

**Town of Montreat  
Board of Commissioners  
Meeting Minutes  
May 9, 2019 – 7:00 p.m.  
Walkup Building**

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Board members present: Mayor Tim Helms  
Mayor Pro Tem Otto  
Commissioner Kitty Fouche  
Commissioner Bill Gilliland  
Commissioner Alice Lentz  
Commissioner Tom Widmer

Board members absent: None

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

Twenty members of the public were present. Mayor Helms called the meeting to order at 7:01 p.m., and led the group in the pledge of allegiance and a moment of silence.

**Agenda Approval**

Commissioner Widmer stated that the current minutes show the original committee assignments which were changed after the April 11<sup>th</sup> Annual Board Retreat. Mr. Carmichael stated that staff could make a footnote to the minutes showing the new corrections without altering the minutes that actually occurred at the original meeting. Commissioner Kitty Fouche is Land of Sky Representative, Commissioner Tom Widmer is Communications Commissioner and Commissioner Alice Lentz is Open Spaces Conservation Committee. Commissioner Gilliland moved to adopt the minutes as amended. Commissioner Lentz seconded and the motion carried 5/0.

**Capital Improvement Plan C.I.P.**

Mr. Carmichael stated that a draft C.I.P. was first introduced at the April 11<sup>th</sup> Annual Board Retreat. This presentation focuses on this year's spending in a five year plan. This is merely a planning document not a commitment to spend. The intent is to be a guiding document for staff and community. The Administration Department is asking for a renewal of funds authorized last year for computer software updates. This encompasses the financial software as well as the water billing software. The dollars are not new dollars.

In Public Buildings there is the Town Hall Project and the Public Works Building. The Town Hall Project proposal is funded through installment financing (BB&T), the Capital Projects Fund and private donations. As of this meeting we do not have a final cost estimate or a contract. The

estimated cost for this project is \$1,646,743. The Public Works Building project remains in process. Phases one and two have been complete for land and site preparation. \$270,196 remains available in the Capital Projects Fund for design and construction. An RFP was sent out and staff did not receive a response. Mr. Carmichael plans to reconstruct the RFP and make it more enticing for engineers and companies that build these type of buildings.

The Police Department is requesting a replacement of a police vehicle. It is the Town's policy to replace fleet vehicles every ten years or 100,000 miles. This is approximately double the best practice standard for other police agencies. The replacement vehicle is estimated at \$37,000. The Commission authorized the removal of two police vehicles last month to be put up for auction on GovDeals so we are currently down a vehicle. Mr. Carmichael reviewed the years and mileage of the current police vehicle fleet. The second item in the Police Department is the continuation of the radio replacement program which will cover two vehicle radios at a cost of \$9,000. The price has been reduced by utilizing a single band, "digital only", configuration. This is a cost savings of \$2,000 per radio and should complete the replacement program.

The Planning and Zoning Department has an item that has come back up for discussion. The Comprehensive Plan Update would fund an outside consultant to renew the 2008 Comprehensive Plan. The envisioned process, with an estimated cost of \$8,000, would utilize a consultant, the Planning and Zoning Board and Town Staff. Staff also recommends permanently removing the Planning and Zoning vehicle replacement from the C.I.P.

The Public Works Department F-250 pickup truck is 11 years old, has 74,044 miles on it and needs a new motor. Staff is requesting a vehicle replacement in the amount of \$48,000.

In Streets and Powell Bill local streets to be repaved in the 2019-2020 fiscal year include Kentucky, Wyck and South Carolina Terrace. This will come out of restricted Powell Bill funds in the amount of \$269,313. New road paving to be pave in the 2019-2020 fiscal year include Texas Road Spur and Lookout, from the trailhead to Whitewater Way. This will come out of restricted Powell Bill funds in the amount of \$55,685. A stormwater/hydrology study is needed to identify where Town infrastructure is needed and where investments of stormwater projects can be most efficiently made to shore up vulnerabilities and risk. Mr. Carmichael has had conversations with Land of Sky Regional Council who is eligible for federal grant funds and we are a good candidate to receive some of this funding. The estimated cost is \$35,000 with \$28,000 potentially coming from grants and \$7,000 from the general fund. This project can be approved contingent upon the grant.

Along the lower section of Greybeard Trail, just north of the intersection between Greybeard Trail and Assembly Circle, there is a section of destabilized streambank. Historically this section of bank along Flat Creek was stabilized using boulders stacked vertically along the bank by the Metropolitan Sewer District. However, recent flooding conditions have caused a failure of this existing boulder wall, causing severe bank destabilization on the right side of the bank when facing downstream. To ensure continued safe usage of Greybeard Trail, McGill Associates proposes this bank be fixed by

installing a retaining wall to armor the bank against further flooding damage. The estimated cost is \$258,320 with \$193,740 coming from the Office of Emergency Management Grants and \$64,580 from the Special Projects Fund.

