(s) mailing such notices shall certify to the Board of Commissioners that the notices were mailed in accordance with this section, and such certificate shall be deemed conclusive in the absence of fraud. In addition to the published notice, the Town shall post one or more prominent signs on or immediately adjacent to the subject area reasonably calculated to give public notice of the proposed change in the Official Zoning Map.
- 3) At the public hearing, the Board of Commissioners may adopt the proposed change, reject the proposed change, refer the proposed change back to the Planning and Zoning Commission for further consideration or hearing, or modify the proposed change and adopt it as modified.
- 4) In the case of a protest against a proposed change signed by the owners of at least twenty percent (20%) either (1) of the area of lots affected by such proposed change, or (2) of those immediately adjacent thereto, either in the rear thereof or on either side thereof, extending one hundred feet (100') therefrom, or (3) of those directly opposite thereto, extending one hundred feet (100') from the street frontage of such opposite lots, then

## EXCERPTS FROM TOWN OF MONTREAT ZONING ORDINANCE

such amendment shall not become effective except by favorable vote of three-fourths of all members of the Board of Commissioners.

- 5) Following final action by the Board of Commissioners, the Zoning Official shall make any necessary changes in the Zoning Map and shall maintain a written record of the type and date of such changes. Action by the Board of Commissioners shall be considered official seven (7) days after the date the change was accepted by the Board of Commissioners, even if the Zoning Official has failed to make the appropriate changes.
- 6) The Board of Commissioners shall not reconsider a proposed change to the Official Zoning Map if such change is for the same property or portion thereof, for a period of one (1) year from the date of final determination of the prior request. This waiting period may be waived by a three-fourths vote of the Board of Commissioners if it determines that there may have been substantial changes in conditions or circumstances which may relate to the request.



## Town of Montreat

P.O. Box 423, Montreat, North Carolina 28757

Phone: (828) 669-8002 • Fax: (828) 669-3810

### **MEMORANDUM**

TO: MONTREAT PLANNING AND ZONING COMMISSION  
CC: TOWN OF MONTREAT BOARD OF COMMISSIONERS  
FROM: ALEX CARMICHAEL, TOWN ADMINISTRATOR  
SUBJECT: REZONING OF WELL SITE 4 FROM CONSERVATION DISTRICT (CD)  
TO INSTITUTIONAL ZONING DISTRICT (I)  
DATE: NOVEMBER 30, 2017

---

**BRIEF SUMMARY:** The Town of Montreat has sought ways to address problems for equipment and employees stemming from its lack of an adequate Public Works building. Expensive equipment and materials are left out in the elements, accelerating depreciation, risking unnecessary loss, and degrading the aesthetic quality of the surrounding environment. Town staff must prepare and maintain equipment while exposed to variable weather. To address these issues staff proposed to the Montreat Board of Commissioners new construction of a metal “butler building” at the March 2017 regular Commission meeting. Staff investigated several parcels of public property and identified one that would have sufficient unrestricted space. The property is the site of the old Well Site Number 4, located behind the MRA Maintenance Building. Well 4 has been offline for approximately 20 years and has been removed from the State’s well inventory for Montreat. Staff proposed a building at the site that would be around 5,000 square feet and would include a stormwater mitigation system that could potentially irrigate the Native Plant Garden. The Commission unanimously voted to direct staff to investigate and prepare for such a Public Works building. During that investigation staff determined that the proposed site is located inside the Conservation District and that such a building is not eligible for conditional use, nor permitted by right in the existing zoning district.

Staff again looked at existing public property for potential locations of a Public Works building, but found no other adequate site. Staff requests that the property around Well 4, as presented in the enclosed maps, be rezoned from Conservation District to Institutional Zoning District.

**STAFF COMMENTS:** The current Conservation District zoning designation where Well 4 is located was established to protect tracts of land from residential, commercial, and institutional development and to preserve land for parks, open space, recreational areas, greenways, trails, waterways and flood plain areas; whereas the Institutional Zoning District designation was established to permit certain institutional uses. At first look these two designations are contradictory. These opposing districts however, were established squarely adjacent to each other, and the history, use, and circumstances of reality have never fitted so neatly as the district boundaries on the Zoning Map would reflect.

Still, action to rezone this site should not proceed without caution. The possibility of rezoning only one individual parcel (e.g. the subject parcel) as opposed to the entire Conservation District may incur judicial review as “spot zoning,” if the zoning action is challenged. The primary concern is that the decision to spot zone must be shown to be reasonable and in the public interest. Relevant factors to be considered are:

- The size and nature of the tract;
- Compatibility with existing plans;
- Impact of the zoning decision on the landowner, the immediate neighbors, and the surrounding community;
- Relationship between the newly allowed uses in the spot rezoning and the previously allowed uses.

