I. Call to Order
   • Welcome
   • Moment of Silence

II. Agenda Adoption

III. Public Comments

IV. Adjournment
I. Call to Order
   • Pledge of Allegiance
   • Moment of Silence

II. Agenda Adoption

III. Mayor’s Communications

IV. Consent Agenda
   A. Meeting Minutes Adoption
      • March 14th Public Forum Meeting Minutes
      • March 14th Town Council Meeting Minutes – Pending
      • March 22nd Special Meeting Minutes – Budget Workshop

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 Manager’s Communications
   • Consent Agenda Review
   • Other Items

VII. Administrative Reports
   • Administration
   • Planning and Zoning
   • Police
   • Public Works and Water
   • Sanitation
   • Streets
   • Finance - Pending
   • March Building Permit Information

VIII. Public Comment

Public comments will be heard during this period for any and all items.
IX. Old Business

A. Proposal to Provide Legal Services
   • Presenter: Savannah Parrish
   • See Agenda Materials: pages 20-30
   • Suggested Motion: Move to approve/deny the Proposal for Legal Services as presented/amended

X. New Business

A. Utility Billing Policy & Procedure – Discussion Only
   • Presenter: Savannah Parrish
   • See Agenda Materials: Pending

B. Earth Day Proclamation
   • Presenter: Savannah Parrish
   • See Agenda Materials: Pending
   • Suggested Motion: Move to approve/deny the Earth Day Proclamation as presented/amended

XI. Public Comment

*Public comments will be heard during this period for any and all items.*

XII. Commissioner Communications

XIII. Dates to Remember

• Board of Adjustment – Board Training, April 17\textsuperscript{th} at 11:00 a.m. in Town Hall
• Bearwise/Montreat Presbyterian Church: “Know Your 3 B’s-Bears, Behavior and Biology” with Ashley Hobbs. Wednesday April 17\textsuperscript{th} at 4:00 p.m. in Town Hall. Refreshments at 3:45 p.m.
• Tree Board, Tuesday April 23\textsuperscript{rd} at 9:30 a.m. in Town Hall with Zoom options
• Hillside Development Ordinance Subcommittee, April 24\textsuperscript{th} at 9:00 a.m. in Town Hall
• Planning & Zoning Commission, Thursday April 25\textsuperscript{th} at 10:30 a.m. in Town Hall with Zoom options
• Board of Adjustment, Thursday April 25\textsuperscript{th} at 5:00 p.m. in Town Hall with Zoom options
• Landcare, Wednesday May 1st at 9:00 a.m. in Town Hall with Zoom options
• Native Plant Sale & Arbor Day Celebration, May 4th 9 a.m. to 2:00 p.m. at Moore Center Field
• May Town Council Meeting, Thursday May 9th at 7:00 p.m. Public Forum to begin at 6:30 p.m. with Zoom options
• Open Space Conservation Committee Meeting, Tuesday May 14th at 3:30 p.m. in Town Hall
• Tree Board, Tuesday May 28th at 9:30 a.m. in Town Hall with Zoom options

XIV. Adjournment
## Monthly Statistics

<table>
<thead>
<tr>
<th>Monthly Statistics</th>
<th>2023</th>
<th>2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Meetings</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>Inter-Organizational /Intergovernmental Meetings</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Agendas Prepared</td>
<td>5</td>
<td>6</td>
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<tr>
<td>Minutes Transcribed</td>
<td>5</td>
<td>4</td>
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<tr>
<td>Resolutions Drafted</td>
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<td>1</td>
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<tr>
<td>Public Records Requests Processed</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Water Bills Processed and Mailed</td>
<td>681</td>
<td>686</td>
</tr>
<tr>
<td>Water Bills Processed and Emailed</td>
<td>NA</td>
<td>11</td>
</tr>
<tr>
<td>Leak Adjustments</td>
<td>2</td>
<td>2</td>
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<tr>
<td>New Water Accounts Established</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Professional Development Hours</td>
<td>85</td>
<td>59.5</td>
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<tr>
<td>Sunshine List Messages</td>
<td></td>
<td>20</td>
</tr>
<tr>
<td>Website Posts</td>
<td>21</td>
<td>20</td>
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<tr>
<td>Social Media Posts</td>
<td>25</td>
<td>20</td>
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<tr>
<td>Workers Compensation Claims</td>
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## Upcoming Events and Schedule Changes

