

**Town of Montreat
Board of Commissioners
Town Forum Meeting Minutes
October 17, 2022 – 6:30 p.m.
Town Hall**

Board members present: Mayor Tim Helms
Mayor Pro Tem Tom Widmer
Commissioner Jane Alexander
Commissioner Kitty Fouche
Commissioner Mason Blake

Board members absent: Commissioner Kent Otto

Town staff present: Angie Murphy, Town Clerk
David Arrant, Police Chief

Eleven members of the public were present and several more were watching via Zoom. Mayor Tim Helms called the meeting to order at 6:30 p.m., and led the group in a moment of silence.

Agenda Approval

Commissioner Kitty Fouche moved to adopt the agenda as presented. Commissioner Jane Alexander seconded and the motion carried 4/0.

Town Forum

Mayor Helms welcomed everyone to the meeting. The 2022 Bear Season in North Carolina runs from October 17 – November 19 and from December 12 – January 2. Mayor Helms stated that there was a bad incident in the Montreat Community last year and as a result of that experience the Commission felt that something needed to be done with regards to hunting dogs in the community.

Commissioner Mason Blake briefly reviewed the incidents that occurred last bear season. Commissioner Blake advised that at the time there was very little that the Montreat Police Department could do about the situation. Commissioner Blake advised that this process took around nine months to evaluate, research and come to a decision. Commissioner Blake stated that of the five ordinances that were passed, two were brand new while the remaining three were revisions to current ordinances.

The first new ordinance prohibits the release of hunting dogs in the Town of Montreat (Article VII of Chapter I). This new ordinance makes it unlawful to release a hunting dog from a cage or vehicle, allowing it to be “at large”. Any violation of this ordinance is a third-degree misdemeanor and

includes a criminal fine up to \$200 and/or imprisonment up to 20 days. Additionally the offender is subject to a civil penalty in the amount of \$2,500.

The second new ordinance (Article VI of Chapter I) passed makes it unlawful for a hunter to go on another person's property to retrieve hunting dogs without the permission (verbal or written) of the landowner unless a Montreat police officer is present and the property owner does not object to the entry. This ordinance does not penalize a person for going onto another person's property for any other purpose. A violation of this ordinance is a third-degree misdemeanor. Violators will be subject to a criminal fine not to exceed \$200 and/or imprisonment up to 20 days. Additionally, an offender is subject to a civil penalty in the amount of \$500.

The third new ordinance (Article V of Chapter G) makes it unlawful to: provide anything edible with the intention of feeding, attracting or enticing bears, or store pet food, garbage or other bear attractants that will result in bear feedings when bears are known to frequent the area. This ordinance does not apply to unintentional feeding of bears. Violators will receive a written warning for the first violation. Each subsequent violation will subject the offender to a civil penalty of \$100 for the second violation, \$250 for the third violation, and \$500 for subsequent violations.

The Commission also made revisions to the current Dog Control Ordinance (Article II of Chapter I). Under the current ordinance, the owner/handler of the dog is required to keep the dog under restraint and is prohibited from permitting the dog to be "at large". The only revisions being made to this ordinance are to the penalties applicable to a very limited set of circumstances that create potentially dangerous situations in Montreat neighborhoods. The penalties have been made stricter for incidents with multiple dogs involved, and the violation occurs in populated zoning districts. In these cases, offenders are subject to penalties beginning with the first violation. The first violation penalty is \$250 for each of the dogs involved. For subsequent violations, the penalty is \$500 per dog.

The Commission also made several revisions to the Solid Waste Disposal and Refuse Collection Ordinance (Chapter G, Article II). The first change modifies the penalties when trash is placed at the roadside without being placed in a garbage can or bear proof container, and garbage cans containing trash are put at the road prior to the morning of scheduled pickup. Offenders will receive a written warning for the first violation, then a \$100 civil fine for the second violation, \$250 for the third violation and \$500 for each subsequent violation. The second revision involve the new trash disposal convenience center located near Town Hall. The new convenience center can be used by all residents and their guests at no charge without the need to purchase pre-printed bags. The convenience center is open 24/7. The new ordinance prohibits any person who is not a resident or recognized visitor to Montreat from utilizing the convenience center. A third degree misdemeanor penalty and a civil penalty of \$500 are levied for any person violating this prohibition. The third revision states that all property owners continue to be responsible for compliance with this ordinance by all guests and occupants of this residence. Owners are responsible for compliance and are subject to the penalties imposed for violations committed by their guests, renters and any other occupants.