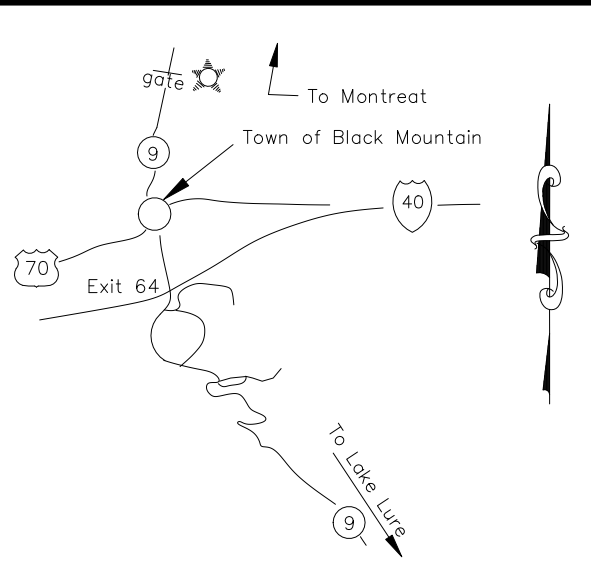
North Carolina law, unlike some other states, does allow spot zoning in certain circumstances, but the Town Commission must be prepared to demonstrate that their decision is defensible under the criteria mentioned above. North Carolina does not mandate that spot zoning decisions must follow quasi-judicial process, nor is a local government council required to publish specific findings of fact as in typical evidentiary hearings. The cautionary note is that great care must be exercised to be certain that a decision is well grounded in the public’s best interest and supported by clear facts relevant to the case.

Staff believes that the criteria for lawful spot zoning is met in this case. Under its current use the site does not adhere to its intended conservation purpose, but instead serves as an open equipment yard. The rezoning of the site to allow the construction of a Public Works building would effectively clean up an otherwise messy site and could potentially elevate the environmental quality of the broader area. Further, the site borders the municipal boundary of Montreat, just across the line from a campus of buildings and uses serving the same institutional purpose. The Institutional designation would be in conformity with the neighboring property across the boundary, and would no more contradict the intent of the neighboring Conservation District than its current condition.

The construction of a Public Works building at Well Site 4 would provide relief for the staff and operations of the Town while cleaning up the existing use of the area.

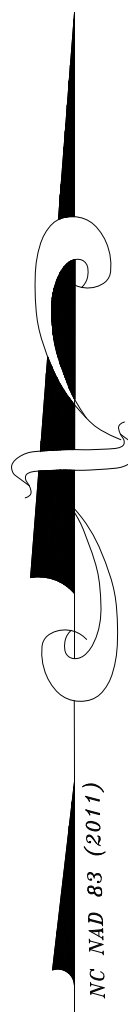
**ATTACHMENTS:**

- Public Works Building Site
- Map of Current Zoning at Subject Site
- Map of Proposed Zoning at Subject Site
- Well Site 4 Survey
- Excerpts from the Town of Montreat Zoning Ordinance
- March 09, 2017 Board of Commissioners Meeting Minutes
- Photograph Presentation of Current Conditions at Site
- Process and Schedule for Rezoning Subject Site



LOCATION MAP

Mountain Retreat Association  
D.B. 103, P. 131



MNF AT NE COR. OF  
D.B. 1826, P. 757

## NOTES

- THIS SURVEY IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS, RIGHTS OF WAY, PREVIOUS CONVEYANCES, OR ANY OTHER FACTS THAT MAY BE DISCLOSED BY A TITLE EXAMINATION.
- THE DISTANCES SHOWN ON THIS PLAT ARE GRID DISTANCES. TO CONVERT TO GROUND DISTANCES, DIVIDE BY THE COMBINED FACTOR OF 0.99978088.
- BASIS OF BEARING: NC GRID NORTH - NAD 83 (NSRS 2011 EPOCH 2012) BASED UPON RTK GPS OBSERVATIONS.
- BASIS OF ELEVATION: NAVD 88 BASED UPON RTK GPS OBSERVATIONS.
- UNLESS STATED OTHERWISE HEREDON, ONLY EVIDENCE OF EASEMENTS, BURIED UTILITIES, PIPELINES, OR STRUCTURES THEREOF WHICH ARE READILY APPARENT FROM A CASUAL ABOVE GROUND VIEW OF PREMISES ARE SHOWN. INTERESTED PARTIES SHOULD INVESTIGATE THE EXISTENCE OF EASEMENTS, BURIED UTILITIES, OR PIPELINES, IF ANY, AND VERIFY. NO LIABILITY IS ASSUMED BY HIGH COUNTRY SURVEYORS, INC. FOR ANY LOSS THAT MAY BE ASSOC. WITH THE EXISTENCE OF ANY EASEMENT, BURIED UTILITY, OR PIPELINE ON THE PREMISES.
- THIS PROPERTY IS ZONED CD BY THE TOWN OF MONTREAT. SEE THE TOWN OF MONTREAT ZONING ORDINANCE FOR MORE INFORMATION.