### Comments

N/A

### Staff Communications

0
## ADMINISTRATIVE REPORTS:
### BUILDINGS AND INSPECTIONS

Buildings and Inspections report for the month of March 2024

<table>
<thead>
<tr>
<th>Monthly Statistics</th>
<th>2023</th>
<th>2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Permits Issued</td>
<td>2</td>
<td>5</td>
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<tr>
<td>Pending Building Permits</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Building Inspections Performed</td>
<td>36</td>
<td>27</td>
</tr>
<tr>
<td>Stop Work Orders Issued</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Defective Building Posted</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Denied Building Permits</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fire Inspections Performed</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fire Re-Inspections Performed</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fire Permits Issued</td>
<td>0</td>
<td>0</td>
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### Comments

Staff Communications
### Streets Department report for the month of March 2024

<table>
<thead>
<tr>
<th>Monthly Statistics</th>
<th>2023</th>
<th>2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miles of Road Maintained</td>
<td>15.46</td>
<td>15.46</td>
</tr>
<tr>
<td>Miles of New Road Constructed</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Public Trees Removed</td>
<td>0</td>
<td>16</td>
</tr>
<tr>
<td>Sand Applied to Roads (tons)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ice Melt Applied to Roads (pounds)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Monthly Fuel Costs</td>
<td>364.23</td>
<td>$267.07</td>
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<tr>
<td>Road Closures</td>
<td>0</td>
<td>5</td>
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**Comments**

0
## Monthly Statistics

<table>
<thead>
<tr>
<th>Category</th>
<th>2023</th>
<th>2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mileage</td>
<td>2,915</td>
<td>2,690</td>
</tr>
<tr>
<td>Dispatched Calls</td>
<td>24</td>
<td>27</td>
</tr>
<tr>
<td>Officer-Initiated Calls</td>
<td>685</td>
<td>632</td>
</tr>
<tr>
<td>Fire Assistance Calls</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>EMS Assistance Calls</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Motorist/Other Assistance Calls</td>
<td>21</td>
<td>9</td>
</tr>
<tr>
<td>Traffic Stops</td>
<td>29</td>
<td>22</td>
</tr>
<tr>
<td>Parking Issues</td>
<td>7</td>
<td>1</td>
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<tr>
<td>Burglar Alarm Responses</td>
<td>0</td>
<td>1</td>
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<tr>
<td>Residential/Building Checks</td>
<td>525</td>
<td>539</td>
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<tr>
<td>Ordinance Violations</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>Law Enforcement Agency Assistance Calls</td>
<td>10</td>
<td>6</td>
</tr>
<tr>
<td>Animal Control Calls</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Breaking &amp; Entering Calls</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Suspicous Person Investigations</td>
<td>3</td>
<td>2</td>
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<tr>
<td>Suspicous Vehicle Investigations</td>
<td>6</td>
<td>9</td>
</tr>
<tr>
<td>Disturbance Calls</td>
<td>11</td>
<td>7</td>
</tr>
<tr>
<td>Accident Responses</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Auxiliary Hours Worked (Regular)</td>
<td>8</td>
<td>32</td>
</tr>
<tr>
<td>Auxiliary Hours Worked (Addititonal)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Truck Turns at Gate</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>MPD Fuel Cost</td>
<td>$7</td>
<td>$0.00</td>
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<tr>
<td>Professional Development Hours</td>
<td>8</td>
<td>0</td>
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<tr>
<td>Town Service</td>
<td>693</td>
<td>670</td>
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<tr>
<td>MRA Service</td>
<td>269</td>
<td>239</td>
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<tr>
<td>College Service</td>
<td>5</td>
<td>5</td>
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### Comments

A reminder,
## ADMINISTRATIVE REPORTS:
### WATER AND PUBLIC WORKS

Water and Public Works report for the month of March 2024

<table>
<thead>
<tr>
<th>Monthly Statistics</th>
<th>2023</th>
<th>2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calls for Service</td>
<td>21</td>
<td>44</td>
</tr>
<tr>
<td>Water Leaks Repaired</td>
<td>0</td>
<td>2</td>
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<tr>
<td>New Water Lines Installed</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Water Meters Read</td>
<td>674</td>
<td>679</td>
</tr>
<tr>
<td>Water Meter Replacements</td>
<td>0</td>
<td>35</td>
</tr>
<tr>
<td>Gallons of Water Produced</td>
<td>2935285</td>
<td>2,914,084</td>
</tr>
<tr>
<td>Monthly Fuel Costs</td>
<td>$526.67</td>
<td>487</td>
</tr>
<tr>
<td>Hours Pumped (11 wells combined)</td>
<td>1584</td>
<td>1,613</td>
</tr>
</tbody>
</table>