Mayor Pro Tem Tom Widmer reviewed the other measures taken by the Commissioners. There will be an improved police presence and response around Town during bear season. Police Chief David Arrant stated that during the heavy times of hunting season he's going to attempt to increase police protection by calling on reserve officers. Security cameras will be installed by the Gate. The cameras will be able to take pictures of license plates as they enter Montreat. The cameras add to an overall sense of security to the Town as a whole. Changes to the waste/recycle disposal policy now include no Town bags required at the Convenience Center and free bags while supplies last. Mayor Pro Tem Widmer briefly touched on the partnership between the Town of Montreat and the Mt. Mitchell Bear Hunting Club. Mayor Pro Tem Widmer held up the newly created decal that all members of the MMBHC will display on their vehicles while hunting in Montreat. There was also a BearWise presentation, as organized by Arrington Cox and the Landcare team, given to the Town and that recording is available on the Town's website. Mayor Pro Tem Widmer stated that all property owners who receive a water bill will soon receive a mailing about the new and revised ordinances along with a magnet with information. Residents have the right to not allow hunters to come onto their property without permission, even if they are looking for their loose dogs. Residents also have the right to call the Montreat Police at the dispatch number of 828.250.6670 to ask for assistance on any bear hunter or hunting dog issue. Residents are also encouraged to take photographs/videos of vehicles, license plates, incidents and individuals to share with Montreat Police. Residents are encouraged to feed birds in a responsible manner. Residents also have the right to deposit trash and recycling in the Town's Convenience Center 24/7. Property owners have the responsibility to contact Montreat Police if you see anyone releasing, following, or using hunting dogs. Contact the Montreat Police if you see a truck loaded with hunting dogs that is not a member for the Mt. Mitchell Bear Hunting Club. Property owners also have a responsibility to prevent bears from getting into their trash. Property owners also have a large responsibility to inform visitors and guests of the trash ordinances and provisions for the disposal of trash in order to avoid fines. It is the property owner's responsibility to ensure your instructions to others are up-to-date and to ensure guests and visitors comply with the Town's trash collection rules. Feel free to tell other homeowners or renters about trash rules. Also be responsible for locating bird feeders out of reach of the bears.

Commissioner Mason Blake reviewed magnets that will be sent to every property owner that outline what to do in case of a hunting dog or bear hunter issue. These magnets will also be available in Town Hall. Commissioner Blake advised these efforts are not anti-bear hunting but rather pro-safety.

Questions/Comments

Arrington Cox complimented the Commissioners on a fabulous job and thanked them for their efforts.

Commissioner Jane Alexander reminded everyone that the dispatch number should be used anytime that you need the police.

Jean Norris asked that the Town of Montreat have an ongoing intent to notify residents of bear season.

Peggy Williamson questioned how the rogue bear hunters are being made aware of the new rules. Commissioner Mason Blake advised that the rogue bear hunters are taking these ordinances as a challenge and are threatening to come back into the Town of Montreat to hunt.

Shannon Ingersoll had some questions about the rogue hunters and how to spot them. Commissioner Mason Blake briefly explained hunter's process.

Grace Nichols questioned whether Montreat residents should be aware of the hunter's rules. Mrs. Nichols also questioned whether dead bears can be brought through Town. Mayor Pro Tem Tom Widmer stated that bear hunting is an age old practice of controlling the bear population.

Arrington Cox stated she learned during the BearWise presentation that NC Wildlife will not relocate bears.

Commissioner Kitty Fouche asked where the rogue hunters can actually shoot the bears. Mayor Helms stated that last year the rogue hunters ran the dogs through Town never giving the bears an opportunity to be treed.

Arrington Cox asked if it was fair game to bait bears. Mayor Tim Helms advised that baiting bears was a common practice.

Adjournment

Mayor Tim Helms thanked everyone for their attendance at the meeting and thanked Mayor Pro Tem Tom Widmer and Commissioner Mason Blake for all their hard work on these ordinance changes and keeping Montreat safe. Commissioner Kitty Fouche moved to adjourn the Town Forum. Commissioner Alexander seconded and the motion carried 4/0. The meeting was adjourned at 7:30 p.m.

Tim Helms, Mayor

Angie Murphy, Town Clerk