INTERESTED PARTIES SHOULD INVESTIGATE ALL EXISTING RESTRICTIONS PRIOR TO DESIGN OR CONSTRUCTION. HIGH COUNTRY SURVEYORS, INC. MAKES NO CLAIM TO THE EXISTENCE OF ANY RESTRICTIONS OR COVENANTS.

7. ANY UNDERGROUND SEWER LINE AS SHOWN IS BASED UPON GIS INFORMATION OBTAINED FROM THE MSD ONLINE DATABASE, AND FROM FIELD OBSERVATIONS.

9. A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY FEMA. SEE FIRM 3700071000J DATED 01.06.2010, AND 3700071000J DATED 01.06.2010.

10. THIS PROPERTY IS SUBJECT TO A 30' VEGETATIVE BUFFER AS MEASURED FROM THE TOP OF THE BANK OF THE EXISTING STREAM, AS OUTLINED BY THE NC DEPT. OF NATURAL RESOURCES - WATER QUALITY DIVISION. (STATE CODE SECTION 15A NCAC 2B.0200).

ANY STREAMS, CREEKS, PONDS, LAKES, WETLANDS, ETC. LOCATED ON THIS PROPERTY, SHOWN OR NOT SHOWN HEREDON, MAY BE SUBJECT TO BUFFER AREAS. IT IS THE OWNER'S/DEVELOPER'S RESPONSIBILITY TO HAVE THE AREAS DESIGNATED BY THE PROPER AUTHORITIES TO MAKE THESE DETERMINATIONS.

Mountain Retreat Association  
D.B. 103, P. 131

APPROX. LIMITS OF  
FLOODWAY  
(AS SHOWN BY FLOOD RATE INSURANCE MAPS)  
SEE FEMA FIRM 3710071000J DATED 01.06.2010

APPROX. LIMITS OF  
100 YEAR FLOOD  
(AS SHOWN BY FLOOD RATE INSURANCE MAPS)  
SEE FEMA FIRM 3710071000J DATED 01.06.2010

WELL No. 3  
P.B. 47, P. 52  
Tie: S 67°52'42" W  
87.50'

THIS DOCUMENT ORIGINALLY ISSUED AND SEALED BY  
JOHN M. STOLLERY, L-2996, ON NOVEMBER 1, 2017. THIS  
MEDIA SHALL NOT BE CONSIDERED A CERTIFIED DOCUMENT.

Mountain Retreat Association  
D.B. 103, P. 131

BOUNDARY PER P.B. 47, P. 52 -  
CIRCLE OF 100 FT. RADIUS  
CENTERED ON WELL

## LEGEND

- RBF. REBAR FOUND (SIZE AS NOTED)
- IPF. IRON PIN FOUND
- MNF. MAGNETIC NAIL FOUND
- MNS. MAGNETIC NAIL SET
- CP. CALCULATED POINT-NOT SET
- FH. FIRE HYDRANT
- UL. UTILITY POLE & LINES
- UGL. UNDERGROUND GAS LINE
- UGWL. UNDERGROUND WATER LINE
- BWF. BARBED WIRE FENCE
- CLF. CHAIN LINK FENCE LINE
- EM. ELECTRIC METER
- GM. GAS METER
- EXM. EXISTING MANHOLE
- SC. SEWER CLEANDOUT
- PP. PHONE PEDESTAL
- SD. STORM DRAIN
- W. WELL
- RW. ROCK WALL
- WP. WOODEN POST
- SS. SIGN AND SIGN POST
- MB. MAILBOX
- GA. GUY ANCHOR
- SD. STORM DRAIN

## TREE TABLE

BLO	BLACK OAK
CED	CEDAR
CHT	CHESTNUT
CHR	CHERRY
DGW	DOGWOOD
HCK	HICKORY
LCT	LOCUST
MAP	MAPLE
NRO	NORTHERN RED OAK
PDP	POPLAR
SYC	SYCAMORE
SWD	SWAMP WHITE OAK
WHP	WHITE PINE
WLN	WALNUT

## Boundary & Topographic Survey for: TOWN OF MONTREAT

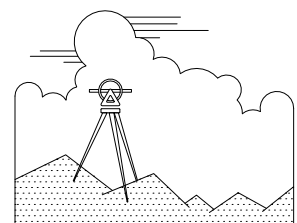
P.I.N. 0710-63-2549

Town of Black Mountain, Buncombe County, NC



REFERENCES: DEED BOOK 1308, PAGE 364 PARCEL II  
PLAT BOOK 47, PAGE 52

HIGH COUNTRY SURVEYORS, INC.  
403-B WEST STATE ST., BLACK MOUNTAIN, NC 28711 (828) 664-0091  
HIGHCOUNTRYSURVEYORS.NET CORPORATE LICENSE NUMBER C-1854













