Comments

0
** ADMINISTRATIVE REPORTS:  
SANITATION  

Sanitation Department report for the month of March 2024

<table>
<thead>
<tr>
<th>Monthly Statistics</th>
<th>2023</th>
<th>2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tons of Curbside Trash Collected</td>
<td>25.39</td>
<td>14.34</td>
</tr>
<tr>
<td>Pay-As-You-Throw Trash Bags Collected</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Tons of Curbside Recycling Collected</td>
<td>2.96</td>
<td>3.8</td>
</tr>
<tr>
<td>Pay-As-You-Throw Recycling Bags Collected</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Cardboard Recycling Collected</td>
<td>0.41</td>
<td>N/A</td>
</tr>
<tr>
<td>Unique Curbside Sanitation Stops</td>
<td>1855</td>
<td>1,760</td>
</tr>
<tr>
<td>Bagged Leave Pickup</td>
<td>239</td>
<td>171</td>
</tr>
<tr>
<td>Brush Pickup (cubic yards)</td>
<td>5 Loads</td>
<td>4 Loads</td>
</tr>
<tr>
<td>Hauling Fees</td>
<td>3,663.2</td>
<td>$3,574.40</td>
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<tr>
<td>Dumpster Rental Fees</td>
<td>460.26</td>
<td>$460.26</td>
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<tr>
<td>Sanitation Fuel</td>
<td>$14.02</td>
<td>$259.14</td>
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</table>

No
# Administrative Reports: Zoning Administration

Zoning Administration report for the month of **March 2024**

<table>
<thead>
<tr>
<th>Monthly Statistics</th>
<th>2023</th>
<th>2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved Zoning Permits</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Denied Zoning Permits</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Pending Zoning Permits</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Variance/Interpretation Granted</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Conditional Use Permits Granted</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Permit Extensions Granted</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Sign Permits Issued</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Notices of Violation</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**Comments**

0
## March Permit Information

<table>
<thead>
<tr>
<th>Permit Number</th>
<th>Date</th>
<th>Name</th>
<th>Property Address</th>
<th>Permit Type</th>
<th>Project</th>
<th>Zoning Approval</th>
<th>Cost</th>
<th>PIN</th>
<th>CONTRACTORS</th>
<th>Fee Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5989</td>
<td>3/5/2024</td>
<td>David Cannon</td>
<td>304 Georgia Terrace</td>
<td>electric al</td>
<td>elect serv upgrade</td>
<td>no</td>
<td>.</td>
<td>.</td>
<td>The Neighborhood Electrician</td>
<td>$100</td>
</tr>
<tr>
<td>5990</td>
<td>3/6/2024</td>
<td>Elizabeth Bryan</td>
<td>211 Assembly Dr</td>
<td>elect/mech</td>
<td>hpcO</td>
<td>no</td>
<td>.</td>
<td>.</td>
<td>Smoky Mth Heating &amp; Air</td>
<td>$100</td>
</tr>
<tr>
<td>5991</td>
<td>3/13/2024</td>
<td>Ellen Henschen</td>
<td>215 NC Terrace</td>
<td>elect/mech</td>
<td>hpcO</td>
<td>no</td>
<td>.</td>
<td>.</td>
<td>Bullman Heating &amp; Air</td>
<td>$100</td>
</tr>
<tr>
<td>5992</td>
<td>3/13/2024</td>
<td>David Cannon</td>
<td>304 Georgia Terrace</td>
<td>Resid remodel</td>
<td>carport to deck</td>
<td>yes $28,000</td>
<td>.</td>
<td>.</td>
<td>ServePro-Above All Handyman</td>
<td>$168</td>
</tr>
</tbody>
</table>
Town of Montreat  
Board of Commissioners  
Public Forum Meeting Minutes  
March 14, 2024 – 6:30 p.m.  
Town Hall

**Board members present:**  
Mayor Tim Helms  
Commissioner Jane Alexander  
Commissioner Tom Widmer  
Mayor Pro Tem Mason Blake  
Commissioner Grant Dasher

**Board members absent:**  
Commissioner Kitty Fouche

**Town staff present:**  
Savannah Parrish, Town Manager  
Angie Murphy, Town Clerk

Approximately twenty members of the public were present. 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 Jane Alexander moved to adopt the agenda as presented. Commissioner Grant Dasher seconded, and the motion carried 4/0.

**Public Forum**

Mayor Helms advised those in attendance that the evening’s Public Forum was going to be a little bit different this month. Mayor Helms stated that the Commissioner’s had been talking amongst themselves about ways to honor Reverand Billy Graham. Commissioner Tom Widmer had suggested that an honorarium be instituted on Assembly Drive in his honor. Mayor Helms advised that the name Assembly Drive will remain the same, but a sign will be placed on top of the current street sign indicating the honorarium of Billy Graham Way. Mayor Helms stated that the Commission wants to know what Montreator’s think about the idea.