In the middle of Texas Extension Road, there is a dual 96" culvert system that conveys the flow of Flat Creek under Texas Extension Road. The dual culvert system is experiencing some issues with scour within the pipes and undermining at the ends of the pipes. However, the culvert on the right when facing downstream is more damaged than the left culvert and has several holes in the bottom throughout its length and scattered areas of surface corrosion on fasteners and the exterior of the pipe exposed to flow. Additionally, the protective tar lining has scattered areas of layer cracking. McGill Associates proposes to fix these culverts by spin-casting a new structural coating to restore the structural integrity and protect the remaining pipe from further degradation. The upstream end will require grading and grouting to restore undermined areas. The estimated cost of this project is \$202,400 with \$151,800 coming from the Office of Emergency Management Grants and the remainder coming from a Special Project Fund.

There is an approximate 115 linear foot section of destabilized streambank along Puncheon Branch that is causing structural damage to Texas Road. Historically this section of stream was stabilized by a rock wall. Flooding conditions have created failures in the wall and substantial undermining at the base of the wall. McGill Associates proposes to fix this section of destabilized bank by repairing/replacing the existing retaining wall. Because this project site is located in FEMA zone AE, a flood study and no-rise certification must be obtained. The estimated cost of this project is \$165,320 with \$123,990 coming from the Office of Emergency Management Grants and the remainder coming from a Special Project Fund. There will also be continued cleanup of flood damaged sites around Town including culvert repairs, curb and gutter replacements and asphalt erosion. The estimated cost of these projects is \$127,988 with \$95,991 coming from the Office of Emergency Management and the remainder coming from a Special Project Fund.

The waterline replacement project for the 2019-2020 fiscal year will replace the existing creek crossing that serves the MRA maintenance shop and the current Town Services Building, but will also serve the future Public Works Building. The estimated cost of this project is \$62,011. The second request from the Water Department is for \$70,000 that will purchase one emergency generator. An additional \$15,000 will purchase the necessary hook-ups between the generator and well equipment. These will serve Well B. The Water Department is also asking for \$6,000 to go towards the upgrading of the water billing system.

### **Mayor's Communications**

Mayor Helms thanked staff for all of the hard work in and around Town.

### **Meeting Minutes Adoption**

- April 11, 2019, Annual Board Retreat Minutes
- April 11, 2019, Public Forum Minutes
- April 11, 2019, Town Council Minutes
- Budget Adoption Calendar
- Records Retention Schedule Update

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

Mr. Carmichael briefly explained the Records Retention policy and the recent schedule update. Mr. Carmichael gave a brief Capital Projects Update as well. The Town Hall Project continues to progress. The Town is currently in the value engineering stage and Staff hopes to have the final budget and contract amendment by the Special Meeting on May 30<sup>th</sup>.

### **Administrative Reports**

- Administration – This report was given in written format.
- Planning & Zoning – This report was given in written format.
- Public Works and Water – This report was given in written format.
- Sanitation – This report was given in written format.
- Streets – This report was given in written format.

### **Public Comment**

Laura Wolfe of 324 Texas Road wondered how much it would cost a professional consultant to review and redraft the ordinances rather than paying \$8,000 for a consultant and volunteers to make the changes. Ms. Wolfe also questioned when Texas Road would be paved. Ms. Wolfe also asked Mr. Carmichael where the Records Retention Policy could be located.

Mike Sonnenberg of 125 Virginia Road wondered if there was an annual cost for the proposed accounting software and questioned how long the software was supposed to last. In regards to the storm repairs, Mr. Sonnenberg wondered if a lot of the spots could have been mitigated ahead of time. Mr. Sonnenberg also questioned the annual cost of the police radios and how long they are expected to last. Mr. Sonnenberg stated he was for used trucks as opposed to new trucks.

Mary Standaert of 118 Shenandoah Terrace wanted some clarification about the proposed Special Meeting on Thursday, May 30<sup>th</sup>. Mrs. Standaert also wanted some further clarification about closing the public right-of-ways and if the public will have an opportunity to speak to these issues. Mrs. Standaert also questioned who the new Communications Commissioner would be this year. Mrs. Standaert stated that the agenda packet was released on Tuesday, which fulfills the 48 hour requirement, but she felt pushed for time to absorb all the information. She would like to see the packet released in a more timely fashion

**Old Business**

There was no old business to discuss.