# Proposed Rezoning of Public Works Building Site (After)



# Proposed Rezoning of Public Works Building Site (Existing)



## Public Works Building Site Rezoning Schedule

Steps in the Process	Normal Schedule for Action Taken
Staff prepares a revised delineation of the (CD) Conservation District boundaries to exclude parcel containing Well#4 and a portion of the surrounding area (see map) for review by the Planning and Zoning (P&Z) Commission at a special meeting called in November;	Fall, 2017
P&Z reviews the proposed rezoning for conformity with the adopted Comprehensive Plan and provides their recommendations to Town Council at their December 14, 2017 meeting;	November 30, 2017
Town Council calls for a public hearing of the proposed map amendment at the January 11, meeting;	December 14, 2017
Staff physically posts the property affected by the rezoning & mails notification of the pending hearing to abutting property owners (normally within 200' of the subject property);	December 21, 2017
Staff provides notice of the required hearing in the local newspaper for two (2) consecutive weeks at least 10 days, but not more than 25 days, prior to hearing date;	December 21 & December 28, 2017
Council holds a public hearing to receive input on the proposed rezoning. Council may then decide to vote on the matter or postpone action for further consideration after the public hearing;	January 11, 2018 (or later, if action postponed)
When the Council takes action, it must adopt a statement as part of the rezoning that describes how its action is either consistent or inconsistent with the Comprehensive Plan and why it considers the action reasonable and in the public interest;	January 11, 2018 (or later, if action postponed or does not pass by an affirmative vote of at least two-thirds of the actual membership of the Board, excluding vacant seats and not including the Mayor)
If the Council does not pass the rezoning request in January by an affirmative vote of at least two-thirds of the actual membership of the Board, excluding vacant seats and not including the Mayor, it may pass the request in February by a simple majority of the Board;	February 8, 2018 (or later, if action postponed)
Rezoning becomes official and staff physically amends the Zoning Map of Montreat to reflect the adopted change;	January 18, 2018 if rezoning request passes on January 11 (or seven days from the date of the passage of the rezoning request)

# Public Works Building Site

Feb 20, 2017



## Legend

	Panels		Flood Hazard Areas
	Political Areas		AE
	Stream Centerline		Floodway (AE)
	Cross Sections		0.2 % Chance Annual Flood Hazard
	Levee		Future Conditions 1% Annual Chance Flood Hazard

North Carolina Floodplain Mapping Program



Meeting	Purpose and Comment	Regulation	Proposed Date
<b>Annual Board Retreat</b>	Commission sets vision and priorities for the coming budget year, including budget and C.I.P.	Not required	February (Specific date TBD)
<b>C.I.P Public Meeting</b>	Staff meets with the public to gather input on needs and projects for the C.I.P.	Not required	2/27/2018
<b>Presentation of Proposed C.I.P. and Annual Budget</b>	Staff presents a proposed budget and C.I.P to Commission. Commission reviews proposed budget, asks questions, and provides feedback to staff.	<a href="#">§ 159-11</a>	5/10/2018
<b>Public Budget Hearing</b>	The public comments on the proposed budget to the Commission	<a href="#">§ 159-12</a>	5/24/2018
<b>Budget Workshop</b>	The Commission reviews the budget at the line item level and directs staff to make any changes	Not required in a specific meeting	6/7/2018
<b>Adoption of Final Budget</b>	The Commission adopts the final budget. Statutes require that "not earlier than 10 days after the day the budget is presented to the board and not later than July 1, the governing board shall adopt a budget ordinance making appropriations and levying taxes for the budget year..."	<a href="#">§ 159-13</a>	6/14/2018
<b>Beginning of the Fiscal Year</b>	The fiscal year runs from July 1st to June 30th	<a href="#">G.S. 159-8(b)</a>	7/1/2018

*\* Internal Staff Benchmark*

<i>Departments submit CIP requests</i>	<i>Departments submit CIP requests to Town Administrator/Budget Officer</i>	<i>Not regulated</i>	<i>1/18/2018</i>
<i>February Actuals</i>	<i>Actual revenues and expenditures of preceding year posted to budget worksheets.</i>	<i>Not regulated</i>	<i>2/28/2018</i>
<i>Personnel and insurance estimates</i>	<i>Finance Officer estimates personnel and insurance costs for entry into departmental budget requests.</i>	<i>Not regulated</i>	<i>3/5/2018</i>
<i>Preliminary revenue estimates</i>	<i>Finance Officer completes preliminary revenue estimates.</i>	<i>Not regulated</i>	<i>3/9/2018</i>
<i>Departments Budget Request</i>	<i>Before April 30 of each fiscal year (or an earlier date fixed by the budget officer), each department head shall transmit to the budget officer the budget requests and revenue estimates for his department for the budget year</i>	<a href="#">§ 159-10</a>	<i>4/2/2018</i>
<i>For special insurance estimates</i>	<i>Additional time available for special meetings, as needed, by the Commissioners to continue deliberation.</i>	<i>Not regulated</i>	<i>6/8/2018-6/28/2018</i>