Wade Burns of 779 Foreman Siding Road thought the name Assembly Drive was an important part of Montreat history. Mr. Burns stated that Reverand Graham was not all about his name but was more concerned with his ministry. Mr. Burns suggested a historical marker be placed in Montreat with a message about his ministry.

Sally Giles of 426 Kentucky Road felt that Mrs. Ruth Graham was the real reason they lived in Montreat and that if anything was done in honorarium it should include both of their names.
Tom Frist of 98 Frist Road appreciated that the Commissioners are trying to honor Reverand Graham, but he had always hoped that when the Texas Road Pedestrian Bridge was completed that a park could be added in both of their names. Mr. Frist also stated that Mrs. Ruth Graham was the real reason the Graham family was in Montreat. Mr. Frist also stated that he felt like the mockup street was slightly confusing.

Mary Jo Clark of 218 Virginia Road reflected briefly on Montreat history and stated that she did agree that a memorial would be nice somewhere else in Montreat. Ms. Clark stated that she does not want the Town to get involved with renaming the streets after people.

Commissioner Tom Widmer advised that a decision has not been made because Council really wanted to hear what everyone thought about the idea of recognition. Commissioner Widmer also stated that in tomorrow’s Montreat Minute a survey about the honorarium would be included to capture more opinions.

Clary Phipps of 106 John Knox Road suggested that the honorary name should appear on the Montreat Gate over Assembly Drive. Mayor Helms advised that the Town of Montreat did not own the Montreat Gate.

William Brown of 218 Virginia Road acknowledged that some sort of recognition would be nice, but the current suggestion does not “fit” for him.

Mayor Tim Helms opened the forum up for any other comments.

Wade Burns of 779 Foreman Siding Road spoke again this time in support of an agenda item to be discussed later at the March Town Council meeting. Mr. Burns was speaking of the request for a text amendment to the Montreat Zoning Ordinance to allow a Montreat property owner, on Harmony Lane, to access his property with a driveway. Mr. Burns stated that he hoped the Council would do everything they could to allow access to the few lots left in Montreat to be developed.

Nancy Midgette of 160 Oak Lane asked if there had been any progress made on how Town staff will collect and dispose of leaves this fall. Ms. Parrish stated that Public Works staff were brainstorming other options for collection methods but as of right now Town staff is happy with the efficiency of the current collection method. Ms. Parrish also stated it would be more difficult to add a leaf vacuum truck because that would necessitate the hiring of another staff person which the Town does not have the funds allocated for at this time. Ms. Parrish also stated that more discussion of this issue would occur at future Budget Workshop meetings. Ms. Midgette stated she was glad that staff was happy with the current collection method but many of the residents who rake and bag their leaves were not happy.

Adjournment

Commissioner Tom Widmer moved to adjourn the meeting. Mayor Pro Tem Mason Blake seconded, and the motion carried 4/0. The meeting was adjourned at 6:50 p.m.
Board members present: Mayor Tim Helms
Mayor Pro Tem Mason Blake
Commissioner Jane Alexander
Commissioner Mason Blake
Commissioner Kitty Fouche
Commissioner Tom Widmer

Board members absent: None

Town staff present: Savannah Parrish, Town Manager
David Arrant, Chief of Police
Barry Creasman, Public Works Director
Rachel Eddings, Finance Officer

One member of the public was present at Town Hall.

**Agenda Adoption**

Commissioner Kitty Fouche moved to adopt the agenda as presented. Mayor Pro Tem Mason Blake seconded, and the motion carried 5/0.

**Budget Workshop 2024-2025 Fiscal Year Budget**

Town Manager Savannah Parrish stated that her goal for this meeting was to have a conversation about the 2024-2025 Fiscal Year Budget and to discuss broad priorities. Ms. Parrish stated that she would be referring to the data from the Board of Commissioners Retreat which was held in October of 2023. Ms. Parrish also intended to discuss the 2024 Buncombe County Living Wage, a Cost-of-Living Adjustment (COLA), and a discussion of the next steps in the annual budget process.

Review of established priorities from the Oct. 2023 retreat and discussion of budget goals:

Ms. Parrish reviewed the goals that the Commission identified as a high priority strategic focus area.

Public Works
- Finish pedestrian bridge.
- Continue implementation of the metering improvements project.
- Continue ongoing development of stormwater plan.
Environment

- Continue chestnut replanting efforts.
- Finish Lake Susan dredging project (currently occurring)

There was also mention of issues related to public safety, staffing and community engagement.

Ms. Parrish’s priority for this budget year is to finish the Texas Road Pedestrian Bridge. Ms. Parrish would like to make sure that the staff is being adequately taken care of, which will lead to a discussion about the Buncombe County Living Wage and the COLA. Ms. Parrish advised that she did not anticipate revenues to increase, but she does anticipate an increase in expenses.

