

MINUTES
VILLAGE OF FLAT ROCK COUNCIL MEETING
ASSEMBLY ROOM
JANUARY 14, 2010
9:30 AM

CALL TO ORDER

Mayor Staton presided over the council meeting of January 14, 2010, at 9:30 a.m., in the Assembly Room of the Village Hall. Those present in addition to the Mayor were Vice Mayor Weedman, Council Members Bucher, Davis, Farr, and Wert, and Village Clerk Hill.

MOMENT OF SILENT MEDITATION / PLEDGE OF ALLEGIANCE

Mayor Staton led the group in a moment of silent meditation. He then led the group in the Pledge of Allegiance.

AGENDA APPROVAL / CHANGES

Council Member Wert made a motion to approve the agenda, seconded by Council Member Chandler. The vote was unanimous, motion carried.

PUBLIC COMMENTS - None

CONSENT AGENDA

1. Council Member Bucher moved to approve the Consent Agenda, consisting of the following:

- November 30, 2009, Agenda Workshop Minutes
- December 10, 2009, Council Meeting Minutes

The motion was seconded by Council Member Davis. The vote was unanimous, motion carried.

SPECIAL REPORTS

2. Zoning Administration - Council Member Bucher

Zoning Administrator Boleman presented a bar graph giving a summary of zoning activity since 2002. Mrs. Boleman reviewed the zoning report and reported on the following zoning issues:

Berwick Downs – Owner/builder of the one house under construction in Berwick Downs has inquired as to zoning procedures when a house is completed, and reported that construction should be completed soon.

Highland Lake PMUD – Zoning Administration review of updated master site plan is underway. Mrs. Boleman is communicating with Steve Collins as review issues arise.

King Creek Preserve – Infrastructure is not yet complete.

Zoning, Planning Board and Board of Adjustment meetings scheduled for January 2010:

Zoning: Zoning breakfast meeting is scheduled for 8:30 a.m., Wednesday, January 13, 2010.

Planning Board: Planning Board cancelled the January meeting due to lack of agenda items. Planning Board plans to meet February 2, 2010, to review proposed zoning and subdivision ordinance text amendments.

Board of Adjustment: Board of Adjustment cancelled the January meeting due to lack of agenda items. An application has been submitted for a conditional use permit, which will be heard in March 2010.

3. Village Hall – Council Member Wert

Council Member Wert expressed concerns that notices of council meetings are not appearing in the newspaper. He reported that he and Mrs. Boleman are seeking a volunteer for village historian.

4. Tax collections – Tax Supervisor Weedman

Vice Mayor Weedman reported tax collections currently total \$644,453.58 (94.8%), with \$35,214.01 still outstanding. The Tax Collector will be mailing approximately 115 delinquency notices, and also giving each a thirty-day advance notice of enrollment in the debt setoff program.

5. Transportation issues – Council Member Farr

Council Member Farr reported a preconstruction meeting on the sidewalk extension was held January 13, 2010. Ed Lastein, Project Designer, Leon Allison, Contractor, and Dennis Allen, NCDOT engineer from Mills River, walked the project. After the meeting, NCDOT gave the village authorization to issue a letter to proceed. Mr. Farr will issue the letter giving permission to order materials immediately and to start construction on or shortly after January 30, 2010, with three months for completion of the project. Work to be done on the sidewalk at the driveway entrance of Village Center Drive will require closing for two days. That work will be scheduled for a Friday and Saturday for the least impact on usage of the Village Hall. A suggestion was made that we seek permission to use the Singleton Centre parking lot for those two days. Mr. Farr will speak with Rev. Delo about that possibility.

Mr. Farr reported that Ed Lastein is the front runner to oversee the sidewalk project, but no one has been officially chosen. The delay is because Mr. Lastein is not on the appropriate NCDOT preapproved list. However, he has filed the required paperwork to be approved by NCDOT, and Ralph Canady, NCDOT's representative, has informed us that the paperwork is working its way through the system, and Mr. Lastein should soon be on the approved list. An advertisement for the oversight position has been posted on the NCDOT website and on a local company website to which contractors subscribe and which provides notices of pending work in the area, and letters of interest are to be submitted to the Village by January 23, 2010.