# 2018 Town of Montreat Board of Commissioners Meeting Calendar

January 2018

S	M	T	W	R	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February 2018

S	M	T	W	R	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

March 2018

S	M	T	W	R	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

April 2018

S	M	T	W	R	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

May 2018

S	M	T	W	R	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

June 2018

S	M	T	W	R	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

July 2018

S	M	T	W	R	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August 2018

S	M	T	W	R	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

September 2018

S	M	T	W	R	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

October 2018

S	M	T	W	R	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

November 2018

S	M	T	W	R	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December 2018

S	M	T	W	R	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Agenda Meetings

Town Council Meetings

Agenda Item Deadlines

Town Services Office Closed

\*Adoption of this calendar does not preclude a call for any additional meetings at the Board's discretion with appropriate public notice\*

**TOWN OF MONTREAT BOARD OF COMMISSIONERS  
REQUEST FOR BOARD ACTION**

**Meeting Date:** December 14, 2017

**SUBJECT:** Adoption of 2018 Town of Montreat Board of Commissioners  
Meeting Calendar and Town of Montreat FY 2018-2019 Budget  
Adoption Calendar

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:**  
**Department:** Administration  
**Contact:** Alex Carmichael  
**Presenter:** Alex Carmichael

**BRIEF SUMMARY:** The Town of Montreat Board of Commissioners adopt two documents for planning the Board of Commissioners meetings in the year. The first is the Annual regular meeting calendar, adopted each year. Though the calendar is adopted by the Commission, it is not comprehensive and meetings may be added or removed through the processes described in the Board of Commissioners' Rules of Procedure.

The second is the Town of Montreat FY 2018-2019 Budget Adoption Calendar, which sets the schedule by which the Board of Commission and Town staff will plan for and adopt the FY 2018-2019 Operating Budget. This too may be amended through the processes described in the Board of Commissioners Rules of Procedure.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

Move to adopt the 2018 Town of Montreat Board of Commissioners Meeting Calendar and Town of Montreat FY 2018-2019 Budget Adoption Calendar as presented.

**FUNDING SOURCE**

Funding for the rental of meeting space is budgeted through the "Governing Body" department of the General Fund budget. Agenda and regular meetings are expected to cost \$1,200 for the year. Special meetings are expected to cost between \$150 and \$250 for the year, depending on location.

**ATTACHMENTS:**

Draft 2018 Town of Montreat Board of Commissioners Budget Calendar  
Draft Town of Montreat FY 2017-2018 Budget Adoption Calendar

**ADMINISTRATOR'S COMMENTS AND RECOMMENDATIONS:**

The 2018 Commissioners retreat is tentatively scheduled in the month of February. Staff proposes one of the following possible dates for a daytime meeting:

- Friday, February 9
- Saturday, February 10
- Wednesday February 14
- Friday, February 16
- Saturday, February 17

The time and location is yet to be determined, but we estimate the retreat being approximately 5 hours in length.



## **Town of Montreat**

P.O. Box 423, Montreat, North Carolina 28757  
Phone: (828) 669-8002 • Fax: (828) 669-3810

December 15, 2017

Mr. Don Collins, Mayor  
Town of Black Mountain Board of Aldermen  
Town Hall  
160 Midland Avenue  
Black Mountain, NC 28711

To the Honorable Mayor Don Collins,

On behalf of the Montreat Board of Commissioners I am writing you to request your support for the de-annexation of property along Montreat Road and Rainbow Terrace from the Town of Black Mountain and the annexation of the property into the Town of Montreat for the location and construction of a town hall.

Beginning in 2007, Montreat has searched for a suitable location to locate a town hall facility. Twenty-one sites were identified and investigated. One was initially chosen, though community support for the size, cost, and location of the facility eroded and the project was abandoned. The site located at 1210 Montreat Road was identified as an alternative for a smaller, simpler design. The Town of Montreat is currently in the final stages of closing on the purchase of that site. Though the property is just across the municipal boundary between our two towns, we believe it is best suited for the needs of the Montreat Town organization and community.

We are requesting your support through a joint resolution from the Town of Black Mountain Board of Aldermen and the Town of Montreat Board of Commissioners calling for the North Carolina General Assembly to de-annex the parcels with the Property Identification Numbers (P.I.N.) 0710-53-9360-00000, 0710-63-1204-00000, 0710-63-0467-00000, and 0710-63-0580-00000 from the Town of Black Mountain municipal boundaries and annex P.I.N.s 0710-632329-00000, 0710-53-9360-00000, 0710-63-1204-00000, 0710-63-0467-00000, and 0710-63-0580-00000 into the municipal boundaries of the Town of Montreat. These tracts combined equal 2.22 acres and will allow Montreat to construct a town hall, provide adequate parking, incorporate current service facilities, and construct a pedestrian connector between Black Mountain's Montreat Road sidewalk project and Montreat's Greenway, Assembly Drive Bike Lane, Elizabeth's Path walking trail, and Rainbow Trail trailhead.

North Carolina General Statutes do not allow for municipalities to de-annex any portion of its jurisdiction; that power is reserved by the General Assembly, usually through a local act. Though G.S. 160A-31(g) and 160A-58.7 allow for processes of annexation by local means, we seek a

single act to redraw this section of our boundaries to allow for the expedient determination of our boundary request. We are asking for your support.