Mayor Helms would like to see the Texas Road Pedestrian Bridge completed as well. Mayor Helms suggested that the money for the Pedestrian Bridge be split between two budget years. Mayor Helms also mentioned that he would like to see the final repairs on Texas Road, damaged from Tropical Storm Alberto, finished up.

Ms. Parrish suggested researching financing as an alternative for funding the Pedestrian Bridge. Mayor Helms asked Ms. Parrish to proceed with that research.

Mayor Helms asked Public Works Director Barry Creasman how far along he was to complete the repairs from damage by Tropical Storm Alberto to Texas Road. Mr. Creasman advised that staff are scheduled to start work on April 15th as soon as the trout moratorium is lifted. Mr. Creasman also advised that he is going to try to maintain an 18-foot roadway and install a concrete curb to mitigate the water that hits that area to decrease failure in the future. Commissioner Tom Widmer questioned how much of the $138,000 in Fund 28 is committed to the Texas Road project.

Commissioner Tom Widmer would love to see the sidewalk between Town Hall and the driveway to the Columbarium completed. Commissioner Widmer mentioned that Mr. Creasman wanted to fix a culvert in that area before completing the sidewalk project but suggested fixing the sidewalk from Town Hall to the Gate to get the project started. Commissioner Widmer would also like to explore a leaf vacuum system which is mentioned a lot by residents and guests. Ms. Parrish advised Council that a leaf vacuum system would mean the addition of another employee to the Public Works team. Mr. Creasman stated that with the number of leaves that would need to be collected a full-time seasonal employee would need to be hired. Mr. Creasman also stated there would be an issue with disposal of the leaves because the Town does not currently have a place to dispose of the leaves. Ms. Parrish stated that Town Staff would investigate several different options.

Commissioner Kitty Fouche stated that she has long wanted to see golf carts allowed on the streets in Montreat. Commissioner Jane Alexander has done a little research, and it is more than just needing direction from Council. There needs to be parking options and liability insurance. Commissioner Alexander would like to do a little more research on the matter.

Mayor Helms would like to see the metal guardrail on Lookout Road replaced and asked if it was a
project that could be budgeted. Mr. Creasman advised that he received some quotes for a wooden guardrail and a rock knee wall.

Mayor Pro Tem Mason Blake would like to try to make progress every year on street paving, especially streets that currently are not paved. Mr. Creasman advised that for this year he is looking at paving Overbrook Road, which is currently gravel, and Arkansas Trail.

Commissioner Kitty Fouche asked about progress with the falling bank on Suwannee Drive. Mayor Helms had spoken to Grace Nichols, a resident on Suwannee Drive and she was going to poll the neighbors and see if they were still concerned about the bank. Mrs. Nichols has not responded thus far.

Ms. Parrish stated that she and Finance Officer Rachel Eddings were unclear if the intention to implement the Living Wage was a one-time increase, which occurred last year, or if Council wanted to increase every year. As of January, the Buncombe Living Wage moved up $2.00 from $20.10 to $22.10. Ms. Parrish stated that for budgetary purposes staff needs some clarification. Ms. Parrish stated that there are currently four employees making below the Living Wage. Ms. Parrish also intends to recommend a 5% COLA raise for all employees in the budget. The annual impact on the budget with this increase would be $25,919. Commissioner Tom Widmer asked if staff had considered merit increases instead of a COLA adjustment. Ms. Parrish feels that it is important to give staff an increase due to the increase in housing costs. Ms. Parrish also stated that Montreat is limited by revenue challenges. Ms. Parrish also mentioned that employee retention would be important as the years go by because people in general are moving away from public service. Ms. Parrish stated that the Town of Montreat has a really good staff, and she would like to do whatever possible to help them while still being justifiable to the taxpayers. Commissioner Widmer would like Ms. Parrish to research what exactly the Buncombe County Living Wage includes.

Ms. Parrish stated that at the end of April/first of May she plans to provide the Council with a formal document to really focus on the budget numbers and what was discussed today.

Commissioner Kitty Fouche asked if there were any big-ticket items to be placed on the budget. Ms. Parrish stated that she and Mr. Creasman would like to see money allocated for the Texas Road Pedestrian Bridge, a conversation needs to occur about potentially raising the minimum starting salary to attract quality candidates to the police department, and a police vehicle has met the 10-year, 100,000 mile mark to be replaced.

Commissioner Jane Alexander moved to adjourn the meeting. Commissioner Kitty Fouche seconded, and the motion carried 5/0.