**New Business**

- A. Adoption of Capital Improvement Plan: Commissioner Lentz moved to approve the 2019-2024 Capital Improvement Plan as presented. Commissioner Fouche seconded the motion. Commissioner Widmer suggested to remove the \$70,000 for the generator under the Water Department. Commissioner Widmer also expressed his desire to remove the police vehicle. He believes that the current fleet of four is adequate for our police force. Commissioner Lentz agreed that as long as there is a generator for use in Black Mountain that the Town does not need to be spending \$70,000. Commissioner Fouche also agreed with using Black Mountain's generator. Mayor Pro Tem Otto also mentioned renting or leasing a generator if the Town got in a bind. Mayor Pro Tem Otto would like to see the police vehicle pushed back another year on the C.I.P. Commissioner Gilliland stated that he was in agreement with Commissioner Widmer. Commissioner Widmer moved to approve the revised 2019-2024 C.I.P. as presented excluding the \$70,000 generator under Water Department and the moving the \$37,000 police vehicle to 2020 in the Capital Improvement Plan. Mayor Pro Tem Otto seconded the motion. The motion carried 3/2 with Commissioner Lentz and Commissioner Fouche voting in opposition. Commissioner Gilliland moved to approve the 2019-2024 Capital Improvement Plan as amended. Commissioner Widmer seconded and the motion carried 5/0.
- B. Health Insurance Policy Removal: Mr. Carmichael stated that the Town of Montreat participates with the Health Benefit Trust which is part of the NC League of Municipalities. The contract for renewal has some substantial increases in health and dental. Last year there were no increases. All the insurance pools are increasing substantially this year. Medical insurance will be an increase of \$164 per employee per month. The Town pays the employees portion. The dental insurance is increasing for dependent coverage only. Commissioner Fouche moved to approve contract renewal letter of the Health Benefit Trust for the period July 1, 2019 to June 30, 2020, and to authorize the Mayor to sign and execute said renewal. Commissioner Gilliland seconded and the motion carried 5/0.
- C. Lower Greybeard Trail Bank Stabilization/Wall: Mr. Carmichael stated that \$253,000 was planned in the C.I.P. for this project for construction and engineering costs. The cost is based on an estimate that McGill & Associates completed shortly after Alberto. McGill & Associates estimated \$63,500 worth of engineering costs. Civil Design Concepts came in with a \$55,200 which is a savings of \$8,300. Commissioner Gilliland moved to approve contract #19-05-001, Consulting Services Agreement, with Civil Design Concepts, and to authorize the Town Administrator to sign and execute the agreement. Commissioner Widmer seconded and the motion carried 5/0.

- D. Tax Collection Agreement: Mr. Carmichael stated that since 2005 the Town has been under contract with Buncombe County to collect property and vehicle taxes. Buncombe County had a request from the City of Asheville to renegotiate their contract so the tax office reached out to everyone that they offer collection services too. The previous contract was in perpetuity. The newly proposed contract is a three year term with no cost increase. The Town has asked for a different reporting structure with the remittance. There are also fees in conjunction with collecting special assessment fees but we do not anticipate needing to utilize special assessments in the near future. Commissioner Widmer moved to approve the Tax Collection Agreement with Buncombe County, effective July 1, 2019, as presented. Mayor Pro Tem Otto seconded and the motion carried 5/0.
- E. Martin and Starnes Audit Contract: This is a continuation contract that is providing services for the preparation of the financial statements and the auditing process. The contract did increase by a nominal amount. The auditing cycle is upon us again. Fieldwork is scheduled to begin the first week of June to look for issues and vulnerabilities. They will then return for the full audit in August and September. Commissioner Gilliland moved to approve the Contract to Audit Services with Martin Starnes and Associates, CPAs, P.A. as presented, and authorize the Mayor and Town Administrator to sign and execute said contract. Commissioner Lentz seconded the motion. Commissioner Fouche mentioned that previously there had been discussions about the importance of changing auditors periodically and she wondered whether it was too late to change now. Mr. Carmichael stated that in the past Montreat changed auditing firms every five years and we are currently in year eight with Martin and Starnes. Mr. Carmichael stated that it was a good idea to change firms from time to time but because of changes to the financial structure of the Town this is not the year to change auditors. The motion carried 5/0.
- F. Resolution of Intent to Close Public Right of Way: Mr. Carmichael stated this was the beginning of a long process and that the Town had received a request to close the public right of way. This means that the Town would be relinquishing ownership of the land. The way it works is that you go to the center line of the right of way and relinquish half the property to one owner and the other half to the other owner. The Town does not have to grant the right of way agreement but they do have to process the hearing and hear the request. The requirements are to pass a resolution requesting a public hearing and it is only after the public hearing that the Council can hear the request. The Town has had two requests from two different families represented by the same attorney. Staff has looked at both properties on Texas Road Extension and Virginia Road. Tonight's action is merely to hold a public hearing and no action will be taken. Mayor Pro Tem Otto moved Resolution #19-05-001 concerning intent to close street right-of-way at 163 Texas Road Extension. Commissioner Widmer seconded and the motion carried 5/0.
- G. Resolution of Intent to Close Public Right of Way: Commissioner Widmer moved Resolution #19-05-002 concerning intent to close street right of way at 109 and 111 Virginia Road. Commissioner Gilliland seconded and the motion carried 5/0.