On behalf of the Board of Commissioners, I thank you for your consideration of this request. It is our belief that this project will enhance the quality of municipal services and the quality of life of the communities of our shared valley.

Very Sincerely,

Tim Helms, Mayor  
Town of Montreat

On behalf of: Bill Gilliland, Commissioner  
Alice Lentz, Commissioner  
Kitty Fouche, Commissioner

Kent Otto, Commissioner  
Tom Widmer, Commissioner

# Black Mtn. De-annexation Study Map - Existing Boundaries



**Legend**

- Town of Black Mountain Limits
- Montreat Corporate Limits
- Parcels of Proposed De-annexation



# Black Mtn. De-annexation Study Map - Proposed Boundaries





**TOWN OF BLACK MOUNTAIN RESOLUTION NUMBER #R-18-02**

**TOWN OF MONTREAT RESOLUTION #17-12-01**



**RESOLUTION TO CALL ON THE NORTH CAROLINA GENERAL ASSEMBLY TO  
MODIFY THE MUNICIPAL BOUNDARIES OF THE TOWNS OF  
BLACK MOUNTAIN AND MONTREAT**

**WHEREAS**, the operations of the Town of Montreat have outgrown its existing facilities; and

**WHEREAS**, the Town of Montreat has searched for an appropriate site to locate a town hall facility and endeavored to build a town hall suitable to its current and future needs; and

**WHEREAS**, The site located at 1210 Montreat Road was identified as best suited for the needs of the Montreat Town organization and community, despite its location just across the municipal boundary in Black Mountain: and

**WHEREAS**, The Town of Montreat has entered into a contract to purchase the property at 1210 Montreat Road; and

**WHEREAS**, property outside of the municipality and adjacent to 1210 Montreat Road, already owned or leased by the Town of Montreat serves as parking, storage, administrative offices for the Town of Montreat, and the combined 2.22 acres will allow Montreat to construct a new town hall, provide adequate parking, incorporate current service facilities, and construct a pedestrian connector between Black Mountain's Montreat Road sidewalk project and Montreat's Greenway, Assembly Drive Bike Lane, Elizabeth's Path walking trail, and Rainbow Trail trailhead.

**WHEREAS**, North Carolina General Statutes reserve the power of municipal de-annexation solely by act of the General Assembly;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Aldermen of the Town of Black Mountain and the Board of Commissioners of the Town of Montreat do hereby jointly request that the North Carolina General Assembly de-annex the parcels with the Property Identification Numbers (P.I.N.) 0710-53-9360-00000, 0710-63-1204-00000, 0710-63-0467-00000, and 0710-63-0580-00000 from the Town of Black Mountain and annex P.I.N.s 0710-632329-00000, 0710-53-9360-00000, 0710-63-1204-00000, 0710-63-0467-00000, and 0710-63-0580-00000 into the Town of Montreat.

**Adopted by the Black Mountain Board of Aldermen this** \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Don Collins, Mayor  
Town of Black Mountain

ATTEST:

\_\_\_\_\_  
Angela Reece, Town Clerk

**Adopted by the Montreat Board of Commissioners this** \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Tim Helms, Mayor  
Town of Montreat

ATTEST:

\_\_\_\_\_  
Angie Murphy, Town Clerk

## Creating a Project Ordinance

A governing board may adopt a project ordinance at any regular or special meeting by a simple majority of board members as long as a quorum is present. And it can be done at any time during the year. The ordinance must (1) clearly identify the project and authorize its undertaking, (2) identify the revenues that will finance the project, and (3) make the appropriations necessary to complete the project.

Each project ordinance must be entered in the board's minutes, and within five days after its adoption copies of the ordinance must be filed with the finance officer, the budget officer, and the clerk to the board.

The budget officer also must provide certain information about project ordinances in the proposed annual budget that he or she submits to the governing board each year. Specifically, the budget officer must include information on any project ordinances that the unit anticipates adopting during the budget year. The proposed budget also should include details about previously adopted project ordinances that likely will have appropriations available for expenditure during the budget year.<sup>51</sup> This is purely informational. The board need take no action to reauthorize a project ordinance once it is adopted.

## Balanced Project Ordinance Requirement

The LGBFCA requires a capital or grant project ordinance to be balanced for the life of the project. A project ordinance is balanced when "revenues estimated to be available for the project equal appropriations for the project."<sup>52</sup>

*Estimated revenues* for a project ordinance may include bond or other debt proceeds, federal or state grants, revenues from special assessments or impact fees, other special revenues, and annually recurring revenues. If property tax revenue is used to finance a project ordinance it must be levied initially in the annual budget ordinance and then transferred to the project ordinance. Other annually recurring revenues may be budgeted in the annual budget ordinance and transferred to a project ordinance or appropriated directly in a project ordinance.