___________________________________  ___________________________________
Tim Helms, Mayor  Angie Murphy, Town Clerk
February 23, 2024

Savannah Parrish  
Town of Montreat  
Savannah.parrish@tobm.org

Re: Proposal to Provide Legal Services

Dear Town Clerk:

The law firm of Allen Stahl + Kilbourne respectively submits this proposal to Montreat.

Background Information on ASK

Allen Stahl + Kilbourne is a dynamic, growing law firm that was born out of the joining of Dungan, Kilbourne and Stahl, a long-established Asheville law firm and Derek Allen, a veteran litigator, community leader, and land use attorney. Since formed in 2019, the Firm has grown from six attorneys to a roster of 16 highly skilled attorneys in a broad range of practice areas. The growth is a reflection of the Firm's commitment to client service and diligent representation. We pride ourselves on client satisfaction.

A significant portion of our practice involves the representation of developers and other individuals before local governmental entities. Derek Allen, in particular, has robust experience locally and statewide working with local government staff members and appearing before local governmental boards. He may have spent more time in local government meetings than any other local attorney.

Other attorneys in the Firm also have significant experience in governmental law. Robert "Bo" Carpenter has engaged in numerous litigation matters involving local governmental entities, specifically in the employment law realm. Clifton
Williams served for years as general counsel for UNCA and elsewhere in the state university system. The Firm is very comfortable representing municipalities and confronting the legal issues specific to municipalities and other governmental entities.

Another significant portion of the Firm's practice is advising and representing homeowners' associations. While the law governing HOAs may be different than municipal law, advising and representing HOA boards is similar to advising and representing municipalities. Each require attorneys to deftly handle contentious matters and complicated personal dynamics in a neutral, objective manner without taking sides. This skillset transfers well into representing municipalities where calm, objective advice is critical.

Finally, the Firm approaches the practice of law with a team mentality. Client tasks are assigned to attorneys best equipped to handle them. For example, an employment law or policing issue would be handled by Bo Carpenter while a complicated municipal law issue would be researched by Jesse Swords, who has experience and talent with that topic. The breadth of the Firm's practice areas enables the Firm to competently and expeditiously handle any legal issue that Montreat may have.

ASK Law Municipal Experience

ASK Law formally represented the Town of Lake Santeetlah. Attorneys regularly appear before and have been involved in litigation with many municipalities, counties, and other local governmental entities such as water and sewer authorities. Bo Carpenter recently served on the Buncombe County Board of Elections, a local board governed by state law. We have a wealth of experience in local government law.

Municipal law is well within the Firm's purview. We have ongoing, active matters with Asheville, Highlands, Weaverville, Woodfin, Waynesville, Bryson City, Hendersonville, Canton, and Mills River. Our typical municipal interaction includes all levels of the municipality from staff members to lower boards and up through and including the elected board. The Firm is intimately familiar with Chapter 160A and comfortable navigating local ordinances. Montreat would have a wealth of municipal experience at its disposal with ASK Law.

Proposal for Legal Needs

The Firm will have co-lead attorneys – Derek Allen and Bo Carpenter – who will be the primary points of contact for the Town. Town officials will have their cellphone numbers and be able to call them at any time. Both Derek and Bo endeavor to respond to inquiries quickly and are usually able to do so within 24 hours. The scope of their legal knowledge and experience often enables them to
answer legal questions quickly and efficiently. More robust work tasks will likely be assigned to the attorney best equipped to handle the task within the firm.

The Firm would charge a flat fee amount for the representation for “General Town Matters” as defined in the enclosed. Services outside routine services would be charged on an hourly rate. The flat fee amount would be $2,500.00 a month. The hourly rate would be a 20% discount on our normally hourly rate per the enclosed rate sheet with a cap of $350 an hour.

We very much appreciate the opportunity to submit this proposal and look forward to discussing how we can serve the Montreat community.

Robert C. “Bo” Carpenter  
Partner

Derek J. Allen  
Partner
Nature and Scope of Representation

Allen Stahl + Kilbourne ("the Firm", "we", "us" "our") agrees to provide the Town Montreat ("the Town", "you", "Client") legal advice in connection with General Town Matters. General Town Matters include general, transactional, and administrative matters pertaining to Town meetings of the Board of Commissioners, attendance at no more than two meetings a month of the Board of Commissioners, organization, governance, and authority; property rights and development; land use regulation; and other affairs arising from routine Town business. General Town Matters specifically does not include litigation, representation of the Board of Adjustment, administrative appeals, appeals to the North Carolina Appellate Courts, significant ordinance drafting (or similar work), or bond related matters. Any additional representation beyond that which is set forth herein will require a separate Engagement Agreement.
# RATE SHEET

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<tr>
<th>Name</th>
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<tr>
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<td>James W. Kilbourne, Jr.</td>
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*20% Discounted Rate - Not to exceed $350/hr for Town of Montreat*
DEREK J. ALLEN
CO-MANAGING PARTNER

Derek is a leader in Alcoholic Beverage Law, Real Estate Development, and Zoning and Land Use. He has extensive experience with craft breweries ranging in size from small startups to those with international distribution. His practice includes representation of craft breweries, wineries, and distilleries in a wide range of permitting, regulatory, and trade issues.

