Board members present by Zoom: None

Board members: Wade Burns

 Bill Scheu

 Allen Crawford

 Mason Blake

 Dan Dean

 John Hinkle

Board members absent: Sally Stansill

Town staff present: Scott Adams, Zoning Administrator

Alex Carmichael, Town Administrator

Angie Murphy, Town Clerk

Special Guests: Jim Hamilton by Zoom Software

There were five members of the public present and several members were watching via Zoom. Mr. Scheu called the meeting to order at 10:30 a.m., and led the group in a moment of silence after a brief welcome.

**Agenda Approval**

John Hinkle moved to adopt the agenda as presented. Allen Crawford seconded and the motion carried 6/0.

**Meeting Minutes Adoption**

Some minor changes to the September 9th minutes were suggested by Dan Dean. These were not substantive changes but merely clarifications.

Dan Dean moved to approve the September 9th Meeting Minutes as amended. John Hinkle seconded and the motion carried 6/0.

Allen Crawford moved to approve the September 14th Special Meeting Minutes as presented. Dan Dean seconded and the motion carried 6/0.

**Continued Review/Discussion of Montreat Ordinances containing well/septic language**

Mr. Jim Hamilton of 784 Foreman Siding Road has read all materials that have been submitted and he is aware that Mr. Wade Burns has intentions of building major houses with septic systems on lots near Mr. Hamilton. Mr. Hamilton stated that Buncombe County has said the lots are too small for a house, septic system and well. Mr. Hamilton then stated that this is why Mr. Burns wants to hook up to Town water. Mr. Hamilton stated that if the Town allows Mr. Burns to do that he will put septic systems next to an underground stream. This stream, at times, reaches flood stages. Mr. Hamilton also stated that Mr. Burns wants the Town to waive the 30 foot setback requirements from the stream bank for houses. Mr. Hamilton stated that Mr. Burns wants to put a house on top of the actual stream bank. Mr. Hamilton thinks the Town should deny this waiver of the 30 foot setback. Zoning Administrator Scott Adams stated that the 30 foot setback does not apply due to the fact it is an ephemeral spring as determined by local state DEQ.

Theodosia Wade stated she and her husband are looking to build on property purchased in 1908. They have a septic permit from Buncombe County but they also would like water as well. Mrs. Wade stated that she understands that the water flows under her lot while a Town road goes across her lot. Mrs. Wade is in hopes that something can be worked out with regards to the water.

Mr. Scheu stated that while Allen Crawford and Wade Burns can speak to the subject of well and septic they will not be voting due to economic interests.

A continued review of the Montreat Ordinances containing well/septic language began on page 1 with a discussion of “newly-platted lots”. Dan Dean felt that on page 2 in the second to last paragraph that there is an incorrect statement of the law. Dan Dean suggested adding NCGS 160A-317 to the bottom of the paragraph for further clarification. In Section 603, Mr. Dean stated that the word “minimum” had previously been removed in the 3rd and 4th lines.

Mr. Dean suggested the following in Chapter D on page 5: “The main sewerage collector lines must meet the Metropolitan Sewerage District regulations. Septic system areas must meet Buncombe County Health Department regulations.” A little further down that same page Section 5 should become Section 4. Mr. Dean suggested the following change to Section 4: “All owners of property within the Town limits shall, at the time of development permitting, make provision for connecting with the public water system for water intake purposes, except where a private potable water well is permitted per NCGS 87-97.2 as amended from time to time.” Mr. Scheu suggested changing the word “provide” to “make provision for” at the bottom of page 5.

Mr. Dean stated that all sections are incorrectly numbered and need to be revisited. Also when numbering paragraphs it should be: number letter number letter. In Section 5 (to be Section 6) remove the comma after “requirements” in the last line.

Mr. Blake stated that on Page 8 of Section M under item 3 (soon to be C) that the first two sentences need to be removed. Mr. Blake also suggested adding the word “developed” into what will now be the first sentence of that section. Mr. Blake also suggested adding the statutory language to the end of the paragraph. Mr. Dean stated the numeration and indentation needed to be adjusted going further.

Mr. Scheu suggested adding the word “Town’s” in subsection d (previously 4) on page 10.

On page 11, Mr. Dean suggested adding the words “for extension” in Section 6. Also at the end of the paragraph, Mr. Scheu suggested adding the words “any” and “or conditions”.

Oh page 16 under the first bullet, Mr. Dean stated that it was another incorrect statement of the law and suggested repeating the earlier language.

John Hinkle moved to approve the Montreat Ordinance containing well/septic language as revised. Dan Dean seconded and the motion carried 4/0. Mr. Wade Burns and Mr. Allen Crawford recused themselves.

**Designation of Members of Montreat Comprehensive Plan Steering Committee**

Mr. Scheu explained that at tonight’s Town Council meeting the Board of Commissioners would do a first reading of an Ordinance establishing an ad hoc Comprehensive Plan Update Steering Committee. The second reading and possible adoption would then be handled on November 11th.

Mr. Scheu stated that five people need to be chosen by the Commission to be appointed to the Montreat Comprehensive Plan Steering Committee. Mr. Scheu stated that Mr. Alex Carmichael will serve on behalf of the Town, Mr. Richard DuBose will serve on behalf of Montreat Retreat Association, Dr. Paul Maurer will serve on behalf of Montreat College and the Board of Commissioners will nominate someone to serve as well.

John Casper, Margaret “Maggie” Elliott, Margaret “Mari” Gramling, Daniel Hewitt and Bill Seaman were chosen by majority to serve on the Montreat Comprehensive Plan Steering Committee. The ballots were signed and given to the Town Clerk for safekeeping.

**Revision of P&Z Rules of Procedure**

Mr. Dean, who chaired the P&Z Rules of Procedure Sub-Committee, stated that he felt the Sub-Committee had completed their task and asked either Mr. Carmichael or Town Clerk Angie Murphy to send a copy of the current Rules of Procedure for editing purposes.

The next meeting will be held at 10:30 a.m. on November 11th.

**Public Comment**

Dr. Mary Standaert of 118 Shenandoah Terrace stated that a lot of substantive items were addressed today. Dr. Standaert asked if the ordinance was going to be presented and voted upon tonight because the public has not had the opportunity to review the document. Dr. Standaert would like for it not to be presented and voted upon this evening. Dr. Standaert also questioned whether a Public Hearing would be required before voting on changes. Dr. Standaert also mentioned that today’s agenda and materials did not go out onto the website and while it is not statutorily required it is nice to keep the public up-to-date. Dr. Standaert suggested that the P&Z Rules of Procedure Sub-Committee review the requirements to post the agenda and materials. Alex Carmichael stated that a Public Hearing is not required but the full council would have to be present on the first reading and a majority present on the second reading. Mr. Scheu stated that the ordinance changes would not be introduced this evening and would be considered at a later date. Dr. Standaert also mentioned that upon reading the minutes of the last Town Council Meeting there was no mandate that a slot on the Montreat Comprehensive Plan Steering Committee was going to be reserved for the Conference Center and College.

**Adjournment**

John Hinkle moved to adjourn the meeting. Dan Dean seconded and the meeting was adjourned at 11:49 a.m.

­­­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Bill Scheu, Chair Angie Murphy, Town Clerk