*Appropriations for expenditures* in a project ordinance may be general or detailed. A project ordinance may make a single, lump-sum appropriation for the project authorized by the ordinance, or it may make appropriations by line-item, function, or other appropriate categories within the project. If a capital project ordinance includes more than one project, the revenues and appropriations should be listed separately and balanced for each project.

The key characteristic of a project ordinance is that it has a project life, which means that the balancing requirement for such an ordinance is not bound by or related to any fiscal year or period. Estimated revenues and appropriations in a project ordinance must be balanced for the life of the project but do not have to be balanced for any fiscal year or period that the ordinance should happen to span.

## Amending a Project Ordinance

A project ordinance may be amended at any time after its adoption, but only by the governing board. If expenditures for a project exceed the ordinance's appropriation, in total or for any expenditure category for which an appropriation was made, an amendment to the ordinance is necessary to increase the appropriation and identify additional revenues to keep the project ordinance balanced. A board also may amend a project ordinance to change the nature or scope of the project(s) being funded.

51. G.S. 159-13.2(f).

52. G.S. 159-13.2(c).

**TOWN OF MONTREAT BOARD OF COMMISSIONERS  
REQUEST FOR BOARD ACTION**

**Meeting Date:** December 14, 2017

**SUBJECT:** Establishment of a Capital Projects Fund and Budget Amendments

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** I  
**Department:** Administration  
**Contact:** Alex Carmichael  
**Presenter:** Alex Carmichael

**BRIEF SUMMARY:** Governmental accounting in North Carolina requires local governments to adopt a balanced operational budget every fiscal year. Authorization for spending budgeted funds expires every year and new authorization must be sought through the subsequent operating budget. However, § 159-13.2 enables local governments to establish multi-year project funds. Like the operating budget, project funds must maintain a balanced budget, but authorization for expenditures expire at the end of the project, or projects, rather than at the end of the fiscal year.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

Motion 1: Move to authorize the establishment of a Capital Projects Fund.  
Motion 2: Move 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.

**FUNDING SOURCE:**

\$125,000	Appropriated Fund Balance	11-00-3905-900
\$400,000	Capital Outlay	10-00-50000-730

**ATTACHMENTS:**

Budget Amendment #1  
Budget Amendment #2  
Ordinance #17-12-0001  
§ 159-13.2. Project ordinances

**ADMINISTRATOR’S COMMENTS AND RECOMMENDATIONS:**

In the FY16/17 the Board of Commissioners authorized a budget amendment to purchase real property for the construction of a town hall. \$125,000 was encumbered in that fiscal year’s operating budget, but was never spent and remains in the General Fund Reserve. Staff requests that these funds be reauthorized for this fiscal year.

Additionally, staff recommends the establishment of a Capital Projects Fund for two multi-year projects: the construction of a town hall and the construction of a public works building. The Board of Commissioners allocated \$100,000 dollars for preparatory work for town hall and \$400,000 for completing a public works building in the current operating budget. Staff requests an interfund transfer of these combined funds into the Capital Projects Fund. This would allocate a total amount of \$525,000 to the Capital Projects Fund for these projects.

**ORDINANCE # 17-12-0001**

**AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE TOWN OF MONTREAT'S TOWN HALL AND PUBLIC WORKS BUILDING PROJECTS**

**WHEREAS**, in accordance with applicable provisions of the North Carolina Budget and Fiscal Control Act, the Town of Montreat finds it advisable and necessary to establish a capital project ordinance and budgets for the Town of Montreat's Town Hall and Public Works Building projects; and

**WHEREAS**, it is necessary for the Town to establish a budget for these capital projects and appropriate applicable funds needed for the administration and construction of these projects in order to comply with applicable provisions of the North Carolina Local Government Budget and Fiscal Control Act; and,

**WHEREAS**, G.S. 159-13.2 provides that a municipality may undertake the construction of a capital asset by way of a capital project ordinance providing the necessary balanced budget and funding for the life of the project;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF MONTREAT, NORTH CAROLINA:** The Town of has identified a need to construct a Town Hall and a Public Works Building. Accordingly, the following budget modifications are approved

Section 1.

Revenues:

Transfer from General Fund	10-00-5000-730	\$225,000
Transfer from General Fund	10-00-5000-730	\$300,000

Appropriation:

Town Hall	TBD	\$225,000
Public Works Building	TBD	\$300,000

Section 2. The provisions of this capital project ordinance shall be entered in the minutes of the Town of Montreat Board of Commissioners and copies filed with the City Manager as Budget Officer, the Finance Director, and the City Clerk for their direction and guidance in receiving revenues and expending the monies due thereunder.

Section 3. This ordinance shall become effective upon its adoption and approval.

**READ, ADOPTED AND APPROVED** this the 14th day of December 2017.

---

Tim Helms

Mayor

ATTEST:

I hereby certify this is a true and correct copy of this document, duly adopted by the Town of Montreat on the \_\_\_\_ day of \_\_\_\_\_, 2017 as it appears of record in the official minutes.