- H. Appointment of Chief David Arrant as Deputy Finance Officer for Signature and Approval Authority and Oath of Office: Commissioner Gilliland moved to appoint Chief David Arrant as Deputy Finance Officer for Signature and Approval Authority. Commissioner Fouche seconded and the motion carried 5/0. Town Clerk Angie Murphy administered the Oath of Office to Police Chief David Arrant.
- I. Call for Public Hearing on the 2019-2020 FY Budget: Commissioner Fouche moved to call for a Public Hearing on the 2019-2020 FY Budget at 7:00 p.m. or soon thereafter on June 13, 2019. Mayor Pro Tem Otto seconded and the motion carried 5/0.

### **Public Comment**

Mrs. Martha Campbell of 149 Maryland Place, as Chair of the Landcare Committee, took an opportunity to thank Brad Hestir and Jean Norris for a wonderful Native Plant Sale and Arbor Day Celebration. The new exhibit about the history of fires and floods in Montreat is still available at the Presbyterian Heritage Center.

Mrs. Mary Standaert of 118 Shenandoah Terrace would like the historical perspective of how rights-of-way closures have been handled in the past. Mrs. Standaert believes this could be precedent setting. Mrs. Standaert questioned whether this becomes a gift of the Town to the landowner.

Mr. Richard DuBose of Mountain Retreat Association spoke to the question posed in the Public Forum about the future status of the McCallum House. McCallum House is a piece of property at the opposite end of Assembly Drive. The MRA has recently been looking at lodging facilities and determining how rentable they are to the organization. McCallum House, structurally, is sound but the interior is uninhabitable and the roof needs replacing. The lodging facility will be addressed in the next year.

Mr. Wade Burns of 232 North Carolina Terrace suggested creating a catch basin between the bridge by the Barn and Lake Susan.

### **Commissioner Communications**

Commissioner Gilliland advised that Public Works Director Barry Creasman had been very helpful with the paving timeline and invited the public to ask him any questions they had regarding paving. Commissioner Gilliland also recently saw Retired Police Chief Jack Staggs who said to tell everyone in town "hello".

Commissioner Kitty Fouche reminded everyone of the C.S. Lewis International Conference which is November 6-8<sup>th</sup> and stated that early registration is available for savings.

**Board of Commissioners**  
**Meeting Minutes**  
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Commissioner Widmer reiterated his thanks to Brad Hestir and Jean Norris for all their hard work at the Native Plant Sale and Arbor Day festivities.

Commissioner Alice Lentz reflected on Tropical Storm Alberto which hit in May of 2018 and she commended the Town on all their efforts to repair the damages thus far.

Jean Norris took an opportunity to state that there were multiple committees and sub-committees involved in the Native Plant Sale and Arbor Day Celebration.

**Meeting Dates**

Planning & Zoning Commission:	Thursday, May 16, 2019 Walkup Building 5:00 p.m.
Memorial Day Holiday	Monday, May 27, 2019 Town Offices Closed Sanitation Services Resume on Tuesday, May 28, 2019
Montreat Tree Board	Tuesday, May 28, 2019 Town Services Building 9:30 a.m.
May Special Town Council Meeting	Thursday, May 30, 2019 Walkup Building 7:00 p.m.
Montreat Landcare	Wednesday, June 5, 2019 Environmental Education Classroom Montreat College 9:00 a.m.
June Town Council Meeting	Thursday, June 13, 2019 Walkup Building 7:00 p.m.

Mr. Carmichael stated that the primary purpose of the May 30<sup>th</sup> Special Meeting is for the presentation of the 2019-2020 FY Budget. Staff is also hoping to bring the final budget and design amendments for the new Town Hall. Also to be discussed are the Workers Compensation Renewal and Liability and Casualty Insurance Renewal.



**Closed Session**

Commissioner Lentz moved to enter into Closed Session in accordance with NCGS 143-318.11(a)(6)) for discussion of a personnel matter and to enter into Closed Session in accordance with NCGS 143-318.11(a)(3)) for attorney-client privilege discussion. Commissioner Gilliland seconded and the motion carried 5/0.

Upon returning to open session no business was conducted.

**Adjournment**

Commissioner Widmer moved to adjourn the meeting. Commissioner Gilliland seconded and the motion carried 5/0. The meeting was adjourned at 9:30 p.m.

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Tim Helms, Mayor

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Angie Murphy, Town Clerk