Additionally, Derek has experience in all aspects of civil litigation, including depositions, hearings, mediations, arbitrations, jury trials, and appeals. He advises clients and litigates cases involving all forms of commercial, business, development, and real property disputes in state and federal courts. He has litigated numerous matters concerning land use issues at the trial and appellate levels. Derek also has experience litigating corporate and partnership disputes before the North Carolina Business Court. He routinely appears in front of city and county governmental bodies.

Derek also works with other regulated industries, including the hemp and CBD markets, both in North Carolina and beyond. He regularly partners with hemp farmers, processors, extractors, product manufacturers, wholesalers, distributors, and retailers to address their unique legal needs. Derek also assists indirect industry participants, including brokers, consultants, marketing agencies, lenders and financial institutions, and other suppliers and vendors in this quickly changing market space.

Areas of Practice
- Craft Beverage
- Food and Hospitality
- Commercial Litigation
- Land Use and Zoning
- Local Government Administration

Bar Admissions
- North Carolina, 1997
- U.S. Court of Appeals, 4th Circuit
- U.S. District Court, Eastern District of North Carolina
- U.S. District Court, Middle District of North Carolina
- U.S. District Court, Western District North Carolina

Education
- J.D., The University of North Carolina School of Law, 1997
- B.A., Political Science and History, magna cum laude, with distinction, The University of North Carolina Asheville, 1993

Awards:
- AV® Preeminent Rated since 2010
- "Lawyer of the Year," The Best Lawyers in America®, Land Use & Zoning Law, Litigation - Land Use & Zoning, 2015, 2020
- “Best Lawyer,” The Best Lawyers in America®, Land Use & Zoning Law, Litigation - Land Use & Zoning, 2010-2023

(828) 254-4778 office
(828) 412-4026 direct
dja@asklawnc.com
• The Business Journal of the Triad, 40 Leaders Under Forty Award, 2005

Professional Associations and Memberships:
• North Carolina State Bar
• Asheville Area Chamber of Commerce
• Leadership Asheville Alumnus, Class XXIX
• Asheville Brewers Alliance, Board Member
• Asheville Buncombe Regional Sports Commission, Board Member 2012-2018
• Buncombe Bar
• Brewers Association Associate Member
• Community Associations Institute
• Diana Wortham Theatre, President 2019, Member, Board of Directors
• LEAF, President 2018-2019, Member, Board of Directors
• North Carolina Bar Association
• Committee: Arts, Entertainment & Sports Law Committee, Former Chair
• Sections: Litigation; Zoning, Planning and Lane Use, Former council member
• North Carolina Craft Museum, Board Member
• North Carolina Creditors Bar Association
• North Carolina Economic Developers Association
• The University of North Carolina at Asheville Foundation Board, Member, Executive Committee
• United Way of Asheville and Buncombe County, Member, Board of Directors
• Western North Carolina Green Building Council, Board Member
ROBERT C. CARPENTER
PARTNER

Bo has developed a uniquely diverse practice where he has garnered significant experience in a variety of distinct practice areas. His diverse areas of practice reflect his personal journey as a WNC native with little exposure beyond these mountains, to someone who studied abroad in Japan and Korea, volunteered with AmeriCorps in five different states from California to Minnesota, and spent his early 20s living in Washington, D.C.

The throughline between his personal and professional life is a strong desire to help those in need and tackle the most complex of issues. He has proven this ability with both the individual client confronting a difficult issue or facing personal turmoil, as well as for the multi-million-dollar business client in high stakes commercial litigation.

While he is honored to be consistently selected by his peers for the Legal Elite and Super Lawyer recognitions, he takes the most pride in diligently serving his clients. He strives for excellence in all aspects of the representation, from responding quickly to client communications, to drafting superior legal briefs, and for everything else in between. He enjoys a job well done.

Bo continues to maintain a comprehensive legal practice that includes a healthy mix of litigation matters and advising and helping small businesses. He lives on the side of a mountain in the Fairview area with his wife, three daughters, and plethora of cats and dogs.