OLD BUSINESS

NEW BUSINESS

6. Fire protection contract renegotiation – Vice Mayor Weedman

Vice Mayor Weedman presented a draft proposal to renegotiate contracts with the three fire departments that serve Flat Rock. The three major concerns are: (1) timing of payments relative to receipt of tax collections, (2) payment of 100 percent of the amount billed by the fire departments regardless of the amount of taxes collected, and (3) lack of definition of what property should be covered by tax collections and payments.

It is Vice Mayor Weedman's recommendation that Council review the contracts for possible modifications. Mayor Staton commented that we entered into contracts with the fire departments to pay them certain amounts based on their respective tax rates approved by the county and the aggregate assessed valuation of property within the village, with those amounts subject to adjustment annually. He feels there is no problem with changing the timing and frequency of payments, but we eventually would have to pay them 100 cents on the dollar, regardless of our tax collections. He and Mr. Weedman will review the contracts and discuss the matter with the fire departments.

7. Meeting Room usage regulations – Council Member Wert

Council Member Wert discussed the proposed changes to the meeting room request form and, more particularly, a policy regarding the serving of alcoholic beverages in the Village Hall. Mayor Staton reported that, upon inquiry, he learned that Henderson County, the City of Hendersonville and the Town of Laurel Park have policies against the serving of alcoholic beverages on local government premises. The Town of Mills River has no policy in place. The Town of Fletcher did not respond to his inquiry. Mayor Staton also reported that Sharon Alexander has advised that the Village should not permit the serving of alcohol on Village property because of liability issues involved.

Council Member Wert made a motion to adopt a policy not to permit service or consumption of beer, wine or other alcoholic beverages on Village premises, seconded by Council Member Bucher. The vote was unanimous, motion carried.

8. Appropriation Request for funds to digitalize large size drawings, maps, and plats in the Zoning Dept.; amount requested: \$5,000.00 – Vice Mayor Weedman

Vice Mayor Weedman commented that in doing the electronic digitalization records management, the zoning department has found that they have no ability to convert large scale drawings, surveys, house plans, etc. to electronic format. A local company, Varnadore & Associates, has given a quote for the conversion of approximately 2,500 drawings at a price of less than \$2.00 per drawing. Vice Mayor Weedman made a motion that Council appropriate \$5,000.00 for conversion of large drawings, plats, maps, etc. in the zoning office to electronic format. The motion was seconded by Council Member Farr. The vote was unanimous, motion carried.

9. Consideration of Louise Howe Bailey memorial – Mayor Staton

Mayor Staton presented Resolution #173, Resolution of the Council of the Village of Flat Rock in support of the designation of the Louise Howe Bailey Room at the Henderson County Heritage Museum. The adoption of the resolution will be to endorse and support the designation of this memorial to Louise Howe Bailey. Vice Mayor Weedman made the motion to adopt the resolution, seconded by Council Member Chandler. The vote was unanimous, motion carried.

OTHER BUSINESS

10. Mayor – Council Reports

Council Member Chandler reported that the Planning Board is scheduled to meet February 2, 2010. Council Member Davis will give a presentation on proposed zoning ordinance and subdivision ordinance amendments.

Council Member Davis reported that he is reviewing and revising the proposed Flat Rock Tree Preservation Ordinance and will distribute a revised draft to council members.

Mayor Staton reported that he received an invitation to attend a deployment ceremony in honor of the 163rd Area Support Medical Company, NC Army National Guard, to be held on Sunday, February 7, 2010, 2:00 p.m., at East Henderson High School. The event marks the upcoming departure of the unit for a tour of duty in Iraq.

Mayor Staton also reported receipt of a letter from William Moyer, Chairman, Henderson County Board of Commissioners, that at the last board meeting, Commissioner Charlie Messer was elected to serve, along with Mr. Moyer, as a Commission representative on the LGCCA. Commissioner Messer will replace Commissioner Mark Williams on the LGCCA.

PUBLIC COMMENTS – None

ADJOURNMENT

At 10:32 a.m., with no further discussions, Council Member Wert moved to adjourn, seconded by Council Member Farr. The vote was unanimous, motion carried.

Michelle Hill
Village Clerk

Robert V. Staton
Mayor