---

Angie Murphy

Town Clerk

**TOWN OF MONTREAT  
FISCAL YEAR 2018  
BUDGET AMENDMENT # 1**

Be it ordained by the Town of Montreat Board of Commissioners that the following amendment be made to the Budget Ordinance for the fiscal year ending June 30, \_\_\_\_.

**Department(s):** General Government- Buildings

**Purpose:** To authorize appropriations for the purchase of real property

**Section 1.** To amend the General/Water Fund as follows:

Line Item	Account Number	Increase Change	Decrease Change	Amended Budget
Public Buildings- Capital Outlay	10-00-5000-730	\$125,000		\$525,000
Appropriated Fund Balance	10-00-3905-900	\$125,000		\$252,718

Notes:\_\_\_\_\_.

**Section 2.** I certify that the accounting records provide for this budget amendment, and that the revenue source(s) are available:

Emin Maria Khedher 12-6-2017  
Finance Officer Date

**Section 3.** Copies of this amendment shall be delivered to the Budget/Finance Officer and Town Auditor for their direction.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**Recorded and filed:**

<u>Budget Officer/Town Administrator</u>	<u>Date</u>
<u>Town Clerk</u>	<u>Date</u>



**TOWN OF MONTREAT**  
**FISCAL YEAR 2018**  
**BUDGET AMENDMENT #2**

Be it ordained by the Town of Montreat Board of Commissioners that the following amendment be made to the Budget Ordinance for the fiscal year ending June 30, 18.

**Department(s):** General Government- Buildings

**Purpose:** To establish a capital projects fund and delineate two projects within the fund for the construction of a town hall and public works facility.

**Section 1.** To amend the General/Capital Projects Fund as follows:

Line Item	Account Number	Increase Change	Decrease Change	Amended Budget
<b>General Fund</b>				
<b>Expenditures</b>				
Interfund Transfer to Capital Projects Fund	TBD	\$525,000		\$525,000
Capital Outlay	10-00-5000-730		\$525,000	\$0
<b>Capital Projects Fund</b>				
<b>Revenues</b>				
Interfund Transfer from General Fund	TBD	\$225,000		\$225,000
Interfund Transfer from General Fund	TBD	\$300,000		\$300,000
<b>Expenditures</b>				
Appropriation- General Capital Expenditures	TBD	\$225,000		\$225,000
Appropriation- General Capital Expenditures	TBD	\$300,000		\$300,000

Notes: \_\_\_\_\_

**Section 2.** I certify that the accounting records provide for this budget amendment, and that the revenue source(s) are available:

Erin Marie Wheeler

Finance Officer

12-6-2017

Date

**Section 3.** Copies of this amendment shall be delivered to the Budget/Finance Officer and Town Auditor for their direction.

**TOWN OF MONTREAT  
FISCAL YEAR 2018  
BUDGET AMENDMENT #2**

---

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**Recorded and filed:**

---

Budget Officer/Town Administrator

---

Date

---

Town Clerk

---

Date

**§ 159-13.2. Project ordinances.****(a) Definitions. -**

- (1) In this section "capital project" means a project financed in whole or in part by the proceeds of bonds or notes or debt instruments or a project involving the construction or acquisition of a capital asset.
- (2) "Grant project" means a project financed in whole or in part by revenues received from the federal and/or State government for operating or capital purposes as defined by the grant contract.

**(b) Alternative Budget Methods. -** A local government or public authority may, in its discretion, authorize and budget for a capital project or a grant project either in its annual budget ordinance or in a project ordinance adopted pursuant to this section. A project ordinance authorizes all appropriations necessary for the completion of the project and neither it nor any part of it need be readopted in any subsequent fiscal year. Neither a bond order nor an order authorizing any debt instrument constitutes a project ordinance.

**(c) Adoption of Project Ordinances. -** If a local government or public authority intends to authorize a capital project or a grant project by a project ordinance, it shall not begin the project until it has adopted a balanced project ordinance for the life of the project. A project ordinance is balanced when revenues estimated to be available for the project equal appropriations for the project. A project ordinance shall clearly identify the project and authorize its undertaking, identify the revenues that will finance the project, and make the appropriations necessary to complete the project.

**(d) Project Ordinance Filed. -** Each project ordinance shall be entered in the minutes of the governing board. Within five days after adoption, copies of the ordinance shall be filed with the finance officer, the budget officer, and the clerk to the governing board.

**(e) Amendment. -** A project ordinance may be amended in any manner so long as it continues to fulfill all requirements of this section.

**(f) Inclusion of Project Information in Budget. -** Each year the budget officer shall include in the budget information in such detail as he or the governing board may require concerning each grant project or capital project (i) expected to be authorized by project ordinance during the budget year and (ii) authorized by previously adopted project ordinances which will have appropriations available for expenditure during the budget year. (1975, c. 514, s. 8; 1979, c. 402, s. 3; 1987, c. 796, s. 3(3), 3(4).)