Awards:
• “Legal Elite,” Business North Carolina, Employment Law
• “Super Lawyer,” North Carolina Super Lawyers, General Litigation and Employment Law, 2021-2023
• “Best Lawyer,” The Best Lawyers in America®, Litigation - Construction, 2024
• AV® Preeminent Rated since 2023

Areas of Practice
• Employment Law
• Railroad Law
• Land Use and Zoning
• Local Government Administration
• Medical Records Privacy
• General Litigation
• Small Business General Counsel

Bar Admissions
• North Carolina
• U.S. District Court Western District of North Carolina
• U.S. Court of Appeals for the Fourth Circuit
• Eastern Cherokee Tribal Court

Education
• J.D., Campbell University, Normal Adrian Wiggins School of Law, 2007
• B.A., Political Science, Wake Forest University, 2001
• 2018 Buncombe County Bar Attorney Volunteer of the Year
• North Carolina Pro Bono Honor Society

Professional Associations and Memberships:
• Buncombe County Bar (28th Judicial District), Treasurer, 2014-2017, Pro Bono Committee, 2018-2022
• North Carolina State Bar
• Police Benevolent Association (referral attorney)
• Buncombe County Board of Elections - September 2021 to the present
• Pisgah Legal Services, MAVL Volunteer, Hotline Volunteer
Eric Clifton Williams
Partner

Clifton began his legal career in 2010 while working in the Raleigh area, with initial practice focus in criminal law, personal injury, estate planning and general business matters. Clifton then went into public service, working in various in-house legal roles within the University of North Carolina System for about 10 years. While there, he developed extensive experience with many aspects of higher education law, including land use and development, unified development ordinance (UDO)/zoning compliance, procurement and contract negotiation, public records, employment law, policing, Title IX and student discipline and numerous other areas of federal/state law compliance. Since joining Allen Stahl + Kilbourne in 2020, Clifton focuses his practice on higher education law, employment law, corporate work, real estate and other general business areas.

Clifton received his B.S. in Criminal Justice from Appalachian State University in 1996, and his law degree from North Carolina Central University in 2009. He served 10 years in the United States Army, leaving Army service after achieving the rank of major. While in Army service, Clifton was a qualified Army paratrooper and participated in airborne training operations with the 82nd Airborne Division and 3rd Special Forces Group. After military service, Clifton worked in the retail management and banking/finance sectors with two nationally-recognized companies, both with significant operations in North Carolina, before starting his legal career.

Clifton and his family are thrilled to have lived in Asheville since 2014, and enjoy hiking on the Blue Ridge Parkway and in Pisgah National Forest.

Military Service:
- United States Army
- 10 years in the U.S. Army Transportation Corps, focusing on multifunctional logistics management (air, land and water). Served at multiple posts including Ft. Carson, Colorado and Ft. Bragg, North Carolina

Areas of Practice
- Education
- Employment Law
- Business/Commercial
- Real Estate
- Land Use and Planning
- Estate Planning and Administration
- Landlord/Tenant

Bar Admissions
- North Carolina
- U.S. District Court, Western District of North Carolina
- U.S. Court of Appeals 4th Circuit

Education
- J.D., North Carolina Central University School of Law, 2009
- B.A., Appalachian State University, 1996
JESSE M. SWORDS
ATTORNEY

Jesse received his B.A. from Emory University in 2006, and his J.D., with honors, from the University of North Carolina School of Law in 2017. In between, he spent time working in the bicycle industry, which is what brought him to Asheville in 2012.

Jesse has represented clients across Western North Carolina in a wide variety of land use matters and civil litigation matters. His litigation work has included professional liability, large and small construction defect cases, contract disputes, employment matters, and governmental immunity, to name a few. In the land use area, he has worked with clients large and small to obtain special use permits and re-zonings and has also guided clients and local governments through complex ordinance interpretation issues.

In addition to his land use and litigation work, Jesse has assisted clients with formation of LLCs and non-profit corporations. He is currently serving on the Board of Directors of the Asheville Museum of Science.

Jesse chooses to call Asheville home because he loves the energy and ingenuity of the local community, and he loves the mountain setting. Outside of work, you can find him mountain biking or hiking on the trails surrounding town or strolling with his family to a neighborhood coffee shop, bakery, or pizza place.

Professional Associations and Memberships:
- North Carolina State Bar
- North Carolina Bar Association
- Buncombe Bar

Awards:

Areas of Practice
- Litigation
- Land Use and Zoning
- Real Estate Litigation
- Business/Commercial

Bar Admissions
- North Carolina
- U.S. District Court, Western District of North Carolina
- U.S. District Court, Middle District of North Carolina
- U.S. District Court, Eastern District of North Carolina

Education
- J.D., University of North Carolina School of Law, 2017
- B.A., Emory University, 2006